Columbia University
Journal of Politics & Society
BRICLab Director Marcos Troyjo
BRICs: Strategies to Compete

Sophie Kramer, The Peter and Katherine Tomassi Essay
Forced Marriage and the Absence of Gang Rape: Explaining Sexual Violence by the LRA in Uganda

Also Inside:
Racial Prejudice and Healthcare Reform
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THE VIEW FROM SOUTH LAWN

S
ince our most recent issue in the fall, much of the uncer-
tainty surrounding the headline issues that occupied both
popular and academic discourse—economic growth and
unemployment in the United States, high debt burdens and the
risk of sovereign default in Europe, continued U.S. military pres-
ence in the Middle East, and the success of Chinese economic plan-
ning, among many others—has, in a cursory sense, been resolved.
We know that real U.S. GDP growth accelerated through 2011
while unemployment fell, that the nations of the European Union
are committed to preserving monetary unity through bailouts of
severely indebted members and negotiated write-downs, that Iraq
and Afghanistan will soon govern themselves without the presence
of hundreds of thousands of U.S. troops, and that government pol-
icy seems to have slowed the Chinese economy without bringing it
to a halt.

While the future of these and other global concerns is by no
means clear, this is a moment for more focused, rigorous scholar-
ship—a respite from breaking news flashes during which a deeper
understanding of these problems can be developed. In its twenty-
fourth year of publication, the Journal of Politics & Society continues
to demonstrate the extent to which undergraduate students in the
social sciences are able to participate in, and more importantly con-
tribute to, dialogues that dive deep into issues of global importance.

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This edition of the Journal of Politics & Society begins with a
guest essay by Marcos Troyjo, Director of the BRICLab at Colum-
bia University’s School of International and Public Affairs. Troyjo
looks to the development of the BRIC (Brazil, Russia, India, and
China) nations over the past four decades to analyze various eco-
nomic development models, particularly import substitution in-
dustrialization, trade-focused systems, and local-contentism. He
maintains that local-contentism, in which companies make prod-
ucts with local, rather than imported, materials, parts, and human capital, should be an important, although not exclusive, part of the policy suites of BRIC countries.

Several of the undergraduate essays in this edition also take an historical perspective. Keith Jamieson challenges the traditional narrative of the British response to anti-Christian policies of Meiji Japan in the late nineteenth century. Jamieson holds that the tepid response of British diplomats and policy makers should be attributed to trade concerns and the overarching policy goal of a stable, pro-British Japanese government. Ramy Srour turns to more recent history, examining the evolution of Italy’s attitude toward the supremacy of European Community (EC) law over national law. While Italy’s Constitutional Court initially opposed the measure, by the mid-1980s the Court accepted the supremacy of EC law, and by the end of the decade the Italian parliament passed an act codifying the process of internalizing EC law. Srour’s empirical analysis finds that changes in Italian attitudes toward EC can be attributed to changes in the national economy, particularly unemployment and inflation.

This edition also prominently features field work conducted by our featured authors. A group of six Columbia students investigated the responses of ethnically homogenous low-income neighborhoods in South Williamsburg, Brooklyn to gentrification, gathering information by interviewing residents and local leaders and attending public meetings. The authors find that their case study is not exclusively an example of grassroots resistance or the use of corrupt political machines, but rather a combination of both. Thousands of miles away, Emil Graesholm explores the use of information and communication technologies (ICT) in the Kibera slum in southwestern Nairobi, Kenya. Interestingly, these technologies are being used to both integrate people into formal political processes while at the same time allowing for the creation of informal governance structures. The issue of socio-political change in urban slums is of the utmost importance to their one billion inhabitants worldwide.

Our authors have also used quantitative methods in this edi-
tion to analyze the racial component of public opinion of American health care reform and the rural bias of Brazil’s Bolsa Família poverty alleviation program. In the former case, Lawrence Belcher finds that whites react more negatively to health legislation put forth by black politicians than to the same health legislation put forth by white legislators, illustrating that public opinion in the United States is not altogether colorblind. In the latter case, Sean Higgins finds that by failing to adjust for price differences in rural and urban geographic regions, the Bolsa Família program has been significantly more effective in reducing poverty in rural areas.

Finally, in our Peter and Katherine Tomassi Essay, Sophie Kramer attempts to explain the unusual patterns of sexual abuse committed by soldiers of the Lord’s Resistance Army (LRA) in Uganda. Forced marriages have replaced traditional manifestations of sexual violence within the LRA and Kramer theorizes that this distinctive feature offers valuable insights into the group’s operations, the purpose of its violence, and its strategies for achieving its goals.

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As we near the end of our first year as a semi-annual publication, it is clear that the success of this transition has only been made possible by the tireless efforts of The Helvidius Group’s members. Their professionalism and hard work is manifest on every page. There will never be a shortage of problems for society to address, but I am confident that the Journal of Politics & Society will continue to validate the role that undergraduate students should play in finding solutions for our most pressing issues.

Ross A. Bruck
Editor in Chief

New York City
April 2012
The idea of the BRICs (Brazil, Russia, India, and China) as a valid category for the analysis of present and future international relations is a concept-in-the-making. To be successful in the twenty-first century, leaders of these rising nations will need to confront four vital questions. First, what is your vision for your country’s future? Second, how do you pursue your goals in an interdependent but conflict-ridden world? Third, how are you preparing for the digital economy of knowledge? Fourth, what sacrifices are you willing to make?

Indeed, for the BRICs to achieve greater internal and external policy cohesion and together exert greater influence upon global events, they must build well-articulated views in pursuit of their interests and establish structures that bring together government authorities and business and civic leaders. In the status quo, the BRICs are neither an international organization nor an economic bloc with free-trade agreements. Rather, the idea of BRICs emerged as a vision of the future.

These great nations have reached the status of economic powerhouses because for the past three decades they have been able to adapt successfully to the changing contours of the global economy. Namely, in a world where the generation of jobs is key to economic success, these countries have been able to pursue alternative strategies so that their economies were always busy in providing local

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content.

The future for the BRICs as growth engines, however, must not reside in efficiently adapting to the global economy, but rather in effectively shaping it. This will necessarily entail these countries evolving from being successful local content providers toward becoming dynamic hubs of knowledge and innovation.

THE CLASH FOR COMPETITIVENESS

As global capitalism struggles to find a way out of the present existential crisis, a strong trend is showing its face in the world economy—a trend that goes beyond the BRICs. Against a backdrop of great uncertainty, countries are increasingly adopting industrial and trade policies based on a notion we can call local-contentism. The practice is becoming the most recurrent tool in bulking up a nation’s capacity to compete in world trade and attract investment, regardless of whether it is targeted at infant-industries, high-tech sectors, or more mature, old-world manufactures. On a global scale, we are experiencing far more than just currency wars. Exchange-rate tactics make for ancillary rather than decisive battles. The world has set the stage for the waging of clashes for competitiveness.

Many confuse local-contentism with defensive trade measures erected against artificial exchange-rate stratagems that boost the attractiveness of a country’s exports. There are clear differences, however, between local-contentism and old-school protectionism. While the latter is essentially about import quotas and tariff barriers set up to protect what is national, the former idolizes foreign direct investment and makes extensive use of government procurements as bait. After all, by its very definition, local-contentism is all about being local, not necessarily national. Successful local content initiatives enacted by the BRICs have parted ways with traditional forms of xenophobic protectionism that plagued economic policies during much of the twentieth century. One no longer speaks of the nationalization of industrial assets as if wealth resided in possessing physical facilities rather than human capital or knowledge-in-
tensive processes.

But the recent move toward local-contentism is also visible on radar screens turned to the United States and Europe. This year's presidential campaigns in the United States and France are not centered on free markets or enhanced regional economic integration. They focus instead on the job creation side of local-contentism.

COMPARING CHINA AND BRAZIL

China’s hyper-competitiveness, for example, is the supreme case of intricate, sophisticated local-contentism. Since 1978, policies such as public-private partnerships and vigorous business diplomacy and circumstances including low costs of domestic production and privileged access to the world’s markets have driven its annual GDP in terms of purchasing power parity to more than $10 trillion. Thirty years ago, virtually no strategists or forecasters would have predicted that, in 2011, China would far surpass Brazil in nearly all measures of economic performance. What happened during these past four decades to propel China to such a prominence?

Despite the attention they have received, Brazil, India, and Russia together are the economic equivalent to one China. For the last two decades, Brazil has pursued outdated and inconsistent policies modeled on past experience. China, by contrast, developed pragmatic policies which were adapted to meet changing conditions. China projected power from a solid economic base by devising a national project based on foreign trade and the attraction of foreign direct investment. It continues to promote generational sacrifices for the sake of savings and investment, both at around 50 percent of GDP.

The Brazilian macroeconomic disorder of the 1980s and part of the 1990s swept long-term planning from Brazil’s economic lexicon. Brazilians suffered as a consequence. The suffering people underwent cannot be seen as a sacrifice in the name of a national project—for the simple reason that there was no national project. The way China has combined public-private partnerships, labor
law, a cheap workforce, a favorable approach to foreign capital, and a light tax burden makes the country the largest manufacturing park in the world.

Brazil has not managed to implement a project of power or prosperity throughout these four past decades. The disrepair of physical infrastructure—ports, airports, and roads—demonstrates the delayed consequences of a past lack of investment. As a matter of fact, contemporary Brazil is seeing the quiet renaissance of Import Substitution Industrialization 2.0, or ISI 2.0.

From the early 1950s, Brazil used import substitution to change the economic composition of a country historically attached to agriculture and mining. Its most spectacular periods of growth in the twentieth century—President Juscelino Kubitschek’s “50 Years in 5” (1956–61) and the “Brazilian Miracle” (1967–73)—were largely the result of ISI. It produced annual growth rates in excess of 10 percent and indeed converted Brazil into a large industrial economy targeted at a vibrant domestic market. However, inarticulate exchange-rate policies, a lack of vertical industrial integration, and unfavorable macroeconomic circumstances have made inflation and foreign debt the defining features of ISI.

ISI 2.0 can be easily identified in the way state-owned enterprises, official banks, municipalities, states, and the Federal Government interpret and implement Brazil’s interests in the global economy. Today, ISI 2.0 is the parameter of how government in Brazil protects domestic companies from foreign competition, fosters local content and goes about procurements. Present day ISI 2.0 has two faces. It continues to apply high import taxes and other barriers to protect national groups and foster Brazil’s chosen industrial priorities (semiconductors, software, electronics, automobiles, and others). As the country’s currency is clearly overvalued, its trade deficit in manufactured goods would be even larger if it were not for tariff shields, which contribute to the outrageous prices paid by Brazilian consumers for many foreign goods.

Much like its 1950s prototype, ISI 2.0 is clearly nationalistic. It nonetheless updates the concept of economic nationalism. Rather than merely sheltering Brazilian entrepreneurs, ISI 2.0 calls
for the “Brazilianization” of companies wishing to harness the potential of Brazil’s domestic market. An entire set of incentives is put to the service of those who decide to create jobs in Brazil. Its most powerful tool is the robust policy of government procurement which has found expression in the Lula-Dilma administrations (of Luiz Inácio Lula da Silva, president from 2003-2010, and Dilma Rousseff, president since January 2011).

Brazil is operating under what we could call “the pre-salt hedge.” According to this notion, multiplier effects of new oil discoveries for those who decide to invest in Brazil will be so huge during the next thirty years that they anchor the decision to set up long-term operations in the country. That is why 2011, in spite of the global crisis, saw Brazil receiving $65 billion in foreign direct investment, 5 percent of the world’s total.

This is not all good news for Brazil. It may become an underperformer among the BRICs and other emerging market (EM) nations as it continues to sweep urgently-needed labor, tax, and political reforms under the rug. And Brazil’s ISI 2.0 is inherently vulnerable. It relies on consistent inflows of FDI pouring in over many years. For all this to work smoothly, ISI 2.0 must generate shorter learning cycles to boost rapid and voluminous productivity gains, both of which are conspicuously absent in Brazil.

The future for Brazil lies in making its companies technology-intensive in various industries. There is nothing more strategic for Brazil than transforming its creative people into a society of entrepreneurship and innovation. Brazil’s comparative advantages of today (bioenergy, mining, oil, and pre-salt) have to be put to the service of building the competitive advantages of tomorrow: expanded research and development, patents, new products, companies and universities—all of which are inextricably linked.

FROM LOCAL CONTENT PROVIDERS TO INNOVATION HUBS

Brazil, Russia, and India therefore have major concerns of their own over how the rise of China contributes to the deindus-
trialization of their economies. Nevertheless, these countries have been able to partially offset their China-led deindustrialization by reindustrializing through their own version of local-contentism. One of the reasons Brazil accumulated sufficient capital to foster local content is that China has overtaken the United States and the European Union as Brazil’s top trading partner and one of the prime sources of FDI. China’s appetite for agricultural and mineral commodities, in which Brazil has competitive advantages, has automatically extended economic cooperation to other areas such as logistics, infrastructure, and aircraft. Brazilian, Russian, and Indian manufacturers, who worry deeply about a flood of Chinese goods into their markets, would undoubtedly benefit from government quotas and other import restrictions.

Rather than be critical of China’s exchange rate policies, manufacturers have denounced their own outdated and non-competitive labor laws and infrastructure, which hurt these countries’ domestic and international competitiveness more than China’s cheap yuan.

Local-contentism, a pillar upon which China built the components for becoming a global growth engine, is now being adopted by other countries to counteract China’s hyper-competitiveness. We may therefore see in the near future fewer “made in the world” goods coming from network-corporations that in the heyday of globalization combined worldwide logistics, supply chains, and talent pools to achieve productivity gains. Instead, these processes are increasingly taking place simultaneously in a single country. Even China, which based its prosperity on an import-export strategy, will have to model its local-contentism not so much on the way it sells to the world but rather on how it buys from the world. Major contracts by China’s government, corporations, and consumers as buyers will have to support activities carried out locally, generating local jobs and taxes.

Although local-contentism can benefit one nation or another for a number of years, the global economy will pay a heavy price for the loss of efficiency it entails. If, instead of playing a part in a country’s catching-up strategy, local-contentism becomes an
across-the-board philosophy for our times, we can only expect ever-growing global economic imbalances. If instead local content remains an essential part of the BRICs’ industrial policies only up to the point where their corporations are able to compete on a level playing field, then the BRICs’ role as global growth engines will be confirmed. If the BRICs are indeed able to translate their local content policies into springboards for knowledge and innovation, they will become the world’s most dynamic, prosperous, and influential group of nations.
The Lord's Resistance Army (LRA), notorious for committing horrific atrocities against civilians in northern Uganda, presents a puzzle. The LRA systematically abducted girls and forcibly married them to the rebel commanders and soldiers. Yet rape outside of these marriages was rare, and gang rape of civilians was noticeably absent from the LRA's repertoire of violence. Why did this seemingly incongruous pattern of violence develop? Is this behavior truly as surprising as it appears?

Variation in wartime sexual violence, both within and across conflicts, has been recognized in the past decade. Recent research has focused on documenting this heterogeneity and analyzing its patterns, yet sexual violence during the LRA's twenty-year insurgency—its form and its causes—has not been adequately studied. The case merits attention because it introduces a curious challenge to existing explanations of sexual violence during war. Moreover, as one of Africa's longest lasting and largest insurgencies, the LRA continues to destabilize the Great Lakes region. For that reason, defeating this armed group is a security imperative for several east African nations, as well as a foreign policy objective of the United States.

The premise of my argument is that different forms of sexual violence have varying purposes, and there is a logic behind the rebels' repertoire of violence. Accordingly, this paper will pose two questions. First, why did the LRA practice forced marriage and how was the LRA's agenda advanced by arranging such relationships? Second, why did the LRA not commit more rape outside
of forced marriage than was observed? It is counter-intuitive to grossly violate women's rights in one context while institutionalizing restraint from sexual violence in another. The literature on wartime sexual violence would indeed predict widespread gang rape of civilians by the LRA. However, empirical evidence contradicts this theory. How can we understand this unexpected rebel behavior?

Through the use of secondary data analysis, I contend that the LRA's observed patterns of sexual violence result largely from its operating in an environment with few material resources and lack of popular support for an army composed almost entirely of abducted youth. Forced marriage helped maintain the army under these circumstances. Wives were distributed as compensation and status markers for soldiers in the absence of material goods, and families were fabricated to create networks of interdependency among the combatants. The LRA leadership prohibited rape outside of marriage, because the practice was not instrumental to the rebels' success. Controlling sexual violence reflects not only cultural norms against rape but also the leadership's need to exert control over its army of forcibly recruited soldiers. Brutal nonsexual forms of violence were promoted instead of gang rape to induce cohesion and loyalty among abductees. In contrast to the claim that gang rape best unites a group of abducted soldiers, the LRA's ferocious, nonsexual violence was successful at increasing the rebels' efficacy while avoiding the cultural and practical complications of extramarital rape.

This paper examines the practices of sexual violence employed by the LRA during its rebellion in northern Uganda and analyzes the functional purpose of its violence. I first define the terms used in my analysis, followed by a review of the literature on sexual violence during war that attempts to decipher what existing theorists on sexual violence would expect to observe in the case of the LRA. Following an overview of the conflict in northern Uganda and the LRA, I describe the LRA's repertoire of violence, specifically sexual violence, and explain why forced marriages were pervasive in the army. I then discuss current theories that predict that the LRA would practice less controlled sexual violence and perpetrate
more gang rape of civilians than was observed. In response, I propose why the LRA deviates from these models. I conclude with a discussion of the implications of this analysis and areas for further research.

DEFINITIONS

Sexual violence is a broad grouping of offenses; the International Criminal Court (ICC) defines it as an act of a sexual nature committed by force or coercion, the gravity of which is “comparable to that of a grave breach of the Geneva Conventions.”¹ The International Criminal Tribunal for Rwanda adds, “Sexual violence is not limited to physical invasion of the human body and may include acts which do not involve penetration or even physical contact.”² The ICC enumerates several types of sexual violence, and though forced marriage has not been explicitly recognized among these examples, it qualifies as sexual violence according to the aforementioned definitions.³ Therefore, the act of forced marriage can be subsumed under the category of sexual violence.

Rape also falls under the umbrella of sexual violence and is defined as “the coerced (under physical force or threat of physical force against the victim or a third person) penetration of the anus or vagina by the penis or another object, or of the mouth by the penis.”⁴ Acts of rape take many forms, and it is necessary to distinguish those that pertain to this analysis. Rape within forced marriage refers to non-consensual sexual acts between a captor husband and his abducted wife. Rape outside of forced marriage (or extra-marital rape) is the rape of a forced wife by someone other than her husband, or the rape of non-forcibly married women—both abductees and civilians. Gang rape is any crime of rape perpetrated by a group of people.

FRAMING THE CASE: SEXUAL VIOLENCE LITERATURE

For the past decade, social science literature has recognized the heterogeneity of wartime sexual violence practices. Elisabeth
Wood illustrates that conflicts (and by extension, actors within conflicts) may differ in the extent to which they utilize sexual violence and the form in which it occurs. Still, numerous traditional interpretations of sexual violence fail to account for the observed variation. For example, neither the type of conflict nor theories about increased opportunity for sexual aggression during war explain the diversity of sexually based crimes perpetrated in times of conflict. Explanations that focus on the breakdown of state and of patriarchy have also proven to be inadequate in this respect. Many scholars have, therefore, turned to differences in internal socialization and discipline practices to explain this variation.

Wood holds that leaders of an armed force may attempt to restrain sexual violence for various normative, practical or strategic reasons. If the leadership hierarchy is sufficiently strong, commanders will be able to successfully enforce these norms among their troops and curb sexual violence. In a similar vein, Amelia Hoover Green argues that “controlled violence,” or “violence with a relatively narrow, consistent repertoire,” is observed when commanders institutionalize political programs that induce soldiers to internalize the leaders' preferences for narrow repertoires. Hoover Green emphasizes the absence of sexual violence as an important indicator of such internalization. She also posits that external incentives and disincentives—in other words, disciplinary mechanisms—are insufficient for enforcing control. Hoover Green proves her theory and determines what factors contribute to varying repertoires of violence using qualitative and statistical data about armed groups engaged in El Salvador's civil war in the 1980s.

Though the LRA committed an array of crimes against civilians, the scope of its sexual crimes was nonetheless heavily restricted. In light of the LRA's limited repertoire of sexual violence, Hoover Green would expect the presence of strong institutions for political education that regulate violence. In addition, Hoover Green holds that such institutions are established when a commander has incentives to control his soldiers' behavior, such as when the group depends on non-combatants for information. She would therefore predict that incentives for limiting violence, such
as the need to extract information from civilians, existed for the LRA, and that the leadership promoted political institutions that control violence. As we will see, however, applying Hoover Green’s theory to the case of the LRA fails when empirical evidence is taken into consideration.

Dara Kay Cohen addresses the flip side of Hoover Green’s argument and asks when armed groups encourage, or at least permit, sexual violence. Cohen suggests that gang rape is perpetrated as a response to an army’s problem of intragroup social dynamics. Armed groups with little internal cohesion, in particular those that rely on forced recruitment, use gang rape to forge a coherent unit. Given that the LRA is made almost entirely of abducted children, Cohen’s theory predicts combatants will perpetrate high levels of gang rape in order to promote unity and loyalty among the group. However, this prediction does not hold true for the LRA.

Dara Kay Cohen has coded global levels of wartime rape, and though the Ugandan conflict is included in her dataset, it is not helpful for assessing levels of LRA gang rape or rape outside of marriage. Cohen analyzes total wartime rape by country, and so it is difficult to isolate the magnitude of rapes committed by the LRA when groups as diverse as the Ugandan state army, Holy Spirit Movement, West Nile Bank Front, and Karamajong warriors are also under consideration. In addition, the sources for Cohen’s dataset—U.S. State Department Human Rights Reports and Amnesty International—do not focus on levels of gang rape specifically. They write of rape and sexual violence in broad terms and do not sufficiently differentiate between types of sexual violence.

The LRA’s practices of sexual violence are most directly examined by Khristopher Carlson and Dyan Mazurana. Based on interviews with abducted girls and other informants, they describe the nature of forced marriage and analyze why it is experientially and legally different than sexual slavery, with which forced marriage is often considered synonymous. They demonstrate that forced marriage persisted within the LRA because it was organized by the top leadership in order to increase the rebels’ effectiveness. I will draw substantially from this theory. Yet there is a gap in their
argument, as they do not consider the surprising absence of extra-marital rape by the LRA. This paper will thus fill a void in the current literature by addressing a question that has not yet been posed: why did the LRA’s repertoire of sexual violence develop in its observed form?

BACKGROUND

The LRA has orchestrated one of Africa’s most expansive and protracted insurgencies. Originating in northern Uganda in the late 1980s, the rebellion survived for two decades before vacating Uganda and spreading its violence to three neighboring countries. In the Democratic Republic of Congo, Central African Republic, and South Sudan, the LRA continues to terrorize populations, exacerbate existing conflicts, and destabilize the Great Lakes Region. Quelling this insurgency thus remains a regional necessity, though the state capacity and will to do so is weak. Capturing the LRA’s leader, Joseph Kony, and subduing the rebellion has also been a longstanding fixture of the United States’ foreign policy agenda—an objective that has recently been renewed under President Obama.14

An additional reason to study the LRA is the geopolitical situation from which it originated. Uganda has been mired in political turmoil since gaining independence in 1956, and these tensions have frequently evoked regional and ethnic divisions. The north-south divide in particular “has at times been ethnicized... in the service of certain political agendas.”15 Milton Obote, the first head of state, ruled Uganda for twenty-one years, though his reign was interrupted for eight years by Idi Amin’s dictatorship. Obote was a member of northern Uganda’s Lango tribe, and his leadership was challenged by a guerilla campaign objecting to perceived northern domination.16 This military offensive, directed by Yuweri Museveni and supported by the country’s southern regions, formed the National Resistance Army (NRA) to fight the state army, the Uganda National Liberation Army (UNLA). In 1985, the NRA marched on the capitol and Museveni ascended to power.17
Following its military and political victory, the NRA seized control of Uganda’s Acholi region and persecuted its residents; “rape and other forms of physical abuse aimed at non-combatants became the order of the day.” In response to this violence and northern resentment of Museveni (a southern president), a resistance movement was born. Many former UNLA soldiers—which had been dominated by northerners from the Lango and Acholi tribes—regrouped to establish the Ugandan People’s Democratic Army (UPDA), and a spiritual movement emerged under the guidance of Alice Auma, an Acholi woman believed to be possessed by the spirit Lakwena.

Lakwena initially responded to the war-torn society by conducting healing rituals for UNLA soldiers retreating from Kampala and by explaining the war and UNLA defeat in “a discourse of spiritual cleansing” that had widespread appeal. The cult evolved into the Holy Spirit Movement (HSM) as Lakwena built a following of former UNLA soldiers. These men battled the NRA under Lakwena’s spiritual protection; she performed rituals that included blessing the soldiers with oil, and assured them they would be protected from bullets if they lived according to a set of rules, such as abstaining from sex and alcohol. The HSM was defeated in 1987 as it marched south toward Kampala. Though short-lived in the context of the long northern campaign against Museveni’s government, Alice Auma’s movement is important in the LRA’s history, as there are striking continuities between the groups.

THE LORD’S RESISTANCE ARMY

A peace agreement was signed in 1988 between Museveni’s government and the UPDA. Most UPDA troops surrendered to the government, but many sought new outlets for continuing their resistance. Some joined a group led by Joseph Kony, which came to be known as the Lord’s Resistance Army. The LRA was the third incarnation of the post-1986 insurgencies, and it ultimately had the longest lifespan. It asserted control in northern Uganda for two decades in the midst of numerous failed peace negotiations.
and multi-national counter-insurgency operations. To some extent, the LRA initially prevailed in Uganda by default, and by 1990, it was the only significant military presence remaining. Kony’s group developed at the same time in competition with the HSM. It benefited tremendously from both the HSM’s demise and the disintegration of the UPDA. The LRA absorbed many elements of these antecedent organizations: the HSM’s spiritual drive and the UPDA’s political objectives and troops. Though this characterization is simplistic, it points to two central elements of the LRA ideology that are often characterized in tension.

Like its predecessors, the LRA’s objective was the overthrow of the Ugandan government. The rebels conducted information campaigns, held political rallies, and even declared a ceasefire during the 1996 presidential elections to facilitate voting for the opposition candidate. The LRAs’ goals were explicitly communicated in political manifestos circulated in the region, many of which also asserted the LRA’s support for the protection of human rights. There is thus a clear discrepancy between the group’s written agenda and the reality experienced on the ground, as the LRA’s insurgency is characterized predominantly by its targeting of civilians and its gross human rights violations.

Also central to the LRA’s ideology was a strong spiritual belief system, similar to Lakwena’s movement. Allegedly possessed by spirits, Joseph Kony injected numerous rules into the LRA’s operations and established “a puritanical code of conduct that governed all aspects of behavior.” Drugs and alcohol were prohibited, and sex was permissible only within the sanctioned marriages arranged by LRA commanders. Obeying these rules was considered necessary for survival. Soldiers were taught that those who complied were impervious to death during battle, while those who disobeyed would be killed in combat. This spiritualism and its associated requirements were embedded in local cultures and traditions, but they also had a powerful function for the LRA, which will be elaborated upon later in this paper.

The spiritual dimension of the LRA and its political agenda have often been presented in tension. A common perception
emerged of Kony as a religious lunatic who guides the LRA without political or social convictions and induces his soldiers to commit savage acts of violence without purpose. However, recent literature on the LRA has strived to reconcile the group’s political and spiritual elements, rather than casting the former aside. New analyses present a more nuanced understanding of the LRA’s spiritual order and shed light on the political ideology of the organization and the “strategic rationality” of its violence. The employment of spiritual rhetoric and ruthless violence are not incompatible with the group’s political goals. In fact, this paper argues that the LRA’s spiritualism and barbaric actions, including particular types of sexual violence, were purposeful and strategic.

The LRA’s strategic vision was created and operationalized through a strong, hierarchical structure. Joseph Kony was the LRA’s founder, general, ideological commander, and spiritual leader. His “direct involvement with the objectives and strategies” of many attacks on civilians has been demonstrated, and he is charged with having “committed, ordered or induced the commission of several crimes within the jurisdiction of the [International Criminal] Court.” Kony, his second-in-command Vincent Otti, and other high-ranking LRA commanders constituted Control Altar—the group of rebel leaders who formulated and executed LRA strategy. A clear hierarchy of command then oversaw the army’s four brigades, which were broken into smaller battalions that yielded field units of fifteen to twenty soldiers, the operational unit of the organization. The LRA operated from bases on the Sudanese side of the Ugandan border, and the self-sufficient field units were dispatched to northern Uganda to wage the LRA’s guerrilla campaign. All units communicated through radio and cell phones, which allowed them to coordinate attacks and travel together between the Sudanese bases and the Ugandan bush.

The LRA’s decision to establish its bases in southern Sudan reflected the political and economic environment in which it operated. There were few natural resources to finance the LRA, and so they depended on financial assistance from the Sudanese government. The LRA’s poverty was compounded by its alienation...
from the public, in contrast to the previous resistance movements of the UPDA and Lakwena’s Holy Spirit Movement. The LRA had no popular support in the region, despite pervasive opposition to Museveni’s government among the Acholi. This estrangement was partially a result of the rebels’ violence against civilians. As one woman said, “I would like to support the rebels, but they are killing my people.” This causal relationship also operated in reverse; the public’s alienation from the rebels reinforced the LRA’s incentive to attack civilians. In addition, Sudan’s financial support of the LRA was critical in perpetuating the acrimonious relationship between the rebels and the people of northern Uganda. Not only did Sudan’s financing the LRA increase the viability of its operating without wealth of its own, but it also reduced the rebels’ incentive to win the public’s endorsement. It is in this context that one must understand the extraordinary violence perpetrated by the LRA.

Uganda’s referral of its situation to the International Criminal Court in 2003 and the subsequent issuing of arrest warrants was essential to the onset of concerted negotiations in Juba, Sudan in 2006. Though Kony did not sign the peace agreement, it was during this period that LRA violence in Uganda ceased and the epicenter of its activities shifted to neighboring DRC, CAR, and what was then known as southern Sudan. Although peace has been established in Uganda, the LRA war has not been terminated, but merely exported.

Patterns of LRA Violence

The LRA attacked villages, killed and mutilated civilians, and looted their homes. They abducted young boys and girls, compelled them to kill their families, friends, and neighbors, and forced them to join the rebels as soldiers, porters, and wives. It is notable that soldiers forcibly recruited at a young age constituted the overwhelming majority of the LRA’s forces. As the ICC stated, “The LRA has engaged in a cycle of violence and established a pattern of “brutalization of civilians” by acts including murder,
abduction, sexual enslavement, mutilation, as well as mass burn-
ings of houses and looting of camp settlements.”

The range of crimes perpetrated was horrifying; to adopt the vocabulary used by Wood, the LRA’s repertoire of violence was relatively wide. Nonetheless, violence by the LRA’s combatants was highly regulated and circumscribed. Crimes outside this prescribed range were rarely observed, and within the subset of sexual crimes, the LRA’s repertoire was exceptionally narrow, consisting almost exclusively of forced marriage.

LRA attacks on villages were frequent and the level of violence was high, regardless of how this measure is assessed. Compared to the NRA, as well as earlier resistance movements in the region, the LRA perpetrated remarkably more violence. The absolute number of crimes committed conveys the high levels of violence. Between 1987 and 2006, nearly two million people were displaced and thousands were murdered. One in three male adolescents in northern Uganda was abducted, as were one in six females.

In addition to frequency, Wood distinguishes violence based on targeting and purpose. The LRA engaged in collective targeting, as opposed to indiscriminate (random) violence or selective violence due to an individual’s behavior. Wood defines collective targeting as targeting “of social groups because of their identity as members of that group.” The rebels’ actions were nominally aimed at government collaborators, but in practice they directed their violence at the broader Acholi and Langi population in northern Uganda. Furthermore, this violence was strategic; it was executed at the behest of LRA commanders rather than for individual, private reasons.

Explaining Violence Against Civilians

There are several persuasive explanations for the LRA’s purposeful, extensive, and violent targeting of Acholi civilians. One plausible theory is that Kony strived to purge Acholi society of perceived impurities. Abducting children, for example, was considered a means of rescuing them from a tainted world order. Kony was
particularly focused on the impurities of the NRA and cleansing Acholi society of its collaborators. Kony fabricated a division between the “genuine Acholi” who supported his campaign and “the corrupt, false Acholi” allied with the NRA, and he intended to rid the region of the “political corruption . . . of the NRA/M, embodied in its Acholi agents.” By aligning portions of Acholi society with the NRA and Museveni’s government, Kony linked them with southern Uganda and thus relegated them to out-group status. Branch writes, “Since violence was being used against supposed foreigners, it could take on a relatively unrestrained character.”

The LRA also targeted civilians as punishment, which was inflicted for three reasons: vengeance, deterrence, and incapacitation. First, increases in LRA violence were repeatedly observed following signs of civilian opposition. Civil defense militias to combat the LRA were established in 1991 and 1992 with the support of the government, which caused Kony to feel betrayed. It was at this moment that brutal LRA violence against non-combatants initially escalated. LRA strategy shifted from directly fighting the NRA to seeking revenge on the civilian population. This pattern suggests violence was perpetrated not only with the intent of vengeance but also to deter civilians from organizing in self-defense and resisting the LRA. Spikes in rebel violence were also seen in the aftermath of large counter-insurgency operations. Operation Iron Fist, carried out by the Ugandan government in 2002 with support from the United States and Sudan, was expected to cripple the LRA, but the result was devastating for civilians. Violence against non-combatants soared, and the LRA extended its reach in northern Uganda to unprecedented levels.

There was a set of practical motivations for violently targeting civilians as well. First, it prevented civilians from reporting LRA movements and other intelligence to the government. Second, by triggering mass displacements of communities, violence facilitated the looting of abandoned villages. Third, the LRA’s extensive violence against civilians undermined Museveni’s regime and decreased northern support for the government by revealing the state’s failure to protect its people. Fourth, abduction of youth
satisfied a critical, logistical need: building an army of troops. In an environment with minimal voluntary enlistment in the army, forcibly recruiting soldiers among the youth population was necessary for the LRA’s survival. Challenging the NRA with an army of child soldiers also created a problem for the government. During a confrontation, it was impossible to differentiate LRA rebels from children, and so the state was left in a no-win situation. Based on the same logic, civilians were also more reluctant to attack the LRA.62

Persecuting the population with brutal forms of violence also benefited the LRA, because fear operates as a force multiplier.63 The LRA created a climate of terror by committing conspicuous acts of violence, such as cutting off arms, legs, ears, and lips, promoting the image of an omnipotent, indestructible army, and maximizing the traditional guerilla tactics of surprise and unpredictability. Constructing an ethos of fear ultimately contributed to the LRA’s success fending off the NRA in a fundamentally asymmetric war that pitted the fragile LRA against the stronger state apparatus.64

Sexual Violence in the LRA: Patterns of Forced Marriage

The LRA’s repertoire of sexual violence in northern Uganda was strikingly narrow; it solely comprised forced marriage. The LRA abducted boys to train them for combat, while girls were employed in numerous and complex roles, and were primarily put to work as cooks, porters, and wives.65 Married girls were not only raped, but also subjected to forced labor and made to perpetrate violence. Data on patterns of LRA violence are not reliable, as they are based on small and biased samples. Nevertheless, approximately half of abducted females are estimated to have been the forced wives of LRA soldiers and commanders.66

Many fail to distinguish the critical differences between forced marriage and sexual slavery, as both are non-consensual relationships.67 Despite not being recognized by customary, Ugandan, or international law, these marriages were intended to be experientially akin to a formal marriage:
They have the traditional characteristics of shared domicile, bearing of children, domestic responsibilities, exclusivity and sex. The nature of the relationships forces women and girls to take on roles as sexual partners, mothers to the children born from these relationships, cooks, domestics, water collectors, porters, food producers, and gatherers. The relationships consist of a familial aspect where children are born and raised by abducted mothers and their captor husbands.68

The crime of forced marriage thus comprises elements not captured by sexual enslavement, namely its conjugal and exclusive dimensions. For these reasons, Carlson and Mazurana argue forced marriage is both a sexual and non-sexual gender-based crime. This point is not meant to belittle the sexual violence that transpired within these marriages. Sexual activity between husband and wife was mandated by the LRA and monitored by commanders.69 Women who refused sex were beaten. Men who refused were threatened by their commanders with punishment, and so few disobeyed. The purpose of intercourse was to reproduce, and half of the forced wives gave birth while in captivity.70 Wives who failed to conceive were given “medical treatment,” though it is unclear what this entailed.71

FORCED MARRIAGE AS STRATEGY

The practice of forced marriages was a strategy designed and implemented by the LRA leadership; it was neither opportunistic behavior by individual soldiers, nor was it a widespread practice ignored by the commanders. The LRA leaders orchestrated every stage of the girls’ experience, including their abduction, distribution as wives, and reproductive activities.72

When the LRA carried out its raids, it captured boys without method; the only characteristic considered was the boy’s age.73 On the other hand, the leadership strictly controlled the abduction of girls according to numerous specifications. Commanders documented the numbers of girls who were captured, escaped, and died, and these records were relayed to the LRA’s second-in-command,
Vincent Otti. He tracked how many new female abductees were needed to compensate for the losses and dictated the number of girls to be abducted. Following a raid, the field units communicated with their superiors via radio to inform them of the number of males and females abducted. If the figures were adequate, the group returned to the LRA bases in Sudan.

Upon returning to the Sudanese bases, women and girls were isolated for a period prior to distribution as wives by the most senior LRA leaders. This responsibility lay with Kony himself, Otti, and select top-ranked officials in the position known as “BM,” who answered directly to Kony and Otti. Wives were allocated according to the men's status. Commanders and high-ranking fighters received five wives on average, while low-level fighters had one or two. Kony himself is believed to have married more than forty abducted females. Although in some instances marriages were arranged through a lottery system, distribution occurred primarily on the basis of the leaders' placement. Commanders' preferences were taken into account, and they could describe the age and appearance they desired for their wives. Intelligent, educated girls were especially coveted, because they could perform tasks for their husbands that involved writing or recording information. Once assigned to a man, girls were obligated to become his wife; refusal was punished by beating, rape, torture, or death.

Given that the LRA leadership coordinated and executed forced marriages, the question is then why they invested in this strategy. Several explanations have been proposed that are insuffi cient to explain the emergence of the institution of forced marriage, which I will now address in turn.

Theory One: Girls were needed to perform women's work and fill necessary combat and support roles. Girls undoubtedly fulfilled vital needs of the organization, and their value in this respect explains the LRA's abduction of females for indoctrination into their group. However, this theory does not account for the commanders' orders for women to marry and reproduce. One cannot simply ask why the presence of girls was valuable, but rather why the institution of forced marriage was worthwhile.
Theory Two: Forced marriages were implemented in order to remove the desire to rape non-combatants (what Wood terms “the substitution argument”). Given that the rape of non-combatants is absent from the LRA’s repertoire of violence, one might be tempted to accept the substitution argument as a valid explanation for forced marriage. However, armed groups in many other conflicts neither systematically rape civilians nor support forced marriages (e.g., Sri Lanka and Israel/Palestine). It is therefore possible to avoid rape without establishing an alternative outlet for sex through forced marriages. Why, then, would the LRA build such a complex institution for the purpose of avoiding rape? The substitution argument fails to sufficiently explain the policy of forced marriage.

Theory Three: Joseph Kony was perpetuating a hedonistic lifestyle for himself in which he had authority, easy access to resources and the first choice of wives. As leader of a rebel group that terrorized northern Uganda, Kony certainly had a level of power and influence he would not otherwise possess. However, the personal benefits Kony derived from the organization, such as his accumulation of handpicked wives, cannot explain the implementation of forced marriage throughout his forces. There was a clear imbalance in the resources to which Kony had access; he married at least forty women, in contrast to the commanders’ five and the low-level fighters’ one or two wives. If Kony’s personal benefit was driving the practice of forced marriage, then why would he allocate any wives to other soldiers instead of appropriating all the girls for himself? If the motivation for the policy of forced marriage was maintaining the personal benefit Kony derived, then it would not have been worthwhile to institutionalize this program across the LRA.

Theory Four: Existing cultural norms that supported forced marriage were merely pushed into the context of conflict. One perspective claims that the LRA’s forced marriages evoke historical and cultural customs in northern Uganda in which “marriage by capture” was not uncommon. “Girls are mostly taken to become ‘wives’ in much the same way as chiefs and war leaders in the past . . . In taking young women as ‘wives’, the LRA has systematically manipulated and corrupted certain existing conventions and moral norms.”
However, the veracity of this claim is contested. Acholi culture prized marriages arranged through periods of courtship and payment of a bride price. Modernity has produced alternatives to traditional bride-wealth marriages, but these include Christian marriage, elopement, and single parenthood—not marriage by capture.

One can also discern plausible anecdotal evidence from external reactions to forced marriage from outside the LRA to counter the marriage-by-capture theory. Acholi and Langi society do not recognize LRA forced marriages as legitimate; consent from the bride, bridegroom, and both sets of parents are required in order for the marriage to satisfy customary law. Some former LRA wives who reintegrate into their communities are shunned by their families or confronted with demands to abandon their children born in captivity. Many women are forced to participate in a cleansing ceremony to rid themselves of guilt and experiences of rape and forced impregnation. These hostile reactions seem to challenge the notion that forced marriages were merely an extension of a culturally accepted practice.

Yet even if Allen and Schomerus’ argument is true, questions about the LRA’s systematic implementation of forced marriage still arise. Why did the LRA cultivate this cultural norm even while destroying others? The LRA desired to cleanse Acholi society of its impurities, such as witchcraft and Westernization, and to create a new order. It therefore seems more likely that the LRA would seek to disrupt existing social conventions. And they did. For instance, murders, mutilations, and disrespect for those killed would have been especially taboo among the Acholi. Ancestors are highly revered, and providing the dead with a proper burial was of the utmost importance—so much so that there are even burial rituals for the enemy. The LRA wholly disregarded such cultural norms. Clearly an explanation beyond culture and tradition is necessary to account for the LRA’s promotion of forced marriage. An analogous phenomenon occurred through the LRA’s manipulation of traditional Acholi spirituality:

Before the current conflict, these religious practices were already
playing important roles . . . The LRA is firmly embedded in these local belief systems, even though they have been reshaped into a new spiritual order. On the other hand, drawing on these real beliefs serves a strategic rationality.93

Though historical antecedents and cultural reference points could have contributed to forced marriage’s origins in the LRA, they alone cannot sufficiently explain its institutionalization. Like the LRA’s system of spirituality, the practice of forced marriage must have offered the rebels an additional advantage that perpetuated its systematic implementation.

Explaining Forced Marriage in the LRA

This section lays out a theory explaining forced marriage in the LRA based on the assumption that it offered value to the organization. In short, the marriage of abducted girls to LRA soldiers and commanders strengthened the effectiveness of the rebel group. Carlson and Mazurana put forth this argument, but they capture only half of the story.94 Forced marriage strengthened the LRA by two mechanisms: it acted as a compensation and reward system, and it created bonds among soldiers while fostering dependency on the LRA. Carlson and Mazurana discuss the former but neglect the latter. Forced marriage thus satisfied needs that emerged because of the environment in which the LRA operated—one lacking material wealth or popular support—and so the political and economic context of the war and the emergence of forced marriage cannot be disentangled.

To a large extent, women were allotted to males as a form of compensation and reward. As one of several tools of control, material rewards were promised to troops by LRA commanders upon military success.95 However, the organization was impoverished, and money and the spoils of village raids were rarely dispensed.96 The allocation of wives to male soldiers acted as a surrogate payment system in the absence of distributable material goods. Forced marriage functioned not only as a low-cost system of remuneration but also as a means of rewarding bravery and highlighting high sta-
Those with higher rank were honored in part by their right to multiple wives, all of whom they also had the privilege of hand-picking. Forced marriages thus incentivized bravery and loyalty and induced psychological benefits for the rebels by boosting their morale.

Although compensation is a critical feature of the purpose of forced marriage, it does not explain its presence entirely. During the war, for example, raiders stole 98 percent of the Acholi’s cattle, along with large numbers of goats, sheep, and poultry. The thieves were primarily from the Karamajong tribes and the UPDF; the LRA were involved in this crime to a much lesser extent. It is curious that the LRA did not engage in more cattle raids as a means of compensating for their lack of significant resources. Perhaps the explanation lies in their mobile structure and the logistical challenges of moving between the Ugandan bush and LRA camps in Sudan. However, since the LRA was already confronted with these challenges when transporting abducted persons and plunder from abandoned villages, this defense is unconvincing.

The LRA's relative inattention to cattle raiding implies that the need for wealth, food and other resources was not the only motivation behind their repertoire of violence. If wives were distributed solely due to the absence of material goods, then it is peculiar that the rebels would bypass a lucrative opportunity like cattle raiding. This oddity highlights the fact that the LRA targeted girls for abduction and marriage for reasons beyond mere resource collection and distribution. The use of women as compensation is insufficient by itself to explain the presence of forced marriage; some dimension of their humanity added value to the LRA.

Indeed, women benefited the LRA because they created families. As a judgment from the Special Court for Sierra Leone highlighted, forced marriages are “intended to impose a forced conjugal association upon the victims rather than exercise an ownership interest.” By creating families, the LRA forged bonds and fostered dependencies that helped keep together its force of abducted youth. Marriage increased the wives’ reliance on their husbands through two pathways. First, women were treated differently according to
the rank of their husbands, and so some women may have relied on their spouses for protection.\textsuperscript{102} Second, the birth and care of children reinforced wives' dependence on their husbands for material support.\textsuperscript{103} The behavior of widowed forced wives illustrates this dynamic. Though they were permitted to abstain from a second marriage, widows rarely refused another husband because they perceived marriage as the only way to care for their children.\textsuperscript{104} Children in Acholi society are greatly valued, and “childlessness is one of the most serious misfortunes imaginable.”\textsuperscript{105} The LRA's order to reproduce capitalized on this cultural value.

Families were also created through the adoption of young female abductees. Pre-pubescent girls were not forcibly married initially, but were instead assigned to families, instructed to call the commander “father,” and treated as domestic slaves.\textsuperscript{106} Sex with these girls was prohibited, but once they reached puberty, they transitioned to the role of the commanders' wives.\textsuperscript{107}

Forced marriage and the creation of family units thus helped glue together an armed force composed of abducted youth who otherwise had no allegiances to the LRA. Building webs of interdependence was important for the LRA because it promoted loyalty to the group and minimized the likelihood of escape. Loyalty and unit cohesion was entirely constructed by the LRA, and forced marriage was a crucial tool to accomplish these ends. Other instruments employed by the LRA will be discussed in the next section.

**The Curious Absence of Extra-Marital Rape**

The LRA committed a litany of violent offenses. LRA soldiers abducted children and forced them into combat and marriage. Commanders both coerced male soldiers to rape their forcibly married wives and compelled women to give birth and raise children in captivity.\textsuperscript{108} The rebels disfigured and mutilated civilians, murdered others, and pillaged abandoned villages.\textsuperscript{109} Yet certain practices are noticeably absent from this repertoire of violence. LRA rebels did not rape civilians during village raids. Commanders did not indoctrinate newly abducted youth by pressuring them to gang
rape women and girls. And abducted girls were not raped outside of sanctioned forced marital relationships. 6.5 percent of never married abducted females and 1.7 percent of non-abducted females were raped, compared to 93.5 percent of forced wives. These statistics, though imperfect estimates of the magnitude of violence, suggest that rape outside forced marriage may not have been altogether absent but remained relatively infrequent compared to the rape of forced wives.

Though disheartening to admit, one would expect horrifying acts of rape outside marriage to be included among the LRA’s multitude of crimes. All of the aforementioned motivations for the LRA’s violent targeting of civilians—purification of society, seeking vengeance, spreading fear, undermining the government, etc.—would also be achieved by raping non-combatants. Public gang rapes would have been particularly effective at accomplishing some of these goals. Indeed, the literature on sexual violence predicts the LRA would have raped more non-combatants and unmarried abducted girls than was observed. Scholars such as Dara Kay Cohen argue that gang rape is perpetrated in order to satisfy the internal socialization needs of an armed group. Cohen asserts that armed groups with low levels of internal cohesion use gang rape as a means of forging unity and compliance. The quintessential group with little cohesion is one that forms its army through forced recruitment, using methods such as abduction. Gang rape is valuable to such groups, because it induces a sense of shared responsibility for the crime, establishes allegiances between soldiers, and makes it more difficult for abductees to abandon the army. Considering that the LRA was thoroughly reliant upon abduction for constructing its army, the LRA seems to exemplify the armed group that Cohen models.

Nevertheless, gang rape is not the only possible mechanism for achieving these ends, and the LRA obviated the need for gang rape by employing other socialization methods. Since these practices provided more benefits to the LRA and were less costly than rape, the leadership acted to curb rape by its forces. The result was a blanket prohibition on rape by the LRA and the overall absence
Substitutes for Gang Rape in Socializing Abducted Combatants

Although the LRA’s repertoire of violence deviates from that predicted by Cohen, the organization was still vulnerable to the problems she identifies as facing groups with low internal cohesion. Nevertheless, gang rape is not the only means of socializing an army, and the LRA adopted other methods to meet its socialization needs. The primary tools the LRA utilized were material rewards (i.e., forced wives), political propaganda, spirituality, and brutal violence. Like gang rape, these four practices promoted cohesion within the units and loyalty to the LRA. Commanders employed them to indoctrinate newly acquired children into the army and control its rebel forces.

Forced wives: As previously described, the LRA forced abducted females to marry male soldiers and commanders in order to maintain an army of forced recruits. The LRA built loyalties within the group by creating families, which fostered inter-dependent relationships among the forces. The organization sought to reduce the likelihood that abductees would escape by compelling married couples to reproduce and raise children together. Having multiple wives also highlighted fighters’ status and bravery, which boosted troop morale.

Political propaganda: Despite mainstream media accounts to the contrary, the LRA had a political agenda that precipitated its insurgency. Commanders frequently used political propaganda to motivate their abductees, and this tactic was found to have been relatively effective at inducing loyalty to the LRA. One former soldier said, “When I was just abducted I was optimistic that we would win this war because the commanders kept on telling us that we would overthrow the government soon.” Though political messages were neither the LRA’s primary nor most visible tool of control, surveys show that political propaganda was communicated to abductees at high levels on par with levels of spiritual rhetoric.
**Spirituality:** The LRA's spiritual ideology was critical to its indoctrination of abductees and maintenance of control over its forces. Spiritual practices were “a clear attempt to create new social bonds and loyalty based on a shared cosmology (as well as fear). Kony created a cult of mystery and spiritual power which few abductees or civilians question even now.”116 Most abductees participated in a spiritual initiation ceremony involving prayer rituals and anointment of local oil. There were numerous spiritual rules that restricted all facets of the soldiers’ behavior, including washing, eating, prayer, and sex.

The rule forbidding sexual activity outside of forced marriages, for instance, reflected cultural norms against rape that were exploited for a strategic purpose. The effect of this prohibition on extramarital sex and other rules and rituals was to provide structure for newly acquired abductees.117 It gave them a sense of control during a period of uncertainty and thus proved a critical element in their transition into the LRA.

Kony was thought to possess considerable spiritual power, which greatly contributed to his effective control of his army. Moreover, the soldiers were persuaded that they were accountable to a higher power that could punish them in battle with death. Belief in a supernatural monitoring system with retributive capabilities was incredibly valuable to the LRA command hierarchy as it meant soldiers could be continuously observed by omniscient spirits.118 The LRA was thus structured to create powerful incentives for compliance.

**Brutal violence:** The LRA’s socialization tactic most similar to gang rape was the beatings and killings that they forced abductees to execute. A former abductee recalled:

They say they are removing the civilian type of life from you; they want to change you into a military person. So instead of giving me a gun, I was given a lock wire. Then we got some six people and I was told to use the lock wire to beat these people. And I had to do it, because if you don’t do it you are the next person.119

These forced attacks occurred soon after children were cap-
tured, and their function was manifold. They desensitized abductees to violence, broke down their resistance, and made it increasingly difficult for them to desert the LRA and return home, where the threat of punishment was palpable. A sizable minority of abductees was forced to kill or beat friends and family members. Like gang rape, the collective commission of these crimes bred a sense of shared responsibility for the violent act. In this way, the forced perpetration of appalling acts of violence had a perceptible impact on the abductees’ loyalties and commitment to the LRA.

CONTROLLING SEXUAL VIOLENCE: HOW THE LRA SUCCEEDED

Given that the LRA used methods other than gang rape to socialize its abducted combatants, it is necessary to turn to the question of how and why the LRA avoided this form of sexual violence. Like Cohen, Amelia Hoover Green interprets the presence and absence of sexual violence as the product of an armed group’s socialization methods. She contends that discipline alone cannot restrain violence. Rather, sustained controlled violence occurs when soldiers are persuaded to value controlled violence through political programs institutionalized by their commanders. Hoover Green uses controlled violence to refer to “violence with a relatively narrow, consistent repertoire.” In other words, violence is controlled in its form, and considering in so far the overall absence of rape outside forced marriage, the LRA’s practices of sexual violence would appear to exemplify this concept.

Also in line with Hoover Green’s predictions, sexual violence and gang rape were suppressed through the commanders’ decisions and the institutions they created. As previously described, the LRA had a strong organizational structure and clear hierarchy of leadership that made it possible for them to enforce these norms. For instance, a rare story of soldiers violating the directives on sexual behavior tells of Kony demoting all the officers in the Sinia Brigade for having sex with women in a village. However, the means by which the LRA commanders achieved this control over violence
differed from Hoover Green’s predictions. The LRA’s political education programs were weak in comparison to its disciplinary systems, which Hoover Green suggested would lead to a widening repertoire of violence. This prediction was not realized in the LRA.

The LRA’s political propaganda provided a narrative for the war’s purpose by rallying troops around the goal of overthrowing Museveni’s government. However, this failed to justify the LRA’s violence against civilians, which seems to be the area in which soldiers’ mindsets most needed adjustment. Furthermore, many abductees’ faith in the plausibility of this political outcome waned quickly. One former soldier said, “But after seeing what atrocities these rebels were doing, like killing many civilians, looting and continuous fighting without any success, I realized the rebels are wasting time and we’ll not overthrow the government.” This statement and other similar comments cast doubt on the efficacy of the LRA’s political propaganda to imbue the war with a sense of purpose and modify natural instincts regarding violence against civilians.

The institution through which the LRA most powerfully shaped its forces’ behavior was its spiritual order. It established behavioral rules, valorized controlled violence, and framed the narrative of the conflict violence as a purification of society. In Hoover Green’s language, the spiritual institutions were effective at changing soldiers’ habits and standard operating procedures. Yet it is not clear that this occurred by shaping soldiers’ preferences to correspond with those of the commanders.

The LRA’s spiritual order acted as not only an institution to induce preferential behavior changes but also the LRA’s disciplinary system. The leadership was successful at controlling the army by instilling in its soldiers a fear of divine retribution for disobeying orders and established rules. It is conceivable that discipline was as effective, if not more so, as the spiritual institutions’ narrative elements at changing behavioral norms. In addition to its extensive holy rules, key elements of the LRA’s spirituality were Kony’s perceived relationship with the spirits and the authority of supernatural powers. These elements of control had leverage over troops
because they bred a fear of punishment.

Hoover Green’s theory—“discipline-only” armies will not be successful in the long-term—is not substantiated by the LRA. She argues that external disincentives are frequently unenforceable; however, her reasoning for that claim is not applicable to the LRA. First, the problem of information asymmetry is irrelevant in this case, because punishment ostensibly came from an omniscient spiritual power. Second, the army is composed of abducted children, and so there is no selection bias that could pre-dispose the army to violence. Third, the punishment for being fearful in battle or disobeying orders was almost always death, and statements from former soldiers reinforce the intuition that death is a sufficiently strong punishment to alter behavior. Considering the powerful effect of discipline on soldiers’ behavior and the relative weakness of the LRA’s political and spiritual framing of the war, it is possible that discipline played the dominant role in controlling the LRA’s sexual violence.

Controlling Sexual Violence: Why

Given that the LRA embodies Hoover Green’s notion of controlled violence, she would predict that its commanders regulated violence because they were incentivized to control their soldiers’ behavior. Hoover Green holds that groups dependent on non-combatants for information are more likely to control violence. Yet the LRA did not depend on non-combatants for intelligence. On the contrary, they hoped to prevent civilians from becoming government informants. The LRA would have probably benefited from permitting more indiscriminate violence than was observed. The mechanisms that Hoover Green predicts would incentivize army leaders to control violence are thus irrelevant to the LRA.

Likewise, several additional reasons for why commanders might control sexual violence do not hold for the LRA. Although LRA rebels hoped to overthrow the government, their vicious acts of violence and desire for vengeance suggest they were not concerned about undermining public support for their future
rule. They were also untroubled by the need to create a comfortable environment to attract female recruits and undeterred by international law. A multitude of practical, normative and strategic reasons fail to explain the LRA’s rationale for controlling sexual violence, which begs the question: what motivated the LRA to control violence?

The LRA leadership restricted sexual crimes because gang rape was not instrumental to the LRA’s success. After being socialized, troops are more likely to perpetrate wide repertoires of violence, even when not directed to commit violence. Leaders therefore must work to gain control over the violent groups they have created and prevent combatants from directing violence at their superiors. This universal problem for armed groups was compounded in the LRA by the practical challenge of garnering troop loyalty in a fragile army composed of involuntary soldiers and devoid of material resources. Accordingly, the necessity of and emphasis on control may have been magnified in the LRA. The leadership would have benefited from limiting violence to the extent possible without impinging on its political and military agenda. Hoover Green argues that sexual violence is the offense most likely to be “overproduced” in an armed group because it is one of the crimes most likely to occur for private, rather than strategic, purposes. Hence, military commanders will aim to restrict those crimes. In other words, controlling the soldiers’ sexual violence was a critical means of exerting control over a potentially tenuous army.

While cultural norms against rape were exploited for a strategic purpose, such conventions are not sufficient to explain the absence of this crime given that many other norms were not respected. Why did the LRA respect the social taboo of rape while breaking others? In the case of the LRA, there were additional strategic reasons to select sexual violence for such targeted constraints.

The mutilation of bodies was one social taboo repeatedly violated by the LRA, and bodily disfigurement was featured in the LRA’s repertoire of violence and used to socialize new combatants. I described above how acts of beating and murder triggered the same mental processes as gang rape (e.g., fear of returning home, a
sense of collective responsibility for violence, and desensitization to violence), which allowed them to be substituted for rape as a method of indoctrination. Mutilations could produce the same impact. In addition, they have an incredibly powerful psychological pull that rape does not generate as forcefully. The violation of bodily integrity through gross disfigurement elicits the emotion of disgust. It is well established that disgust is a potent tool to incite people to vicious acts of violence in instances of mass murder, genocide, and ethnic cleansing. By disfiguring civilians and making them appear “disgusting,” the LRA dehumanized Acholi and Langi society and stripped them of their moral value. Moral considerations and empathy therefore did not apply to them, and it would have been easier for soldiers to inflict incredible violence upon them. The power of disgust to facilitate the commission of violence was thus a powerful incentive for the LRA to order the disfigurement of civilians, as well as beatings and killings, which involved a similar mutilation of the body. Though rape undeniably involves the violation of the body and devaluation of the victim, it does not evoke the same intense feelings of revulsion as the aforementioned acts.

In summary, gang rape was not necessary for the LRA’s repertoire of violence. Alternative socialization methods were just as effective at achieving the LRA’s practical needs. Though it is debatable whether these other acts of violence, such as bodily mutilation, reaped additional benefits for the LRA that could not be gained through gang rape, it is fair to say that the LRA at a minimum did not lose anything by forbidding acts of rape. This is especially true considering that soldiers’ sexual desires were ostensibly already satisfied through the mandated sexual activities of their forced marriages. Not only was gang rape unnecessary, but it may have also been counterproductive. A priority for the LRA was to control its troops, and a critical means of doing so was controlling their behavior, including their violence. Sexual violence was targeted for constraint in part because of cultural norms but also because rape is the crime most vulnerable to being perpetrated for private, rather than strategic reasons. Sexual activities within forced marriages were structured, controlled by commanders, and sanctioned
for strategic reasons that benefited the organization. On the other hand, uncontrolled sexual activities, whether that of consensual sex between soldiers or the rape of civilians, could have escalated and threatened organizational control. They were therefore prohibited.

Theory of Forced Marriage without Extra-Marital Rape

The LRA’s repertoire of violence in northern Uganda presents an empirical puzzle: the rebels performed an array of brutal crimes against non-combatants, including systematically forcing abducted girls into marriage, but they committed no acts of rape beyond the non-consensual sex that occurred within these marriages. I described why this unexpected pattern of violence emerged, and now I offer a theoretical framework for this descriptive analysis. An armed group will arrange forced marriages but refrain from other acts of rape, especially gang rape, when the following three circumstances coincide.

The armed group faces a strong need to control its troops and create internal loyalties. Groups likely to encounter this challenge most acutely will be those that forcibly recruit their troops. When combined with the two conditions outlined below, this problem will not lead to increased gang rape as predicted. Rather, it will cause commanders to restrict sexual violence except in its most controlled forms, such as forced marriages. Sexual activities in forced marriages will be promoted for the purpose of reproduction as they can be monitored and enforced, and they effectively bind soldiers together through inter-dependent relationships.

Other elements in the armed group’s repertoire of violence can substitute for or build upon the psychological mechanisms through which gang rape benefits the armed group. Gang rape is not the sole tool available to armed groups to socialize its forces. If the organization utilizes another act of violence that produces similar effects to gang rape, then this practice will not be needed and commanders can prohibit it without damaging their operation.

Cultural norms reject rape and support the importance of marriage and children. Cultural references are important for orient-
ing soldiers to new behavioral expectations. Though these values hold true in most societies, they differ in their relative importance. Armed groups in societies that strongly identify with this value set will be more likely to engage in forced marriage and reject rape if the two aforementioned conditions exist.

Although this theory needs to be evaluated in light of other conflicts, initial research suggests that the Cambodian genocide and the rebellion in Algeria may provide additional support. The Algerian rebel group Polisario recruits children from displaced persons camps, arranges forced marriages to compensate for the loss of its members, and bans the use of birth control in these relationships. These practices of forced marriage echo those observed in the LRA. In addition, rape is otherwise absent from the organization’s repertoire of violence, and women are imprisoned for unsanctioned sexual relations.

During the Cambodian genocide, the Khmer Rouge arranged forced marriages and severely punished those who had sexual activities outside of marriage. Forced marriage “was intended as a method of obtaining control over people’s sexuality and ensuring that the reproductive function was managed by the state to produce more workers for the revolution. Sex and romance outside of marriage were forbidden, on pain of death.” An important difference between this regime and the LRA is that the primary victims of forced marriage in Cambodia were the civilians in Khmer Rouge labor camps rather than combatants. However, the conflicts still offer a useful comparison, because the relationship between LRA commanders and their abducted troops has much in common with that of the Khmer Rouge and the civilians contained in camps and forced into labor. Further research is needed to assess whether these cases corroborate with the proposed theory.

CONCLUSIONS

The international response to the LRA-induced crisis has been generally lukewarm but punctuated by periods of interest in the past decade. Efforts to quell the violence against civilians and
defeat the rebels have tended to be unsuccessful and even outright counterproductive. Today the regional capacity and political will to fight the LRA is flagging, and so international support through the African Union, United Nations, and bilateral agreements is critical. The United States federal government’s attention is currently on an upswing, which also triggers greater attention to the LRA among journalists, NGOs, human rights advocates, legal analysts, and the general public. This moment thus presents a critical opportunity to learn from the LRA’s past and heed the policy implications to be gleaned from this analysis.

It is imperative to ask why the LRA’s repertoire of violence developed in order to understand how this society—one that committed gross atrocities on a mass scale—came into being and how it operates. There has been much uncertainty and disagreement in the international community over how to characterize this enemy. Examining the causes of the LRA’s violence offers valuable insights into the group’s operations, the purpose of its violence, and its strategies for achieving its goals. The LRA patterns of forced marriage highlight the depth of the leadership’s control and the extent to which a military hierarchy prevailed. Their repertoire of violence suggests survival was a chief concern, and inducing loyalty a principal means of sustaining the organization.

There is also an important need to disaggregate types of sexual violence. Sexual slavery, gang rape, forced marriage, and impregnation are different crimes, and distinguishing them has relevant human implications. Women subjected to gang rape or imprisoned for sex do not have the same psychological, financial, and legal needs following the war as former forced wives. Even as these wives attempt to reconnect with their communities, they may potentially have children or captor husbands who are seeking to continue the marriage. Each crime necessitates different reintegration programs for abducted women. When non-governmental organizations (NGOs), governments, and the United Nations refer to LRA crimes as “sexual slavery” with no more detail into the subtleties of the offense, they lose important information about the victims’ experiences. Conflating these crimes and ignoring experiential
differences between sexual enslavement and forced marriage devalues the complexity of the victims’ traumas and renders forced wives invisible in international law.

Attaining this level of linguistic precision is unlikely in advocacy circles, however, as it is not conducive to the NGO community’s agenda. The term “sexual slavery” is frequently used instead of “forced marriage” as if they were interchangeable, in part because of the stronger emotional response the former term triggers. The concept of slavery demands action; it evokes images of the most inhumane, immoral treatment, which is magnified by the sexual element of the enslavement. Forced marriage, on the other hand, might be interpreted as a form of arranged marriage to a generally apathetic international audience. Sensationalizing the crime is a tool—a powerful and arguably necessary one—for motivating action to stop it.

The need for faithful representations of LRA sexual violence is not an obsolete, academic problem; rather it continues to manifest in current portrayals of LRA violence in South Sudan, the DRC, and Central African Republic. Patterns of LRA sexual violence appear to have shifted since the war was exported from Uganda, but it is unclear how drastic this change was, as reports on recent LRA practices are inconsistent. Allen and his colleagues refer to “reports of systematic rape” and write, “Whereas in northern Uganda there were tight restrictions on LRA combatants’ access to women for sexual purposes, these appear to have been largely set aside.”133 Elements of both continuity and divergence appear in NGO reports. Human Rights Watch suggests that abducted girls continue to be assigned to soldiers and commanders; but at the same time, the organization does not describe a marital component to these relationships, and it says girls were publicly raped after being distributed to commanders.134 Another Human Rights Watch report asserts that women and girls were raped by the LRA in most attacks during the Christmas massacres in Congo.135 The organization’s anecdotal evidence does not imply that rape of non-abducted civilians is remarkably pervasive, but it suggests it occurs significantly more frequently than it had in Uganda. The U.S. De-
partment of State Human Rights reports do not help to clarify this matter, as they refer only broadly to the LRA’s perpetration of rape and sexual violence and their abduction of children for use as sex slaves, without specifying whether abducted women and girls were forced to marry and raise children with LRA soldiers.136

Understanding the LRA’s repertoire of sexual violence in the years since it has left Uganda and how the rebels have responded to their rising vulnerability could help elucidate unanswered questions in this paper. If gang rapes are now committed during village raids or abducted women are publicly raped by LRA commanders, this will have important implications for how we conceive of the causes and purpose of the LRA’s violence. However, given the current dearth of information, it is premature to make such conclusions. Further research on the LRA’s most recent patterns of sexual violence is thus needed.

The above analysis of the LRA’s behaviors could also help inform the goals and strategies of operations to defeat the organization. Recognizing the complex, strategic causes of sexual violence in the LRA is a reminder that its practices of violence exist for reasons beyond the personal desires of a single man. Joseph Kony’s vindictive mentality, political ambitions, and sexual fantasies do not drive this repertoire of sexual violence. Removing Kony from the organization might not end the institutions of violence he has created, just as it may not destroy the LRA itself, nor would it end the Great Lakes’ conflicts. In fact, experience has shown that military interventions have often sparked increased LRA violence toward civilians, and so renewed counter-insurgency efforts should bear this fact in mind and prioritize the protection of civilians.

Another area that warrants further research is the behaviors of individual soldiers who either committed or refrained from sexual violence. This paper has focused its analysis at the level of the armed group and examined decisions of the LRA leadership. However, my intention was not to deny agency to the lower-ranking combatants and suggest they had no control over whether to engage in or abstain from such offenses. The role of the low-level, individual fighter in perpetrating acts of sexual violence is especial-
ly interesting given that many of the captor husbands were themselves forcibly recruited into the LRA. This dynamic is one that could be the subject of additional investigation.

Finally, further research should be directed at confirming whether other cases, such as the Cambodian genocide and Algerian rebellion, support the theory outlined in this paper. A comparative empirical evaluation of this proposal would elucidate whether the LRA’s repertoire of sexual violence is in fact an anomaly or reflects the need for a more flexible theory of armed group socialization practices that carefully distinguishes between forms of sexual violence.

Notes

2 The Prosecutor v. Jean-Paul Akayesu, para. 688.
5 Ibid.
6 Ibid.
10 Dara Kay Cohen, “Female Combatants and the Perpetration of Violence: The Case of Wartime Rape in the Sierra Leone Civil War,” 6, 12-15.
11 Dara Kay Cohen, “Explaining Sexual Violence During Civil War.”
12 Peace Research Institute, Oslo, “Notes on LRA: Sexual Violence in African Conflicts Database.”
14 The White House, Office of the Press Secretary, “Letter from the President to the Speaker of the House of Representatives and the President Pro Tempore of the Senate Regarding the Lord’s Resistance Army.”
17 Ibid., 6-7.
21 Ibid., 9.
22 Ibid.
23 Ibid.
24 Ibid.
30 Kristof Titeca, “The spiritual order of the LRA,” 62.
31 Ibid.
32 Mareike Schomerus, “Chasing the Kony story,” 94.
36 Ibid., 4.
38 Anthony Vinci, “The Strategic Use of Fear by the Lord’s Resistance Army,” 368.
39 Ibid., 367.
40 Ibid., 368.
44 Andrew Mwenda, “Uganda’s politics of foreign aid and violent conflict: the political uses of the LRA rebellion,” 49.
46 International Criminal Court, Warrant of Arrest for Joseph Kony, 3.
51 Ibid.
52 Titeca, “The spiritual order,” 69.
54 Ibid.
55 Ibid.
56 Ibid., 41.
64 Ibid.
65 Annan, Blattman, Carlson, and Mazurana, “The State of Female Youth,” 34 & 40;
66 Annan, Blattman, Carlson, and Mazurana, “The State of Female Youth,” 40 states
that 42% of females abducted and held captive for more than two weeks were forcibly married.
See also Annan, Blattman, Carlson, and Mazurana, “The State of Female Youth,” 4 for more
information on the study population and explanation of the sample biases.
68 Ibid., 14.
69 Ibid., 23-24.
72 Ibid, 18-21.
75 Ibid.
76 Ibid.
77 Ibid., 19.
78 Ibid., 4.
79 Ibid., 19.
80 Ibid.
84 Tim Allen and Mareike Schomerus, “A Hard Homecoming: Lessons Learned from
the Reception Center Process in Northern Uganda,” 24.
85 Ibid.
86 Christopher Blattman, conversation with author, October 4, 2011.
87 The Justice and Reconciliation Project, “Young Mothers, Marriage, and
Reintegration in Northern Uganda: Considerations for the Juba Peace Talks,” 3.
88 Ron Atkinson, “Acholi.”
89 Carlson and Mazurana, “Forced Marriage,” 51.
90 Ibid., 61.
92 Thomas Harlacher, “Traditional ways of coping with consequences of traumatic
stress in Acholiland: Northern Ugandan ethnography from a Western psychological
perspective,” 171, 182.
95 Blattman and Annan, “On the nature and causes,” 140.
99 Ibid., 13.
100 Ibid.
101 The Prosecutor v. Brima et. al., para. 190.
103 Ibid.
104 Ibid., 22.
105 Atkinson, “Acholi.”
106 Green, The Wizard of the Nile, 136.
111 Ibid.
114 Ibid., 143.
115 Ibid.
116 Ibid., 141.
119 Ben Mergelsberg, “Between two worlds: former LRA soldiers in northern Uganda,” 159.
120 Blattman and Annan, “On the nature and causes,” 140-141.
121 Hoover Green, “Repertoires of Violence,” 34.
122 Ibid., 24.
123 Green, The Wizard of the Nile, 136.
126 Elisabeth Wood, “Armed Groups and Sexual Violence: When is Wartime Rape Rare?,” 140-141.
128 Ibid., 33.
130 United Nations General Assembly, “Questions of Western Sahara Turks and Caicos, Guam, Gibraltar central to Fourth Committee debate as United Nations urged not to ‘turn a blind eye’ to hardships, GA/SPD/479.”

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In September 2009, Jimmy Carter famously remarked to NBC’s Brian Williams, “I think an overwhelming portion of the intensely demonstrated animosity toward President Barack Obama is based on the fact that he is a black man.” This comment came in the wake of several racially significant political events, notably Representative Joe Wilson’s (R-SC) outburst directed at Barack Obama (“You lie!”) during the President’s congressional address on the status of illegal immigrants, Dr. David McKalip’s widely circulated “witch doctor” email, and the “9/12” protests in Washington. Carter reflected on the protests:

[Signs carried by protesters that say] “We should bury Obama with Kennedy” and “Obama is a Nazi” and Obama’s pictures with Hitler’s mustache on it—those kind of things are not just casual outcomes of a sincere debate over whether we should have a national program in health care or not. It’s deeper than that. ¹

These protests gained notoriety after “Tea Party” demonstrators carried out acts of physical abuse and shouted profanities aimed at black politicians. On March 20, 2010, one protestor spat on Representative Emanuel Cleaver (D-MO), while another cried racial slurs at Representative John Lewis (D-GA). A third congressman, Representative James Clyburn (D-SC), remarked, “I heard people saying things that I have not heard since March 15, 1960 when I was marching to try and get off the back of the bus.” ²

Media coverage of health care protests highlighted these incidents of racism, and the idea quickly spread that opposition to Obama’s health care reform was associated with racial prejudice. This sentiment was widespread enough to inspire a Rasmussen

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poll asking respondents to rate whether “most opponents of President Obama’s health care plan are racist,” and even led to a popular YouTube video featuring anti-health-reform demonstrators indignantly arguing, “I guess I’m racist.” In the video, filmmaker Ray Griggs argued that, “Americans have every right to speak out against the ruinous direction our nation is currently heading without being labeled a racist.”

Altogether, a defining characteristic of media coverage of health care reform is its focus on racial prejudice aimed at President Obama (and, to a lesser extent, other black leaders). As a result of this coverage, the Affordable Care Act became a symbolic issue for the President—a piece of legislation that seemed to encapsulate Obama’s political agenda. Given this, racialized opposition to the policy can be imagined mostly as an attempt to prevent Obama from achieving his campaign goals (Glenn Beck and Sarah Palin’s rally chant, “Take back our country,” comes to mind.)

Marc Hetherington and Jonathan Weiler, who write a guest blog entry in the Washington Post, emphasize that Americans did not exhibit opposition to health care reform anywhere near this extent or intensity when President Clinton made a very similar proposal in the mid-1990s.

But health care reform should theoretically be subject to a more generalized racial resentment as well—a possibility that has largely been ignored in media coverage of the plan (as well as the scholarship surrounding it). The Affordable Care Act has the potential to substantially benefit African-Americans, who are uninsured and suffer from chronic diseases at rates higher than those of whites. Most salient among the Act’s provisions are the expansion of Medicaid coverage, elimination of the prescription coverage “loophole,” and government subsidies for low-income families to purchase private health insurance. More than half of the estimated fifty million Americans who will gain coverage as a result of the Affordable Care Act are racial minorities. The recent health care reform initiatives are probably the most important legislation for the improvement of minorities’ life chances since the Voting Rights Act. And given the racially stained history of public opinion on so-
cial welfare policies, we should be very interested to determine if attitudes on health care reform follow a similar pattern to opinion surrounding other "subtly" racial social issues like federal cash assistance or food stamps. Representative Clyburn remarked after the racially charged Tea Party protest, “I think a lot of those people today demonstrate that this is not about health care . . . It is about trying to extend a basic fundamental right to people who are less powerful.” The racial inequities that Representative Clyburn alludes to are precisely why studying the Affordable Care Act as a racialized issue is so important. Racism on social policy does not exist in a vacuum. It affects, and is affected by, very real gaps in health conditions and access to health resources—many of which have life-threatening consequences. Discrepancies in health outcomes between whites and blacks are large; the overall life expectancy for blacks is 68.8 years, six years shorter than that of whites. Mortality rates for heart disease and cancer, the two leading causes of death in the United States, are significantly higher for blacks. The proportion of blacks who are uninsured is nearly twice that of whites. These inequities are truly racial, as they persist net of economic status and other demographic variables that are correlated with both race and limited access to health resources. “The overall health of Black Americans is substantially less than that of white Americans . . . [and] their health mortalities and morbidities are also much greater due to continually increasing disparities in poverty, medical coverage, and access to care.”

The whirlwind of attention surrounding the Affordable Care Act has formed a unique opportunity to study the relationship between race, social policy, and politics. Not only does this legislation promise to reduce dire discrepancies in health conditions between blacks and whites, it is also a landmark accomplishment of America’s first black president. And while observational and experimental studies have already suggested that racial prejudice causes opposition to health care reform, we don’t know much about the specifics of this relationship (Knowles et al 2009; Hetherington and Weiler 2009). In particular, there is a need to separate anti-Obama prejudice from a more generalized racial resentment regarding the per-
ceived beneficiaries of health care reform. We should also prioritize learning more about the role of racial ideologies, since the expression of these ideologies can tell us a great deal about the social and psychological factors behind white reluctance to support the Affordable Care Act.

EXISTING STUDIES ON RACE AND HEALTH CARE REFORM

There is a growing body of empirical evidence that Jimmy Carter’s hunch about racism and health care reform may be correct. Two important studies carried out in 2009 have demonstrated that implicit racial prejudice is a driving factor in opposition to health legislation.

Marc Hetherington and Jonathan Weiler, social scientists at Vanderbilt University and the University of North Carolina, respectively, collected survey data in 2009 indicating that racial resentment and opposition to health care reform are “extraordinarily” strongly correlated. They found that individuals with above-average racial resentment were less than half as likely to favor government-run health care as individuals with below-average racial resentment. In a Washington Post column describing their initial results, the authors asserted that, “No such relationship between racial attitudes and opinions on health care existed in the mid-1990s during the Clinton effort.”

This is a tremendous finding in support of the general hypothesis that racial prejudice plays a role in public opinion on the Affordable Care Act. But the article’s reliance on observational data has implications that limit the predictive power of its results. First, there is no way to definitively determine a causal process with observational data. It is entirely possible that some third factor, known or unknown, is causing both increased racial resentment and decreased support for health care reform. Geographical surroundings, neighborhood context, political associations, and religious involvement come to mind.

Second, relying on explicit measures of racial attitudes, as
Hetherington and Weiler did, runs the risk of desirability bias: the result of respondents’ tendency to select answers that are seen as acceptable or desirable (even if these attitudes are not representative of their true beliefs). Measures of explicit racial prejudice, such as a racial resentment scale, are especially vulnerable to desirability bias. It may be difficult to make generalizable inferences about a population from this data. My study attempts to remedy this problem, as well as the problem of causation, by turning to an experimental design. The design of the present paper supplements these imperfect measures with an experimental treatment, emphasizing not the integrity of the survey items themselves but rather the changes observed as a result of experimental manipulations.

Eric Knowles, Brian Lowery, and Rebecca Schaumberg conducted the second important study in the organizational behavior lab at Stanford’s Graduate School of Business. Like Hetherington and Weiler, these authors examined the relationship between racial prejudice and opposition to health care reform, but they used an experiment rather than an analysis of observational data. Examining implicit prejudice while controlling for explicit prejudice, the authors found that, “[t]he association between implicit prejudice and opposition to health care reform replicated when the plan was attributed to Obama, but not to Bill Clinton—suggesting that individuals high in anti-black prejudice tended to oppose Obama at least in part because they dislike him as a black person.”  

They also found that implicit prejudice predicted “endorsement of specific concerns about the plan,” indicating that highly prejudiced individuals tended to hold concerns about health care reform (that it is a ‘dangerous step toward socialism’, etc.) at a higher rate than less-prejudiced individuals.

But this study also leaves some important questions unanswered. First, assuming that “individuals high in anti-Black prejudice tended to oppose Obama at least in part because they dislike him as a Black person” may not be a fair conclusion. Attitudes about Clinton and Obama may be confounded with a whole host of political differences, not to mention that Clinton has been absent from the average American’s political consciousness for almost a decade.
Americans may also form opinions about the presidents based on any number of personal characteristics completely independent of their race—even independent of their politics. My study attempts to remedy this problem by using narratives and imagery of a fictional state with fictional politicians. This way, attitudes about the political agents are unconfounded, and any differences I observe in the treatment groups can be attributed to the race of the politicians. (See section Methodology.)

Finally, neither study addresses the formation and makeup of the racial opinions at hand, nor how they relate to common racial ideologies employed by opponents of liberal social policies. We should learn as much as we can about the social and psychological precursors of this effect, so that we can better understand its practical implications.

THEORETICAL APPROACHES TO RACIAL ATTITUDES IN AMERICA

Scholars disagree on the initial causes of racial opposition to social policies. There are three main schools of thought, each emphasizing either psychological, political, or sociological foundations. In their volume *Racialized Politics* (2000), David Sears, Jim Sidanius, and Lawrence Bobo outline three perspectives on racial opinion formation: new racism, principled conservatism, and group conflict theory. An adjacent body of literature is found in the study of colorblindness, which focuses on racial attitude expression rather than psychological formation of these attitudes. In addition, a multitude of research on local politics lays the framework for understanding whites' attitudes toward black politicians.

New Racism, Modern Racism, and Racial Resentment

The first set of theories argues that while "Jim Crow" racism has largely faded into history, negative affect toward blacks and derogatory stereotypes remain powerful predictors of opinion on these policies. A "reservoir of racial antipathy decoupled from ra-
cialist beliefs” lingers from earlier, more overt forms of racism and is responsible in large part for opposition to policies that benefit blacks.\textsuperscript{15}

Much of the "new racism" is presumed to arise from perceptions among whites that blacks reject traditional American values, including a strong "work ethic, self-reliance, impulse control and obedience to authority."\textsuperscript{16} It is also associated with a belief that since overt racism is no longer a dominant player in racial discourse, discrimination no longer threatens the life chances of blacks, and government intervention in racial affairs is unnecessary.

New racism scholars point to evidence suggesting that racial resentment is the most powerful predictor of racial policy preferences, with political ideology holding less explanatory power.\textsuperscript{17} In this study, a post-treatment racial resentment scale indicates the presence of new racism. (See section \textit{Methodology}.)

\textbf{Principled Conservatism}

A second set of theories emphasizes political considerations over racial ones in the formation of public opinion in social policy. Focusing on the observation that citizens can choose only among discrete political alternatives presented by the political infrastructure, principled conservatism theorists are reluctant to consider racism as a determinant of public opinion on racial policies.\textsuperscript{18} Paul Sniderman, a political scientist at Stanford, is the leading proponent. He argues that the specific politics of each policy are more important to opinion formation than racial resentment or group conflict, pointing to evidence that opinion on racial policy is not developed consistently in different racial policies. Sniderman and his colleagues suggest that general political ideology and moral values should be the strongest predictors of opinion on racial and social policy.\textsuperscript{19} The existence of political explanations for opposition to health care reform would be indicated in this study if I observe that racial attitudes are roughly equal across the treatment groups. In other words, we would have evidence for the Sniderman thesis if racial ideologies were expressed at a constant level, regardless of
racial framing.

Group Conflict Theory

A third set of theories argues that social structure and group interests are the strongest predictors of opposition to black-benefiting policies. The central assumption is that citizens tend to identify with their own racial groups, and that “competing interests” of these groups generate “intergroup conflict.” In turn, groups that hold power develop ideologies to justify their status. Opposition to social policies by members of an in-group, then, comes from the incentive to protect group interests.20

Donald Campbell promoted this school of thought and called it “realistic group conflict:”

From this perspective, whites’ political responses to racial issues should be driven by zero-sum competition with blacks for jobs, promotions, admission slots to colleges, government contracts, or other goods. Thus, their opposition to racially ameliorative policies—and their antipathy toward the civil rights movement, its leaders, and even blacks themselves—can be explained by the threat blacks pose to whites’ privileges.21

Importantly, a number of studies have demonstrated that whites’ policy preferences are more closely related to group interests than individual self-interest.22 In other words, they challenge the idea that realistic group conflict is in fact “realistic.” For example, whites that do not have individual reasons to feel threatened by blacks (in terms of school busing, job placement, or college admissions) are not much less opposed to “black-benefiting” policies than whites that do claim individual threat. Many scholars have interpreted this as evidence that races tend to form opinions with group interest at mind; they predict that whites will oppose racially liberal policies when they feel that their own group status is threatened.23

In the present study, group conflict is indicated by a post-treatment measure of intergroup threat, which is included in the “Specific Concerns Scale” (see Results section).

One caveat: in understanding both racial resentment and
group conflict, it is important to keep in mind that health care reform is not an overtly racial policy. Unlike affirmative action, school busing, or equal housing legislation, for example, the imprint of race on opinion formation is subtler and perceived rather than openly discussed. With this said, we still have ample evidence that racialized thought processes affect public opinion on subtly racial issues like welfare and food stamps. I argue that health care reform will be at least as vulnerable to racial influence as these policies, since the Affordable Care Act promises a profound improvement in health quality for a large population of underserved and underinsured blacks, and since it has been widely understood as a signature project of the country’s first black president.

Colorblind Ideology

If scholars disagree on the initial causes of racial opposition to social policies, they tend to agree on the types of ideologies that are employed by opponents to explain their policy preferences. While the previous section focused on racial attitude formation, this section addresses racial attitude expression.

By far, the most commonly observed expressions can be attributed to colorblindness—an ideology that asserts race should not be a consideration in drawing conclusions, forming judgments, or planning government policies. Eduardo Bonilla-Silva, a Duke sociologist, authored a modern revision of colorblind racial theory, Racism without Racists. In this text, he attempts to explain the “strange enigma” of race: that virtually all whites claim to support equal racial opportunity, yet “blacks and most minorities are at the bottom of the well” with regard to life chances and conditions. Bonilla-Silva argues:

Whites have developed powerful explanations—which have ultimately become justifications—for contemporary racial inequality that exculpate them from any responsibility for the status of people of color. These explanations emanate from a new racial ideology that I call colorblind racism. This ideology, which acquired cohesiveness and dominance in the late 1960s, explains
contemporary racial inequality as the outcome of nonracial dynamics.26

Bonilla-Silva outlines four frames that colorblind racism establishes in the consciousness of whites. The two that are most important for this study are abstract liberalism and minimization of racism. Abstract liberalism involves reframing ideas typically associated with political and economic liberalism to account for racial issues. “By framing race-related issues in the language of liberalism, whites can appear ‘reasonable’ and even ‘moral,’ while opposing almost all practical approaches to deal with de facto racial inequality.”27 Minimization of racism invokes arguments that racism has diminished with time and that discrimination is no longer a salient force.28 Leslie Carr, a sociologist at Old Dominion University and one of the first researchers to outline colorblind racism, notes that, “[t]he roots of color-blind ideology are found in the classic liberal doctrines of freedom—the freedom of the individual created by the free capitalist marketplace.”29 Proponents of colorblindness often assert that the Constitution is a color-blind document, and are opposed to government intervention in matters of racial opportunity, claiming that such intervention is “unconstitutional, immoral, and racist because the government is not [acting] color-blind.”30 Carr’s data suggests that about 77 percent of whites describe themselves as colorblind, while only 40 percent of blacks do.31

The 2009 study by Eric Knowles and colleagues, which experimentally demonstrated that racial prejudice predicts opposition to contemporary health care reform, also makes the case that colorblindness is important to a complete understanding of public opinion formation:

The present work is also consistent with social-psychological research highlighting the manner in which individuals maintain a positive view of self even as their sociopolitical views are shaped by prejudice. Because most people wish to appear fair-minded—both to others and to themselves—they often embrace more principled, “color blind” rationales for their race-based views . . . high-prejudice individuals in the present study expressed a number of race-neutral objections to Obama’s health care plan—in-
cluding the notion that it represents a dangerous step toward socialism—that may function to obscure the racial dimension of their attitudes.\textsuperscript{32}

A number of other studies in political psychology have explored the principles of colorblind racism. Sidanius, Pratto and Bobo (1996) note that, “Conservatives generally reject suggestions that their opposition to civil rights legislation is motivated by racism. Instead they maintain that this opposition is strictly driven by a principled consideration of fairness, equity, and the goal of establishing a truly color-blind society.”\textsuperscript{33} And David Sears, P.J. Henry, and Rick Kosterman (2000) outline the transition over the past several decades from classic prejudice and stereotyping to the “more politically important . . . intense white opposition to policies explicitly intended to increase racial equality, such as busing, affirmative action, and vigorously [sic] enforcement of fair employment and fair housing regulations.”\textsuperscript{34}

I believe that the expression of colorblind racial ideology is critical to learning more about the opinion formation of whites. As David Sears and his colleagues point out, these ideologies are incorporated into the three schools of thought outlined previously, and their relationship to public opinion is a point of contention that divides the arguments. For group conflict theorists, colorblindness is an outcome and justification of racism. For political theorists, colorblindness is a legitimate and static school of thought that causes opposition to racial policies on principled grounds. For new racism theorists, it exists as both an independent and dependent variable—both a justification employed by dissenters and a cause of some of the dissent itself:

In the hands of social structuralists, political ideology is to a significant degree a tool used by dominant groups to maintain their hegemony. In contrast, politically oriented theorists argue that it composes principles of self-governance reached through careful consideration and education and plays a central causal role in determining attitudes toward racial policy. In the middle, perhaps, are new racism theorists, who see components of conservative ideology as intertwined with racism, but with both making independent
contributions to racial policy preferences.\textsuperscript{35}

In short, colorblindness is important to this study because it is the racial ideology most commonly associated with opposition to socially liberal policies. It also allows us to get a glimpse of some of the social and psychological precursors to policy preference by examining its expression across the four treatment groups. (For example, observing that colorblindness remains constant even as health care attitudes change has different implications than observing that colorblind attitudes are correlated with opposition to the new laws.)

**White Response to Black Leadership**

While the previous sections have outlined the prevailing schools of racial theory as they relate to policy opinion, an adjacent body of work addresses the attitudes of whites with regard to black political leaders. This field offers limited background for the present study, since scholarship on black leaders has until very recently excluded consideration of the presidency. Nevertheless, a wealth of research on racial politics at the local level may lay a framework by which we can understand whites’ opinions of black politicians in general.

In his landmark book *Changing White Attitudes Toward Black Political Leadership*, Zoltan Hajnal, a political scientist at the University of California, San Diego, categorizes existing scholarship into two camps: the prejudicial camp, which points to evidence that the racial attitudes of white Americans are so profoundly ingrained that they cannot be modified by the prospect or reality of black politicians,\textsuperscript{36} and the white backlash camp, which argues that the political successes of blacks inspire whites to attempt to upend these achievements, given the incentive to maintain an advantageous racial hierarchy\textsuperscript{37}.

On the other hand, Hajnal finds evidence that black officeholding can actually improve race relations and whites’ opinions of blacks in general. He writes that many whites initially fear that black politicians will favor black interests over white interests, but
that once blacks are elected, “whites gain access to better information about the policy preferences of black leaders and the effects of black leadership. They become able to judge black candidates on their records. And because the white community rarely suffers under black incumbents, these records are, in almost every case, better than white stereotypes and fears suggested they would be.”

Hajnal argues that while black representation in politics has been disappointing in its ability to improve racial equality and the general welfare of black Americans, its “information effect” on whites’ racial attitudes has been significant.

In *Voting Hopes or Fears? White Voters, Black Candidates and Racial Politics in America*, Keith Reeves, a political scientist at Swarthmore College, points out that by 1997 (the year of his book’s publication) only nine blacks in the history of the United States had been elected to represent mostly-white electoral districts in Congress. He argues that racial prejudice, racialized campaign coverage in the media, and the political exploitation of race in appealing to white fears have historically prevented black candidates from winning white votes. This mobilization of fear is particularly important; as a revealing example, Reeves highlights Jesse Jackson’s comments in 1983 upon the election of Harold Washington as Chicago’s first black mayor: “There was an unfounded fear [among white Chicagoans] . . . the idea that blacks once they take power will engage in retributive justice is just not so.”

A unifying theme in the literature involves the phenomenon of white fear. Group conflict, information effects, white backlash, and colorblindness theorists all point to evidence that whites equate black officeholding with black policies, in turn benefiting black beneficiaries. Whites’ reluctance to elect blacks to office, then, can be understood as a mechanism of protecting an advantageous spot at the top of the racial ladder.

**RESEARCH QUESTIONS**

The goal of this paper is to shine empirical light on a phenomenon of great stakes but little scholarly attention. Popular media
outlets have speculated on the role of racism in Americans’ reactions to the Affordable Care Act since the plan was first proposed in 2009. But to date, only one published study and one paper in progress have examined the topic, and as outlined in the Existing Studies section, neither of these approaches can account for the possibility that health care reform is a racially significant policy outside of its endorsement by President Obama.

Given this background, the principal goal is to confirm previous studies’ findings that racial prejudice has an effect on health care reform attitudes—this time in a politically isolated setting without confounding allusions to Presidents Obama or Clinton. Second, this study aims to separate racial prejudice at the politician level (analogous to anti-Obama prejudice) from resentment regarding the race of perceived beneficiaries. Third, it aims to test the hypothesis that colorblind racial attitudes and racial resentment are affected by the race of the stakeholders in proposed health care plans. Finally, it aims to learn as much as possible about the practical implications of this effect.

METHODOLOGY

I use a survey-embedded experiment to assess how racial prejudice may affect policy opinion, colorblind racism, racial resentment, and attitudes about President Obama among a representative sample of voting-age Americans. Specifically, the experiment is designed to measure how these indicators vary depending on the race of the stakeholders in a proposal for health care reform. By “stakeholders,” I mean the politician proposing the plan and the beneficiaries (or patients) expected to benefit from it.

Respondents are randomly assigned to one of four treatment groups, each of which includes an identical narrative of a proposed health care reform plan in Maryland, but different images of the politician who endorses the plan and of the beneficiaries affected by it. Images of the politicians are portrait-style, with the two men dressed in navy business suits and in office settings. They both appear to be between forty and fifty years of age. Patients are photo-
graphed in similar clinical settings, surrounded by medical equipment, and each treatment group shows one adult patient as well as one child.

The narrative describes expanding coverage very similar to the Affordable Care Act: expanding Medicaid services to all citizens under age sixty-five, subsidizing private insurance plans for families with income below $70,000, and increasing funding for free clinics and community health centers. Funding for the plan is attributed to raising income taxes for the highest-earning 2 percent of Maryland residents, taxing residents who purchase high-end “Cadillac” insurance plans, and taxing insurers and pharmaceutical companies.

The treatment narratives include brief summaries of pro and con arguments for the proposal. “Supporters of the plan argue that this expanded coverage is necessary to provide basic health benefits to individuals and families who do not have them,” and, “Opponents of the plan argue that the state cannot handle the expense of the program, that it penalizes wealthy taxpayers, or that people in medically underserved areas should take the initiative to find care on their own.” In each treatment, the plan is attributed to a gubernatorial candidate with a race-neutral name, “Dominic Evans,” whose portrait (an image of either a black politician or a white politician) is displayed prominently. The script used in the four treatment groups is reproduced in the Appendix.

This structure follows a 2x2 (Governor x Patient) factorial design, with the goal of separating anti-black animus surrounding politicians (i.e. “Dominic Evans” or President Obama) from anti-black animus surrounding the perceived beneficiaries of expanding health coverage. This design also has the benefit of minimizing demand effects, as the policymakers and beneficiaries differ only by their race. Since the narratives are identical in each group, the political platforms attributed to both iterations of Dominic Evans are identical, as are the benefits granted to both sets of patients.
Dependent Variable Measurement

Post-treatment, subjects were asked to provide their overall assessment of the plan, from 0 (“strongly oppose”) to 10 (“strongly support”). The mean response is 6.64 (sd=2.65).

The survey also asked subjects to respond to a bank of “specific concern” statements taken from media reports of opposition to health care reform. They are:

- “This plan is too expensive, especially right now. Governor Evans should be focusing on other things.”
- “This plan makes me feel like I’m losing control of a system that already works.” (This is an indicator of intergroup threat. See section Theoretical Approaches to Racial Attitudes in America.)
- “What would you say is the likelihood that this plan would result in health rationing, where not everyone gets all the care they need?”
- “What would you say is the likelihood that this plan would result in benefits going to people who don’t deserve them?”
- “What would you say is the likelihood that this plan would result in a government takeover of the health care industry?”

These concerns were compiled into an additive index (Cronbach’s alpha = 0.70).

Next, respondents completed a modified Colorblind Racial Attitudes Scale, or CoBRAS. This scale measures attitudes that could be classified as “colorblind racism.” To reduce attrition due to the survey’s length, the original twenty-item CoBRAS was trimmed to twelve items. The questions that remained were chosen by the factor analysis included in Neville’s original paper: the four highest-scoring factors within each of three dimensions (Racial Privilege, Institutional Discrimination, and Blatant Racial Issues) were retained. Cronbach’s alpha for this modified scale was 0.82, only slightly reduced from .86 in Neville’s initial validation. Some questions were reverse coded in my analysis so that a higher
value consistently indicated “more colorblind.” Respondents then completed the six-item Racial Resentment Scale. This was also compiled into an additive index (Cronbach’s alpha = 0.84). Some questions were reverse coded so that a higher value consistently indicated higher levels of racial resentment.

Finally, respondents were asked to give their overall assessment of President Obama, and to compare the Maryland proposal with their overall sentiments toward Obama’s national health care reform plan.

Sample

The survey was offered to a socioeconomically, ideologically, and racially diverse panel managed by the Chicago Research Lab at the University of Chicago Booth School of Business. Subjects needed only to live in the United States and be eighteen years of age or older to meet the inclusion criteria. In the online portal used by survey respondents, the study was entitled, “Win $75! Political Opinion Survey.” Respondents were not directly compensated, but were given the chance to enter a drawing for a seventy-five dollar prize. Data were collected for two weeks.

One hundred sixty-five respondents completed the survey, ninety-six of which (or 58 percent) were white. Because this study focuses on the attitudes of voting-age white Americans, only these ninety-six respondents were included in the final analysis. The attitudes of members of other races, particularly African-Americans, are theoretically relevant to this topic, but the sample of blacks and other minorities was not large enough to draw generalizable conclusions.

Among the eligible whites, between 85.4 percent and 92.7 percent were included in the analysis, depending on the outcome variable. The remainder were excluded because they omitted responses for variables of interest. Participants who omitted these responses do not appear to be demographically different from participants who answered them; in other words, they are not consistently poorer, less educated, or ideologically different from respon-
dents who completed the survey (analysis not shown here).

This study unintentionally oversamples for young adults, political independents, women, and people who are well-educated, non-religious, uninsured, and who live in urban areas. These biases require attention, but they do not impede the ability to draw generalizable conclusions. As I will discuss in the following sections, this paper’s experimental design, aided by covariates, is a robust method of controlling for the demographics and ideological predispositions that play into public opinion formation.

Analysis Methods

Differences in dependent variables between treatment groups are analyzed using ordinary least squares regression. Regression models are designed to make inferences from a 2x2 factorial design, where the effects of being exposed to the black or white governor, and being exposed to the black or white patients, are evaluated separately. (The interactive effect of being exposed to the governor and patients of the same race is also tested.) Two dummy variables (coded 0 for white governor or white patients, and 1 for black governor or black patients) are constructed from the four treatment groups, and correspond to the two exposures of interest.

Regression equations presented in the Results section follow a general equation:

\[ Y = \beta_{governor} x_{governor} + \beta_{patients} x_{patients} + \beta_{i} x_{i} \cdots \beta_{n} x_{n} + \epsilon \]

where \( \beta_{governor} \) is the effect of exposure to the black governor (1=black, 0=white), \( \beta_{patients} \) is exposure to the black patients, \( \beta_{i} \cdots \beta_{n} \) are the effects of covariates, and \( \epsilon \) is the error term.

For simpler interpretation, I also provide first differences calculated by King et al’s Clarify package for Stata.\(^{47}\) This gives the predicted difference in scale units when an experimental treatment is changed (for example, the predicted difference in an average re-
spondent’s policy assessment if the race of the politician were to change from white to black).

Covariates

Strictly speaking, randomization by itself is the best way to eliminate the influence of confounding variables. That is, by virtue of randomly assigning subjects to treatment groups, we are also randomly assigning the myriad covariates—both known and unknown—that have a confounding influence on the dependent variables. Since the confounds are randomly (and equally) distributed in a sufficiently large sample, we can be reasonably confident that any observed differences can be attributed to our treatments and not to confounds.

But there are a few compelling reasons why covariates can aid in the analysis of randomized data. For example, covariates can increase the predictive power of models; they ensure that confounding variables were in fact randomly distributed among the treatment groups, and they can help identify nonrandom attrition, providing a statistical control where this problem exists. Where a sample is not ideally representative of the population being studied (as is the case in this paper), covariates enable statistical control or stratified analyses for demographics that are disproportionately represented.

However, for the purposes of this study, covariates are most important because they provide information about interactions between pre-treatment conditions (for example, political ideology or income) and the treatments themselves. The Results section discusses this in greater detail.

In all, six covariates are taken into consideration in my analysis. Four of these are indicators of ideological predisposition: sex, educational attainment, household income, and political party identification. The final two are indicators of self-interest in a health care policy: insurance status and self-rated health.
Benefits of this Design

In the context of existing studies on the relationship between health care reform and racial prejudice (particularly Knowles, Lowery, and Schaumberg 2009), the methods I employ have two unique advantages.

First, this paper treats health care reform as a social issue subject to two potentially distinct manifestations of racial prejudice: anti-black attitudes stemming from the design and endorsement by President Obama and anti-black attitudes related to the perceived race of beneficiaries of the plan. This approach takes into account the work of Knowles, Lowery, and Schaumberg in addressing the role of politician race in predicting whites’ public opinion. But it also takes into account work similar to Nicholas Winter, Donald Kinder, Lynn Sanders, and Martin Gilens insofar as it considers the possibility that health care reform is manifested as a racial issue in the minds of Americans, much like other social policies (especially those that fall under the category of welfare programs).

Second, this paper eliminates the political and personal confounds that arise from studying Bill Clinton and Barack Obama directly. Knowles, Lowery, and Schaumberg compare policy opinions after randomly assigning subjects to read an “Obama frame” or a “Clinton frame.” This paper instead compares reactions to two politicians whose only difference is their race. Since these policymakers are fictional, any confounding political attitudes (like those that affect Presidents Obama and Clinton) do not influence the results in this study.

RESULTS

The following analysis is organized by dependent variable.

Overall Policy Opinion

Respondents were asked to rate their overall opinion of the proposed policy on a 0-10 scale, where “10” is most supportive. This
variable was regressed on the experimental treatments and covariates to measure the effect of racial exposures on respondents’ overall policy opinion. Results are presented in Table 1.

We see that exposure to the black governor predicts a moderate (coefficient=-1.47) and significant (p<0.05) decrease in policy opinion. There is no significant effect found for exposure to black patients. Main effects and interactions were tested, and no significant interaction effect was found for exposure to the black governor and black patients together (not shown here). These results indicate that we can expect white respondents, on the aggregate, to be less supportive of a health care reform plan when the policymaker is black. There is no evidence that whites’ opinions on the plan are affected by the race of presented beneficiaries. These effects are preserved when covariates are included in the model.

The estimated first difference for governor race is -1.47 points on a 0-10 point scale (95 percent confidence interval: [-0.19, -2.74]). This means that if we change the race of the policymaker from white to black, the expected decrease in support from a typical white respondent would be 1.47 points. This is the equivalent of moving from a score of 5 (perfectly ambivalent) to 3.53 (leaning to unsupportive), displayed in Figure 1. The expected difference upon manipulation of patient race was included for comparison, although this effect is not statistically significant.

Specific Concerns Scale

Respondents were asked several questions designed to measure their attitudes on specific criticisms of the policy. These criticisms were inspired by common concerns highlighted in media coverage of federal health care reform. (See previous section for details.) Five of these items were scaled into an additive index (Cronbach’s alpha = 0.70). This scale was regressed on the experimental treatments and covariates to measure the effect of racial exposures on respondents’ specific concerns regarding the proposed health care plan. Results are displayed in Table 2, available in the online supplement.
We see that exposure to the black governor predicts a small (coefficient=-1.55) and significant (p<0.05) decrease in the Specific Concerns Scale. A lower score on this scale indicates that respondents agree with criticisms of the law; in other words, *a lower score indicates greater concern*. Therefore, our results indicate that we would expect whites to express higher levels of specific concern regarding a health care plan when the policymaker is black. This increase applies to concerns such as undeserving beneficiaries, government takeover of the health care system, and health rationing. There is no evidence that the race of the beneficiaries has an effect on whites' concerns about the law. These effects are preserved when covariates are included in the model.

The estimated first difference for governor race is -1.54 points on a 5-19 point scale (95 percent confidence interval: [-.165, -2.97]). This means that if the race of the politician were to change from white to black, the resultant decrease in specific concerns score is expected to be 1.54 points.

**INTERACTIONS WITH COVARIATES: PARTY IDENTIFICATION AND INCOME**

In predicting policy opinion scores, significant interactive effects were found between exposure to the black governor and two covariates: party identification and household income. A third covariate, insurance status, is also examined.

**Party Identification**

Results presented in Table 3 (online) show a large (coefficient=-2.04) and significant (p<0.05) interaction between party identification and exposure to the black governor.

Since the party identification variable is coded [1=Democrat, 2=independent, 3=Republican], this model suggests that either an Independent or a Republican identification (or both) modifies the effect of exposure to the black governor on policy opinion. For a more precise view, Table 4 (online) shows the regression model
stratified by party identification.

Results in Table 4 show a large (coefficient=-2.97) and significant (p<0.01) effect for exposure to the black governor among Independents. This exposure has no significant effect among Democrats or Republicans when these groups are examined in isolation. While the Republican group appears to have an effect size comparable to that of independents, this effect is not significant, probably because my sample of Republicans is too small to make a confident inference. There is no significant effect for exposure to black patients in any of the stratified groups.

These results suggest that exposure to the black policymaker predicts a large decrease in policy opinion among independent (unaffiliated) whites. This might be interpreted as evidence that independent whites approach political issues like health care reform without strong or inflexible opinions, many of which are associated with partisanship. In the absence of this policy “cueing” from a political party, independents might be more sensitive to racial priming. Effectively, partisan tendencies may serve to buffer the racial effect, and the people with the least powerful buffers (independents) experience the racial effect at a greater magnitude.

To clarify the ideological makeup of the independents group, an identical regression was executed (not shown here), replacing Party Identification with Political Ideology [1=Liberal, 2=Moderate, 3=Conservative]. The results from Table 4 were replicated: we see a large and significant decrease in opinion with exposure to the black governor among ideological moderates. There is no significant effect found among conservatives or liberals, initially suggesting that most of the independents in the Table 4 models are likely “unaffiliated” moderates, and not members of an independent party (with the major caveat that the sample sizes are unequal, making generalizable inference difficult).

The estimated first difference for exposure to the black governor among independent whites is -2.97 points (95 percent confidence interval: [-0.91, -5.11]) on a 0-10 scale. This means that if we change the race of the policymaker from white to black, the expected decrease in opinion among white independents is 2.97
points, or the equivalent of moving from a score of 5 (perfectly ambivalent) to 2.03 (unsupportive).

Income

A second interactive effect is found between household income and exposure to the black governor. Table 5 (online) presents these findings.

We see a tremendous (coefficient=-4.25) and significant (p<0.01) negative effect for the interaction between high income and exposure to the black governor. High income is coded as $60,000 or greater, which constitutes roughly the top half of the income distribution in the sample. Table 6 (online) presents results stratified by income for a closer look.

We see a very large (coefficient=-3.23) and significant (p<0.01) decrease in policy opinion with exposure to the black governor among higher-income whites. This effect is not replicated for lower-income whites. Exposure to the black patients does not appear to have a significant effect in either stratum.

This suggests that we should expect politician race to have a significant sway on the policy assessments of higher-income whites. The first difference for exposure to the black governor among whites with income of $60,000 or greater is -3.21 points on a 0-10 scale (95 percent confidence interval: [-1.05, -5.33]). This means that we would expect opinion among this group to decrease by 3.21 points when the governor changes from white to black—the equivalent of moving from a score of 5 (perfectly ambivalent) to 1.79 (very unsupportive), shown in Figure 2.

Insurance Status

No statistically significant interactive effect was found for insurance status, but this variable should be of special interest. Do whites that stand to gain a material benefit from health care reform (i.e. insurance coverage) react differently to racial priming than whites who are already insured?
The results reported in Table 7 indicate that uninsured whites are almost completely insensitive to racial priming. There is no significant (or substantial) effect found for either politician race or patient race. Fully-insured whites, on the other hand, see a moderate decrease in support for the health plan when a black politician designs it (coefficient=-2.28, p<.01). This suggests that we should expect uninsured whites to pay little attention to the racial stakes of a health care plan, while insured whites who do not expect a material gain are heavily swayed by the race of the politician in charge. The estimated first difference of this effect is -2.27 points on a scale from 0 to 10 points (95 percent confidence interval: [-0.61, -4.00]). This is the equivalent of moving from a score of 5 (perfectly ambivalent) to 2.73 (unsupportive).

CORRELATED IDEOLOGIES: COLORBLINDNESS, RACIAL RESENTMENT AND SUPPORT FOR BARACK OBAMA

After evaluating the proposed health care plan, respondents were asked to complete a twelve-item modified Colorblind Racial Attitudes Scale (CoBRAS) and the six-item Kinder and Sanders Racial Resentment Scale. They were also asked to provide an overall assessment of their feelings toward President Obama.

Colorblindness

A regression analysis for CoBRAS scores and experimental treatments is presented in Table 8 (available online). We see a modest (coefficient=5.84) and significant (p<.01) increase in expressed colorblindness among white subjects when exposed to the black governor. Exposure to the black patients does not appear to have a significant effect.

These results indicate that we expect whites to express modestly higher levels of colorblind racial attitudes when exposed to a health care plan endorsed by a black politician as compared to an identical plan put forth by a white politician. The first difference for this effect is 5.82 points on a scale from 12 to 64 points (95 percent
confidences interval: [1.42, 10.14]).

Racial Resentment

Regression analysis for racial resentment scores and experimental treatments is presented in Table 9 (available online). We see a modest (coefficient=3.41) and significant (p<.01) increase in racial resentment among whites exposed to the black governor. There does not appear to be a significant effect for exposure to the black patients.

These findings indicate that we should expect whites to express modestly higher levels of racial resentment when exposed to a health care plan attributed to a black politician as compared to an identical plan put forth by a white politician. The first difference for this effect is 3.52 points on a scale from 6 to 36 points (95 percent confidence interval: [0.89, 6.37]).

Support for Barack Obama

Respondents were asked to rate their overall feelings toward President Obama on a 0 to 10 scale, where 10 indicates that a respondent feels “very positively.” Regression analysis for Obama support and the experimental treatments is presented in Table 10. We observe a moderate (coefficient=-1.79) and significant (p<.01) decrease in support among whites exposed to the black patients.

Notably, Obama support is the only dependent variable that is significantly affected by exposure to black beneficiaries (and the only variable not affected by exposure to the black policymaker).

These results indicate that we should expect whites to express moderately lower levels of support for President Obama when considering a health care plan whose perceived beneficiaries are black, as compared to a plan whose perceived beneficiaries are white.

The first difference for exposure to black patients is -1.81 points on a scale from 0 to 10 points (95 percent confidence interval: [-0.57, -3.05]). This means we would expect the average white respondent’s support for Barack Obama to decrease by 1.81 points.
when considering a health care plan whose beneficiaries are presented as black as compared to an identical plan whose perceived beneficiaries are white. This is the equivalent of moving from a score of 5 (perfectly ambivalent) to 3.19 (somewhat negative), displayed in Figure 3.

This is a fascinating finding. It demonstrates that whites are less satisfied with Obama when health care benefits blacks, yet from findings in previous sections we know that black beneficiaries do not inspire whites to dislike the plan itself. This offers compelling evidence in favor of Hajnal’s “information effect,” as I will discuss in the next section.

**DISCUSSION**

This experiment provides strong evidence that race plays a substantial role in public opinion formation on health care reform. The race of the politician and beneficiaries at stake in a health care plan accounts for about 7 percent of the total variance in policy opinion among whites—more than the effects of four covariates (sex, education, self-rated health, and insurance status) combined. This proportion is higher in certain populations. Among whites with a household income above $60 thousand, the race of the politician and beneficiaries explains about 20 percent of the variance in policy opinion. Among independent voters, the proportion is 23 percent. Among whites who are both independent voters and wealthy, race can predict about 32 percent of the variance in opinion. All of these are tremendous figures, even the aggregate 7 percent, considering the incredible plethora of influences on policy opinion. In light of all the factors that play into an individual’s assessment of a political proposal—personal predispositions, partisan alignments, material self-interest, ethical instincts, details of the plan, and others—the race of the stakeholders in a health care plan has a powerful sway on public opinion.

In the context of other studies, the contribution of this paper is the discovery that different stakeholders do not affect public opinion equally. The race of the politician promoting a health
reform plan has a much larger impact on opinion than the race of the plan’s beneficiaries. This may help understand some of the intensely-demonstrated (and well-publicized) opposition to President Obama’s health care plans.\textsuperscript{51} It is also consistent with Marc Hetherington and Jonathan Weiler’s conclusion that the relationship between racial resentment and health care attitudes observed in 2009 did not exist in the 1990s with Bill Clinton’s similar proposal, even though both plans disproportionately benefit African Americans. In a vacuum, whites demonstrate opposition to health care reform under a black politician when their attitudes are neutral under a white politician. This supports the assertion that President Obama’s race can help explain why Americans exhibited a much stronger resistance to health care reform in 2009 than they did in the 1990s, supporting Hetherington and Weiler’s (as well as Jimmy Carter’s) hunch.

Is Health Care Reform a Type of Welfare?

On the other hand, how might we interpret the finding that the race of a plan’s beneficiaries has little effect on whites’ public opinion formation? This runs contrary to my initial assertion, as well as a wealth of scholarship that suggests that this relationship might exist. Part of the theoretical justification for this paper rests on the possibility that health care reform, legislation that tremendously benefits blacks and other minorities, could be affected by both anti-Obama prejudice and a more generalized racial resentment. That does not appear to be the case.

This finding is slightly out of tune with most social policy research. There is ample evidence that “the American public thinks that most people who receive welfare are black,” and that “whites’ attitudes toward poverty and welfare are dominated by their beliefs about blacks.”\textsuperscript{52} If this were the case with health care reform, we would expect to see changes in both policy opinion and specific concerns when comparing reactions to two plans that are presented to benefit different races. No such relationship is observed in this study.
Do whites conceptualize the expanding coverage provided by the Affordable Care Act the same way they conceptualize other social welfare programs? This study is not equipped to provide a definitive answer, but the initial evidence seems to suggest that white Americans view health care reform no differently than other forms of social policy. Forty-eight percent of whites in the sample agreed or strongly agreed that the proposal they viewed constitutes “a form of welfare,” compared to half as many (24 percent) that disagreed or strongly disagreed. The rest were unsure. This variable by itself was not significantly affected by the exposure to the experimental treatments. But not coincidentally, whites who characterize health care reform as a welfare program are significantly less likely to support the plan. The mean policy opinion score for the ‘welfare’ group was 5.07; it was 7.89 for the ‘not welfare’ group.

It is possible, though not demonstrable under this research design, that whites imagine the beneficiaries of social redistribution policies like health care reform to be black regardless of the racial priming provided in an experimental setting. Alternatively, it is also possible that whites are sincerely ambivalent about the race of a health plan’s beneficiaries, although this seems unlikely given their sensitivity to the race of the politician and existing evidence that shows a strong connection between whites’ unflattering characterizations of blacks and their public opinion on social policies. A third possibility is that whites imagine the beneficiaries of health care reform to be mostly black, but that the redistribution of ‘benefits’ (e.g. health insurance) resulting from the Affordable Care Act is more palatable than what is found in other government welfare programs (such as cash payouts or food stamps).

Self-Interest and Rational Choice

The role of self-interest in racial prejudice is a second area of scholarly debate that this paper has examined. Researchers disagree on the way that self-interest is incorporated into racialized thinking on social policy, with ‘realistic’ or ‘zero-sum competition’ theorists in one camp, and ‘group conflict’ theorists in the other.
This paper gives mixed evidence with regard to self-interest. First, the data indicate that fully insured respondents are much more receptive to racial priming than uninsured respondents. Insured whites were significantly (and substantially) less supportive of the health care plan designed by the black politician. This effect was not observed among uninsured whites, indicating that self-interest buffers racialized thinking. In other words, whites with something to gain from health care reform (e.g., insurance coverage) do not care, on the aggregate, about the race of the politician behind the plan. Thus, it appears that self-interest matters.

But if insured whites cannot expect to gain from the policy no matter who endorses it, why should they care about the race of the politician any more than uninsured whites do? In the framework of colorblindness, to which the majority of whites ascribe, rational actors should not care whether whites or blacks endorse their legislation. They may support a plan more or less depending on their own self-interest, but within strata of material interest, rational whites should support the black-endorsed plan as much as the white-endorsed plan. From the data presented here, this is not the case. Absent the promise of a direct material gain, whites react negatively to health care legislation put forth by a black politician. Why is this?

In his book, *Voting Hopes or Fears? White Voters, Black Candidates & Racial Politics in America*, Keith Reeves argues that, “racial discrimination by whites . . . still remains a prodigious barrier for black candidates competing in majority-white electoral settings.” Of course, black candidates do not completely lack political success in majority-white settings (including in statewide campaigns and, as of 2008, the presidency). But Reeves cautions that “the success of some black office-seekers in getting sufficient numbers of whites to vote for them” does not nullify the continuing influence of racism. He points to research conducted by Richard Pildes in 1995, who argues that, “the increase in black officeholding is not the result of changing attitudes or voluntary reforms.”

Public opinion on social policy and voting patterns for black candidates are not exactly the same, but the overarching message
from the present study (as well as existing research) is that whites are reluctant to support the political efforts of black politicians. In this experiment, exposure to the black politician triggered increased racial resentment among whites, indicating that implicit prejudice (akin to the “New Racism” theories explained in the Theoretical Approaches section) may hold a powerful influence on public opinion formation.

This study also finds that exposure to the black politician leads to higher levels of colorblind racial attitudes, consistent with Eduardo Bonilla-Silva’s theory that these “principles” are used to "explain away" racial resentment. The results are inconsistent, however, with Paul Sniderman’s assertion that "principled conservatism" is at the root of white reluctance to black-benefiting policies. This is not to say that one theory is more accurate than the other, but Bonilla-Silva’s framework is more capable of explaining the results observed in this study.

I am unable to find evidence for the existence of “realistic group conflict” in the context of health care reform, since this would be indicated by an increase in specific concerns and decrease in overall opinion when whites are prompted to believe the primary beneficiaries of the law are black. In other words, realistic group conflict theory operates on the assumption that health care is a limited resource, and whites would aim to prevent blacks from benefiting. In the context of the Affordable Care Act, a more likely possibility is that whites interpret their group status to be threatened when a black politician is at the helm.

Indeed, one of the most fascinating discoveries in this study centers on the last variable discussed in the Results section: support for President Obama. The data indicate that support for Obama decreases when whites are exposed to imagery of black beneficiaries, but not images of black politicians. Support for Obama is the only dependent variable that was triggered by beneficiary race. This is extremely compelling evidence for Zoltan Hajnal’s “information effect,” a theoretical framework based on the observation that whites fear having blacks in office because they believe black politicians will meet the policy needs of black constituents, ostensibly at the
expense of whites. In the case of health care reform, we observe that support for a black politician (President Obama) decreases when whites are primed to believe that the beneficiaries of a health care plan are also black. This is concrete evidence for Hajnal’s basic assumption. What’s more, Barack Obama, as the first black president, plays a special role in information effects theory. Hajnal remarks:

Prior to the election of a black candidate, most white voters have little or no experience with black leadership. For this reason, many rely on racial stereotypes and past patterns in race relations to assess the likely consequences of a black candidate’s victory. The result is that many whites fear that a black leader will . . . redistribute income, encourage integration and generally channel resources toward the black community . . . Once a black candidate is elected, however, whites gain access to better information about the policy preferences of black leaders and the effects of black leadership . . . When blacks have the power (or are perceived as having the power) to inflict harm on the white community and they choose not to do so, many whites are forced to reevaluate their assumptions.56

Voters’ reactions to President Obama in this study are consistent with the information effects framework, offering evidence that the racialized enigma surrounding Obama’s health care plan can be traced to the political psychology surrounding new black leadership. Absent a history of black officeholding in the Oval Office, whites speculate that the beneficiaries of the president’s agenda will be black—and when images of black patients in the treatment groups confirm this suspicion, their support for the black president decreases.

Unanswered Questions

This study has partially elucidated the relationship between racial prejudice and public opinion on American health care reform. However, several important questions remain unanswered and will require further research.

First, since this study focuses exclusively on white attitudes,
a full inference of American public opinion is not possible. More research is required to examine the racial attitudes of blacks and other minorities, as their reactions to health care reform are likely different from those of whites. We should be especially interested to see how the race of stakeholders (politicians and patients) in proposed health care plans affects public opinion among minorities.

Second, we do not know the exact consequences of using a slightly biased sample, which overrepresented students, women, political independents, and people in urban settings. It is especially prudent to note that the majority of the sample lived in or near Chicago, which may mean that the results are most generalizable for populations in racially diverse metropolitan areas. They may be less useful for predicting racial attitudes in less populated or more homogenous regions.

This being said, I do not feel that this sample biased the results in any significant way, since many demographics that were disproportionately represented in the sample (female sex and higher levels of education, for example) were shown to have null effects on outcome variables. In addition, the demographics that did interact with the experimental treatments were analyzed in detail using stratified analyses, and the sample was sufficiently large to enable significant results within subcategories or strata of demographic variables. Nevertheless, while this study attempts to account for a slightly biased sample, ideal future research will use representative sampling to ensure that the pool of participants matches the population being studied.

Third, this paper provides a significant and theoretically intuitive analysis of the role of politician race in shaping whites’ policy support, but the data are less clear with regard to the role of beneficiary race. As described above, the insignificant effect for beneficiary race is somewhat mystifying. I proposed three possible explanations for the apparent absence of this relationship, but future research is required to determine if these are plausible.

Finally, this study was unable to consider the potential influence of intergroup contact, which represents a major school of
thought in academic work on racial attitudes. Intergroup contact theorists argue that geographical and/or interpersonal proximity to blacks is the most powerful predictor of racial attitudes among whites.\textsuperscript{57} Interracial contact appears to powerfully reduce racial prejudice, and theoretically it would have a protective or mediating effect in the relationship between racial prejudice and public opinion on social policy. Ideally, this relationship would have been tested, but because the sample is made up almost entirely of participants from the Chicago metropolitan area, its predictive power would be very limited. Living in Chicago does not guarantee interracial contact, but to fully address intergroup contact would require a much more geographically diverse sample (especially since the South appears to play a somewhat anomalous role) and a research design incorporating some metric of intergroup contact beyond what is achievable in a survey.\textsuperscript{58}

**CONCLUSION**

In the end, this paper provides a somber reminder that racism remains a powerful influence on the political opinions of whites. Despite that the vast majority of white Americans claim to be colorblind and ambivalent with regard to race, this study provides evidence that they react negatively to health legislation put forth by black politicians. Whites evaluating a black-endorsed health care plan also express higher levels of colorblind racial attitudes, racial resentment, and specific concerns about the plan (such as the belief that it will lead to “health rationing” or a government takeover of the health care industry). This effect is highest among insured, wealthy, and politically independent whites.

As discussed in the previous section, the potential for a protective effect in intergroup contact compels us to search for ways that racism’s influence in public opinion formation can be diminished. From the perspective of public health, the stakes could not be higher. Blacks are diagnosed with the most crippling diseases at higher rates than whites. After being diagnosed with these diseases, blacks are more likely to die from them. To make matters worse,
blacks are almost twice as likely to be uninsured as whites. The success of any practical attempt to resolve these dire inequities is contingent upon the support of the public.

This is not a normative reflection on the Affordable Care Act nor an argument that its provisions are the only reasonable approach to fighting racial health gaps. There will always be, and should always be, variations in support for legislation depending on an individual's predispositions and reasoning. Ethical orientation, partisanship, material self-interest, financial considerations, details of specific legislation, and so many more elements of public opinion will come into play.

But the interference of racism has no place in the reasoning process. It is a dangerous imposition on rational thought, one that is most tragic when it suppresses the feasibility of legislation that would otherwise see higher levels of enthusiasm. The Affordable Care Act was a victory for minority health, but its path was tumultuous, and its success should not be taken for granted. Alwyn Cohall and Hope Bannister, writing for the anthology “Health Issues in the Black Community,” conclude:

Failure to act aggressively to counter the pathogens of poverty, lack of health insurance, and cultural insensitivity is no less a disgrace than withholding treatment for syphilis. While the cure for health disparities is not as simple as a shot of penicillin, there are concrete, tangible efforts that can be made today.59

While we are far from providing a solution to eliminate these health discrepancies, the influence of racism in the public’s assessment of our most promising attempts is a shameful cancer on society. We should be prepared to do all we can to end its damaging and undemocratic influence.

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and encouragement invaluable.

To view all charts and tables, visit:
http://www.helvidius.org/2012/belcher

Notes


7 Stein, “Tea Party Protests: Nigger, F***ot Shouted at Members of Congress”.


10 Ibid, p. 18.


14 David O. Sears is a political psychologist at UCLA; Jim Sidanius holds faculty positions in Psychology and African-American Studies at Harvard; and Lawrence Bobo holds faculty positions in Sociology and African-American Studies at Harvard.


16 Ibid, p. 17.

17 Ibid, p. 18.

18 Ibid, p. 27.

19 Ibid, p. 28.

20 Ibid, p. 22.


22 Bobo and Kleugel 1993, 1997; Bobo and Hutchings 1996; Kinder and Sanders


26 Ibid, p. 2.

27 Ibid, p. 28.

28 Ibid, p. 29.


31 Ibid, p. 150.

32 Eric Knowles, Brian Lowery, and Rebecca Schaumberg, “Racial Prejudice Predicts Opposition to Obama and His Health Reform Plan”, p. 423.


35 David O. Sears, Jim Sidanius, and Lawrence Bobo, *Racialized Politics: The Debate About Racism in America*, p. 34.


39 Ibid, p. 3


42 Ibid, p. 2.


44 Eric Knowles, Brian Lowery, and Rebecca Schaumberg, “Racial Prejudice Predicts Opposition to Obama and His Health Reform Plan”; Marc J. Hetherington and Jonathan D. Weiler, “Health Care, Race, and Political Polarization”.

Donald R. Kinder and Lynn M. Sanders, *Divided by Color: Racial Politics and Democratic Ideals*.


Throughout this paper, the following terms are used to classify magnitudes when they apply to a 0-10 point scale: “small” effects have coefficients of less than one point; “moderate” effects have coefficients between one and two points; “large” effects have coefficients between two and three points; and “very large” effects have coefficients greater than three points. These classifications do not apply to variables that are not coded on a 0-10 point scale.

This is based on a comparison of $R^2$ (coefficient of determination) values. $R^2$ is not always an ideal indicator of the proportion of variance explained in a model, but most criticisms of its usage point to multivariate regressions with several independent variables. $R^2$ is an adequate indicator of explained variance for this paper because only two predictors (patient race and politician race) are included in the models being referenced. Regression analysis of the four covariates alone provides an $R^2$ value of 0.06; regression analysis of the experimental treatments on a subsample of independent, insured, wealthy whites provides an $R^2$ value of 0.32. These analyses are not shown here; others are shown in previous subsections.


Keith Reeves, *Voting Hopes or Fears? White Voters, Black Candidates & Racial Politics in America*, p. 7.


THE IMPACT OF BOLSA FAMÍLIA ON POVERTY: DOES BRAZIL’S CONDITIONAL CASH TRANSFER PROGRAM HAVE A RURAL BIAS?

Sean Higgins

An important dimension in assessing any anti-poverty program is to know how it affects the living standards of different subgroups of the poor. This paper examines the impact of Brazil’s conditional cash transfer program on poverty in urban and rural areas, formally testing the hypothesis that the program has a rural bias because its eligibility cut-off and transfer size are not adjusted for spatial price differences. Grosh et al. (2008) argue that a program that does not adjust its eligibility cut-off for spatial price differences will be biased toward the rural poor because they face a lower cost of living. Fiszbein and Schady (2009) find that eligible families in urban areas are less likely to participate in Bolsa Família, which they attribute to self-exclusion due to the cost of living differential and the implicitly lower value of the transfer in cities. Although the authors suggest that Bolsa Família might have a rural bias, no study has rigorously compared its impact in urban and rural areas.*

Regional price differences are not negligible in Brazil: the Laspeyres price index based on the cost of food and housing, indexed to 1.000 for metropolitan São Paulo, is 0.447 in the rural Northeast region.¹ In other words, the cost of living in São Paulo is more than twice the cost of living in the rural Northeast. The real value of Bolsa Família’s eligibility cut-off and the purchasing power of the transfer are therefore significantly higher in more rural states than in São Paulo.

This paper first presents a counterfactual static incidence analysis to determine the impact of Bolsa Família in 2009, using

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* Helfand, Rocha, and Vinhais (2009) decompose rural income growth over the period 1998-2005 into four different sources of income, and find that growth in ‘other income’, primarily due to an increase in conditional cash transfers, explains around 16 percent of the decline in rural poverty over the period. Their study focuses exclusively on rural areas.

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micro-data from the 2009 Pesquisa Nacional por Amostra de Domicílios (PNAD),* an annual household survey. Incomes are adjusted by a spatial price index to reflect price differences across regions, and poverty is defined as the inability to buy a basket of basic needs in one’s region. Through a series of formal hypothesis tests and regression analyses, this paper seeks to determine whether Bolsa Família has a “rural bias”—in other words, a tendency to have a higher impact in rural areas.† Finally, after identifying a statistically significant rural bias, the paper addresses policy implications.

The paper is divided into seven sections. Section 2 begins with a brief overview of poverty trends in Brazil and a description of the Bolsa Família program. It then describes how poverty should be defined in the context of this study and presents a methodology to adjust for spatial price differentials. Section 3 describes the data set and its issues and limitations. Section 4 analyzes the impact of Bolsa Família on poverty at the state level and examines whether its impact has been higher in relatively more rural states. Section 5 uses a probit model to assess the probability of escaping poverty due to Bolsa Família, and contrasts the likelihood of poor urban and poor rural households surpassing the poverty line. Section 6 discusses policy implications, and Section 7 presents the main conclusions.

DEFINING POVERTY AND ADJUSTING FOR SPATIAL PRICE DIFFERENTIALS

The number of Brazilians living below the poverty line reached its highest level in history in 2003.‡ Although a growing poor population in absolute terms can be partially attributed to population growth, the percentage of Brazilians living in poverty had not declined in nearly a decade: the overall change in the pov-

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* In English, this translates as National Household Sample Survey.
† This definition of “rural bias” is consistent with Todaro and Smith (2011).
‡ Here, the poverty line refers to the regional poverty lines calculated by the Brazilian government’s Applied Economics Research Institute (IPEA) using the cost of basic needs method.
tery headcount index between 1995 and 2003 was close to zero. Measures that are sensitive to the depth and severity of poverty, such as the poverty gap and squared poverty gap, show a similar trend: almost no change between 1995 and 2003. Since 2003, however, poverty in Brazil has declined significantly, whether one measures the absolute number of poor people (the poverty headcount), the percentage of the population living below the poverty line (the poverty headcount index), the depth of poverty (the poverty gap), or the severity of poverty (the squared poverty gap). For example, using IPEA’s regional poverty lines, the poverty headcount fell from over 61 million poor people in 2003 to under 40 million poor in 2009 and the headcount index from 35.8 percent to 21.4 percent during the same period. Figures 1 and 2 show the decline of various measures of poverty since 2003.

Although several factors contributed to the decline in pov-

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* The overall change in the poverty headcount index between 1995 and 2003 varies depending on the data source, but all data sources agree that there was not a significant change. Using a $4 PPP per day poverty line, the Socio-Economic Database for Latin America and the Caribbean (SEDLAC) reports a decrease in the poverty headcount index of -0.2 percentage points, while the World Bank’s PovcalNet reports an increase of +0.5 percentage points. Using regional poverty lines, IPEA reports an increase in the headcount index of +0.7 percentage points for the same period.

† Throughout this paper, the poverty gap refers to the poverty gap index—also known as the poverty gap ratio—rather than the total poverty gap (and likewise for the squared poverty gap). The poverty gap index is equivalent to the total poverty gap (which can be thought of as the minimum amount of resources needed to eradicate poverty through perfectly-targeted transfers [Ravallion, 1992]) divided by the country’s population and expressed as a percentage of the poverty line.

‡ Data sources agree that there was not a significant change in the poverty gap or squared poverty gap between 1995 and 2003. SEDLAC reports a change in the poverty gap index (squared poverty gap index) of 0.0 (+0.1) percentage points, while the World Bank’s PovcalNet reports a change of +0.03 (-0.01) percentage points, both using a poverty line of $4 PPP per day. IPEA does not report figures for the poverty gap and squared poverty gap.

§ See IPEA (2009) for the 25 regional poverty lines calculated by IPEA for the years 1976-2009. For purposes of international comparison, poverty lines in local currency can be converted into “international dollars” using purchasing power parity (PPP) conversion factors, which are intended to ensure a common purchasing power over commodities across countries (Ravallion, Chen, and Sangraula, 2009). Using a PPP conversion factor of $1 PPP = 1.71 reais in 2009 prices (World Development Indicators, 2011), the non-weighted average of IPEA’s regional poverty lines in the year 2009 is $3.67 PPP per day. The weighted average (weighting each spatial region’s poverty line by the region’s population according to the 2009 PNAD) is $3.75 PPP per day. These averages are close to the $4 PPP per day poverty line, which is commonly used for middle-income countries and close to the median of the moderate poverty lines officially set by Latin American governments (Centro de Estudios Distributivos, Laborales y Sociales [CEDLAS] and World Bank, 2010).
erty, such as economic growth (Barros et al., 2010), expanded access to education during the 1990s (Gasparini and Lustig, 2011), increased demand for unskilled labor, and an increase in the minimum wage, cash transfer programs—and, in particular, Brazil’s signature anti-poverty program Bolsa Família—have also played an important role.

Bolsa Família is a conditional cash transfer (CCT) program. CCTs are direct monetary transfers that target poor households and require a specified level of investment in the human capital of the household’s children. The requirements, which are known as conditions, usually entail a minimum level of use of health and education services. These conditions seek to reduce poverty in a sustainable way by giving poor children the human capital necessary to break the intergenerational poverty cycle. In the case of Brazil, the conditions specify attendance of prenatal and postnatal care sessions by pregnant women and breast-feeding mothers, adherence to a calendar of vaccinations for children up to age five, and a minimum level of school attendance for children ages six to seventeen.

To measure the impact of Bolsa Família on poverty, it is necessary to determine how poverty should be defined; in other words, what will be the cut-off criteria that separate the poor from the non-poor? Given the income-based nature of the PNAD household survey (see Section 3) and the monetary nature of CCTs, it makes sense to use income poverty lines. This necessarily ignores the multidimensionality of poverty; while the information available in PNAD does permit a more multidimensional evaluation of poverty, the impact of Bolsa Família on multidimensional poverty cannot be accurately measured without panel data, as the program’s impact on factors such as education and health in a particular beneficiary household are unknown.

* In English, Bolsa Família translates as Family Scholarship.
† See, for example, World Bank (2001).
‡ Using, for example, the class of multidimensional poverty measures developed by Alkire and Foster (2009). It should be noted that although multidimensional poverty measures have gained popularity in the literature, there are issues that have not been resolved and are still being debated. See, for example, Ravallion (2011).
This study will focus on the impact of Bolsa Família on absolute rather than relative poverty. Alternatively, one could choose a relative poverty line equal to the per capita income of the individual or household corresponding to the yth percentile of the cumulative income distribution, or measure the program’s impact on the average income of the poorest y percent of the population. The first alternative is necessarily arbitrary and does not correlate poverty with a lack of command over basic consumption needs or a lack of certain capabilities. The second alternative is useful for comparing the average impact (on the relatively poor) of two different programs with equal funding, but it limits the analysis to averages and rules out measuring the impact on more poverty averse indices. For these reasons, this paper does not determine poverty relative to the overall income distribution, and instead regards as “poor” individuals who do not have enough household income per capita to purchase a specified vector of basic needs.

The poverty line, in turn, will reflect the cost of that vector of basic needs. Calculating the cost of basic needs nationally would ignore regional differences in the costs of food and housing, which are especially important in countries that are larger and more diverse, such as Brazil. Thus, the World Bank uses expenditure data from the Pesquisa de Orçamentos Familiares (POF) to calculate the cost of a bundle of basic food items sufficient to fulfill a minimum daily caloric intake in twenty-one different regions. Since similar price data is not available for expenditures on non-food basic needs, housing rental rates are used as a proxy for the price of non-food basic needs. Housing rental rates are estimated for each region using a regression model of (log) rent against dwelling characteristics (such as number of rooms, electricity, type of floor, etc.). Table 1 shows the values of the resulting Laspeyres spatial price index (which is a weighted average of the indices for food and housing) in twenty-one spatial regions, using metropolitan São Paulo as the reference region.

Deflating income by a Laspeyres price index is analogous to taking a welfare ratio approach to welfare measurement, which is preferable to the money-metric utility approach when assessing
policies in which distribution is an issue (in other words, when one wants to assume that transfers of money to the poor are more valuable than transfers to the non-poor, and that the poorer someone is, the more valuable the transfer). Once income has been deflated by a spatial price index, everyone’s income can be compared to a single poverty line. First deflating incomes by a spatial price index that accounts for regional differences in the cost of living and then comparing each household’s adjusted income to a fixed nominal poverty line is mathematically equivalent to comparing each household’s nominal income to a regional poverty line adjusted by the spatial price index. Since metropolitan São Paulo was chosen as the reference region for the price index, an appropriate poverty line—given the definition of poverty used in this paper—would be the cost of a basic needs basket in metropolitan São Paulo. The World Bank (2007: Table 12) calculates this as 115 reais* in January 2003 prices. Adjusted for inflation of basic needs prices in São Paulo municipality,† this is equal to 162 reais in September 2009 prices.

THE DATA: ISSUES AND LIMITATIONS

The analyses in this paper use micro-data from the 2009 Pesquisa Nacional por Amostra de Domicílios (PNAD), an annual household sample survey conducted by the Brazilian government’s Institute of Geography and Statistics (IBGE). PNAD’s sample size in 2009 was 399,387 individuals—the survey was carried out in the last week of September and asked questions about the previous month. The survey questions are based on income rather than consumption, even though consumption is smoother over time, can be more accurately measured, and better reflects a household’s abil-

* The Brazilian currency unit is called the real. The plural of real is reais. The nominal exchange rate as of April 30, 2011 was 1 US dollar = 1.57 reais. The purchasing power parity (PPP) adjusted exchange rate, based on the 2005 International Comparison Program (see World Bank, 2008), is $1 PPP = 1.71 reais in 2009 prices (World Development Indicators, 2011).
† Conveniently, in addition to the temporal price index calculated for overall prices in the country, a temporal price index published by IPEA measures the monthly inflation in the cost of a basic needs basket in São Paulo municipality. This index is available online at http://www.ipeadata.gov.br
ity to meet basic needs.\textsuperscript{15} However, one of the justifications for measuring income is that it requires fewer questions; in fact, the costs of collecting consumption data are about five times higher than the costs of collecting income data.\textsuperscript{16} Thus, collecting income data allows for a larger sample size, which increases the confidence interval of calculations made using the micro-data and makes it more plausible to carry out a survey that is representative at the state level.

There are a number of methodological issues which arise when using household survey micro-data to estimate poverty. A few of the most pervasive are income underreporting, adult equivalence scales, economies of scale within households, item nonresponse, and defining income. Following the best practices for poverty measurement outlined by Székely et al. (2004), no adjustment is made for income underreporting, and adult equivalence scales and economies of scale within households are not considered (i.e., household per capita income is used).

With respect to item non-response, Székely et al. (2004) recommend dropping individual observations with missing or zero incomes, with the justification that they introduce noise into poverty measurement. However, they concede that dropping these observations has no theoretical base. Another methodology is to impute earnings to non-respondents using matching techniques.\textsuperscript{*} Alternatively, income can be directly imputed from Mincer coefficients, which can be computed a number of ways. However, the matching and Mincer techniques are both inadequate, as the personal and household characteristics used as independent variables in the regressions do not closely predict income; the R-squared values of the regressions are usually low.\textsuperscript{17} For these reasons, this study regards missing and zero incomes as zero, unless the primary source of labor income for the household head is missing, in which case the

\* For example, one of the options tested by Székely and Hilgert (2007) is to impute missing income for a given source by running a regression, with the income source as the dependent variable and personal and household characteristics as the independent variables. They then use the regression coefficients to predict the income from that source of each individual (respondents and non-respondents), and rank them according to predicted income. The non-respondent's missing income is imputed by the average of the individuals directly above and below him or her in the ranking.
household is excluded from the data. This methodology coincides with CEDLAS and World Bank (2010). It is worth noting that the different methodologies to adjust for missing and zero incomes do not have a large impact on poverty measures in the case of Brazil; Székely et al. (2004) apply a sensitivity analysis to PNAD data and find that the minimum and maximum values for the headcount index using different methodologies to adjust for non-response only vary by 2.6 percentage points.

With respect to the definition of income, Haughton and Khandker (2009) argue that it is important to include components of income that are not typically captured directly by household surveys, such as in-kind income, food produced for own consumption, and implicit income from owner-occupied housing. In the case of Brazil, some in-kind income is captured by PNAD; for each labor income source, the respondent is asked how much they were remunerated both in money and in the value of products or commodities. Respondents are also instructed to include the value of food produced for own consumption, but only if the individual did not have a separate primary job with remuneration. Thus, food produced for own consumption is included but understated in PNAD. Implicit income for owner-occupied housing is imputed to households who own their homes to account for the benefit they receive from that housing (which they would otherwise be paying in rent), using the methodology proposed by Barros, Cury, and Ulyssea (2007). Other in-kind income, such as the value of access to public services, should ideally be included in household aggregate income but the questions that would be necessary to impute it are not included in the survey.

The largest limitation of the data, at least for the purposes of this study, is that the survey does not include a question that specifically asks how much a household received in Bolsa Família transfers. Instead, non-labor income is divided into eight categories, one of which covers “other income”, which is supposed to include financial income (e.g., interest and dividends) and income from official social assistance programs, including Bolsa Família. Thus, of the methods to measure the direct impact of government transfers on
poverty and inequality (see Lustig, 2011), the inference method must be used. In other words, for households that reported an income value in the “other income” category, it is necessary to infer whether that amount corresponds to a Bolsa Família payment.

To infer whether a household received Bolsa Família, the income they reported under the “other income” category of non-labor income is compared to the possible transfer sizes of Bolsa Família, which are as follows (for September 2009). Any family with per capita income under 140 reais per month and at least one child under age eighteen is eligible for the program. The program rules establish that households below the cut-off receive twenty-two reais per month for each child in the family between the ages of zero and fifteen (for up to three children) and thirty-three reais per month for each adolescent aged sixteen or seventeen (for up to two adolescents), provided they comply with the program’s conditions. Households with per capita income under seventy reais per month are to receive an additional sixty-eight reais per month.22 In the latter case, a household does not need to have children to be eligible for the program; thus, the program has an unconditional cash transfer component for those identified as extremely poor. Table 2 summarizes the possible sizes of a Bolsa Família transfer.

Using these values, at least two methodologies have been used to infer whether a family received Bolsa Família. Let $\Omega$ represent the value reported for “other income.” Allowing for rounding or not remembering the exact value received when reporting, Souza (2010) assumes that any family in which a member reports $\Omega (0, 200]$, with 200 being the maximum value of a Bolsa Família transfer, received that “other income” from Bolsa Família. Since $\Omega$ can also come from financial income, it makes the assumption that no households received monthly financial income under 200 reais, which does not seem reasonable. However, if one is concerned strictly with the impact on poverty, falsely identifying a non-poor household’s financial income as a Bolsa Família transfer is inconsequential; that particular household will be above the poverty line in all cases, so it will not affect the poverty rate.

* The same is not true if one is concerned with the impact on inequality.
when comparing income before program transfers to income after program transfers. Thus, in terms of a poverty impact analysis, the Souza (2010) methodology is equivalent to only assuming that poor families* do not receive financial income.

An alternative methodology is used by Barros, Carvalho, and Franco (2007). Because they analyze PNAD data from 2005 and earlier, they also account for the CCTs that preceded Bolsa Família, which were phased out only gradually after 2004. Qualifying households could receive benefits from multiple transfer programs, so the authors first compute all possible combinations of program transfer values, and count a family as receiving “Bolsa Família and its predecessors” if $\Omega$ is equal to an exact value of one of the possible combinations. By 2009 however, Bolsa Família had almost completely replaced its predecessors,† so it is not necessary to include all the possible combinations of CCT programs. An updated version of the methodology would be to count a household as a Bolsa Família recipient if $\Omega$ is equal to the exact value of a Bolsa Família transfer (see Table 1). This methodology risks excluding families that did not remember the exact value of their Bolsa Família transfer, did remember the exact value but rounded (to the nearest multiple of five or ten, for example), or received Bolsa Família in combination with a state- or municipal-level social assistance program. One example is Renda Cidadã in São Paulo state, a CCT of eighty reais per month to poor households,23 which until March 2010 could be granted in addition to Bolsa Família.24

Because the two methodologies have different limitations, the analyses in this study are carried out using both. When the results are presented from one methodology and not the other, I will specify which methodology is presented and whether the other methodology’s results differ. Both methodologies will provide downward-biased results regarding the magnitude of Bolsa Família’s impact on poverty because they do not capture all of the house-

* According to whatever poverty line is used in the analysis.
† In 2005, 8.7 million households were Bolsa Família beneficiaries (not counting beneficiaries whose benefits had been blocked or suspended) and 1.9 million were beneficiaries of other CCTs. By 2008, 10.6 million households were Bolsa Família beneficiaries and a negligible 15,000 households were beneficiaries of other CCTs (Soares and Sátyro, 2009: Table 6).
holds that received transfers from the program. According to the Brazilian government’s records, twelve million households received Bolsa Família transfers in September 2009. Using the appropriate sample weights, only 5.2 million households reported equal to an exact value of a Bolsa Família transfer on the 2009 PNAD, while 9.8 million reported greater than zero and less than or equal to 200. Even when questionnaire respondents are specifically asked if they received Bolsa Família, which happened in 2006 as part of a supplemental questionnaire to the PNAD, the number of recipients was underestimated: only 8.1 million households received Bolsa Família in September 2006 according to the PNAD supplement, while the number was eleven million according to government records. Table 3 summarizes the systematic underestimation of the number of Bolsa Família beneficiaries in PNAD.

There are a number of observations that can be made from Table 3. First, for 2006, the Souza method falsely identifies around 1.3 million households as Bolsa Família beneficiaries, compared to the number of families that reported receiving Bolsa Família or its predecessors on the special supplement. If some of those 1.3 million households were poor and were in fact reporting financial income, the Souza method might falsely attribute families escaping poverty due to financial income to families escaping poverty due to Bolsa Família. However, because it is unlikely that poor families receive financial income, the false inclusion of these households should not affect the analysis of Bolsa Família’s impact on poverty. Furthermore, even if some poor households with financial income were falsely included, the Souza method would most likely still underestimate the impact of Bolsa Família on poverty in 2009 because at least 19 percent of Bolsa Família recipients are still not accounted for in the 2009 PNAD. The BCF method has the advantage of minimizing the amount of falsely included households.

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* Even though the Souza method will falsely identify financial income less than or equal to 20 reais as Bolsa Família, it should still underestimate Bolsa Família’s impact on poverty, for the reasons outlined in the next paragraph.

† Foguel and Barros (2010) test the robustness of the BCF method using the 2004 PNAD, which, like the 2006 PNAD, included a supplemental question specifically asking if the respondent received transfers from Bolsa Família or another CCT. Less than 3 percent of those identified as beneficiaries by the BCF method were falsely identified (i.e., they indicated...
but the disadvantage that it grossly underestimates the amount of households receiving Bolsa Família; only 44 percent of September Bolsa Família recipients are accounted for in the 2009 PNAD using the BCF method.

The inference error, or the difference between the number of beneficiaries according to government records and the number of beneficiaries according to PNAD, has a number of possible causes. First, administrative records may overstate the number of beneficiaries. This is unlikely, however, because the program’s transparency efforts include a published list of all beneficiaries. Second, the nature of PNAD’s sampling method and the mathematical model used to project absolute population numbers from the sample can lead to errors in its population projections. The mathematical model is based on population results from the most recent census (including how the population is distributed among municipalities and tracts); this is particularly problematic for the 2009 PNAD, since the preceding census was carried out nine years prior, in 2000. If the spatial distribution of the population has changed significantly since the 2000 census, the weights assigned to each household will be biased, which could cause the extrapolated estimate of the number of Bolsa Família beneficiaries to be biased as well.

Another potential problem with the extrapolation model is that the point estimate may be subject to a high variation depending on which households are selected. Bootstrapping the population projections can reveal whether they are subject to such a bias. Table 4, which shows the result of bootstraps with 1000 replications, reveals that the potential for variation in the point estimates of beneficiary households is small. The biases, expressed as a proportion of the point estimates, are nearly zero, and the standard errors are less than 1 percent of the point estimates. Thus, variability of the population estimates does not appear to be a significant factor explaining the underestimation of Bolsa Família beneficiaries.

While the official definition of “other income” includes income from social assistance programs, interviewers do not tell survey respondents the definition unless asked. Thus, respondents may

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on the supplemental questionnaire that they did not receive a CCT transfer).
not think to include their income from social assistance programs under “other income.” This problem became obvious in 2004: as in 2006, the 2004 PNAD included a supplement that asked specific questions about social assistance programs. A number of households reported “other income” of zero, only to later report receiving Bolsa Família or one of its predecessor CCTs on the supplemental questionnaire. The problem was so prevalent that IBGE sent interviewers back to those households to correct the values reported for “other income.”

Despite the above limitations, the data can still be very useful for assessing Bolsa Família’s impact on poverty (keeping in mind that the estimates will be downward biased) and comparing its impact on the urban and rural poor. If program beneficiaries who are not captured by PNAD are distributed equivalently to those who are captured by PNAD in terms of income and geographical location, there will be no effect on the conclusions of whether Bolsa Família has a rural bias. However, because Bolsa Família recipients might be more highly concentrated in municipalities that have a low chance of being selected by PNAD’s sampling method, such an assumption probably does not hold. Nevertheless, municipalities with a low chance of being sampled are far more highly concentrated in more rural areas, so Bolsa Família’s impact in rural areas will most likely have a stronger downward bias than Bolsa Família’s impact in urban areas. Thus, the statistically significant rural bias found in this study probably underestimates Bolsa Família’s actual rural bias.

**BOLSA FAMÍLIA’S IMPACT ON POVERTY: HIGHER IN RELATIVELY RURAL STATES?**

The common methodology to evaluate the direct impact of a transfer program on income is an ex post counterfactual incidence analysis. Once program beneficiaries have been identified, two scenarios are examined: the actual scenario, under which each indi-

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*The supplemental questionnaire did not ask how much a family received from the CCT programs, only whether it had received benefits (Soares et al., 2007).*
individual’s income is calculated using the methodology described in Section 3, and a counterfactual scenario. In the latter scenario, it is assumed the program did not exist, so the value of each Bolsa Família transfer is subtracted from its beneficiary’s aggregate household income. Various measures of poverty (e.g., the headcount, poverty gap, and squared poverty gap indices) can then be compared under the two scenarios. The percent reduction of a given poverty measure between the counterfactual and actual scenarios is interpreted as the impact of Bolsa Família on poverty.

The counterfactual methodology is limited to measuring the impact of Bolsa Família on poverty through one channel—its direct effect on household income—and assumes away behavioral responses and general equilibrium effects, which have the potential to reduce or amplify Bolsa Família’s impact on poverty. For example, it assumes that households do not adjust their labor supply in response to the transfer. Adults may increase their labor supply because they use the transfer income to overcome constraints arising from non-divisible costs and capital market imperfections, or decrease it if the transfer has negative incentive effects on labor. Children may decrease their labor supply to attend school, which might in turn cause adults to increase their labor supply, or decrease it if they need to take time away from work to transport their children to and from school. In addition to time that parents may have to take off of work, families might face other participation costs to receive the transfer or comply with conditions, which would reduce the real value of the transfer. On the other hand, a counterfactual analysis also ignores the positive longer-term impact of increased human capital on income. It also assumes the program has no spillover effects, which can decrease poverty among non-beneficiaries. Each of these possible behavioral responses and general equilibrium effects is addressed in turn.

One of the criticisms of conditional cash transfers is that they could provide adults in beneficiary families with an incentive to work less. This could result from an income effect, where beneficiaries who were only transiently poor decrease their labor supply to remain eligible for the program, and/or a substitution ef-
fect, where beneficiaries substitute time between work and leisure. However, CCT beneficiaries are generally very poor and more than likely have a low income elasticity of leisure.\textsuperscript{33} On the other hand, cash transfers also have the potential to increase adult labor supply. Searching for a job and investing in one’s own business have non-divisible costs, and the additional income from Bolsa Família would allow some beneficiaries to overcome these constraints and thereby increase their labor supply.\textsuperscript{34}

From an empirical standpoint, CCTs have not had a significant impact on adult labor supply.\textsuperscript{*} Foguel and Barros (2010) find that Bolsa Família had no effect on female labor participation rates, a statistically significant but very small negative impact on female hours worked, a statistically significant but very small positive impact on male participation rates, and no effect on male hours worked. Similarly, Teixeira (2008: Table 2) finds no effect on male labor supply and a small negative effect on female labor supply averaging 2.6 hours per week. Tavares (2010) finds that mother beneficiaries tend to reduce the length of their work week by between 0.8 and 1.7 hours. Soares and Sátyro (2009) note that the observed effect of Bolsa Família on female labor supply is insubstantial, and is actually a desirable impact of the program, since some of the reduced work hours are probably spent caring for young children, and a vast literature has documented the important benefits of early childhood development.

When families face costs to receive their transfer or comply with conditions, the real value of the transfer decreases. For this reason, Lustig (2011) stresses the importance of subtracting user fees and participation costs from income before arriving at “final income”, but that is outside the scope of this paper. Nevertheless, it is worth noting that Brazil strives to minimize these costs for beneficiaries. The decentralized nature of the program’s administration minimizes the cost of a poor family registering itself for benefits.\textsuperscript{35} To receive the transfer each period, beneficia-

\* This effect is not only found in Brazil, but also in most other countries with CCT programs (Grosh et al., 2008); examples include Mexico, Ecuador, and Cambodia (Fiszbein and Schady, 2009).
eries use an electronic card at ATM machines. There are minimal or no direct costs to complying with the health and education conditions, as public education and health facilities are free to all Brazilians. Hopefully, these factors have minimized the program’s direct and participation costs, although those costs might remain higher for rural households who live further from schools and health centers.

While decreased mother and child labor supply and participation costs could lower the amount by which Bolsa Família increases family income, other factors may increase Bolsa Família’s impact on poverty in ways that are not captured by a counterfactual simulation. The first is through the program conditions, which should (ideally) increase human capital accumulation among poor children and decrease poverty in the long term. The second is through indirect and spillover effects. For example, the magnetic benefit card given to Bolsa Família beneficiaries (who are preferentially women) can also be used for other basic banking functions—including access to credit and insurance services—which is an important step toward the financial inclusion of poor women. In addition, CCTs have been shown to decrease poverty among poor non-beneficiaries living in the same community as beneficiaries.

Assuming away these and any additional behavioral responses and general equilibrium effects, Bolsa Família caused between a 12 and 18 percent decrease in the poverty headcount index, between a 19 and 26 percent decrease in the poverty gap, and between a 24 and 31 percent decrease in the squared poverty gap at the national level in 2009. The decrease was substantially lower in Brazil’s most urban states (measured by proportion of the population living in metropolitan areas) and substantially higher in Brazil’s most rural

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* The ranges presented here do not account for standard error (see Table 5), but for the two methodologies used to determine whether a family received Bolsa Família (see Section 3).

† Despite having the highest metropolitan proportion according to the 2009 PNAD and the second-highest urban proportion according to the preliminary results of the 2010 census (IBGE, 2011), Distrito Federal was excluded from selection as the most urban state because of the following irregularity: according to the BCF method, only 6,955 households received Bolsa Família transfers in September, 2009, while 71,574 households did according to the Souza method. In reality, 79,055 households in Distrito Federal received Bolsa Família that month (SAGI/MDS, 2011).
states (measured by proportion of the population living in rural areas). For example, the impact on the headcount index in Rio de Janeiro state (the most urban), was only between 4 and 7 percent, while in Piauí (the most rural), it was between 31 and 37 percent. Table 5 presents these results.

After adjusting income for spatial price differentials to generate poverty measures that obey the consistency principle and reflect the real living standards of the poor in different regions, Bolsa Família has had a much higher impact on poverty in Brazil’s most rural state, Piauí, than its most urban state, Rio de Janeiro. For all measures of poverty in Table 5, the true reduction in poverty in Piauí was higher than in Rio de Janeiro at the 1 percent significance level. The robustness of this result was also tested using sensitivity analyses, and is robust to the choice of different states, alternative spatial price indices, and different poverty lines. The null hypothesis could always be rejected at the 10 percent significance level, meaning that the general conclusion that one can be at least 90 percent confident that Bolsa Família has had a higher impact on poverty in Brazil’s most rural states than its most urban states is very robust.

Having confirmed that Bolsa Família is significantly biased toward Brazil’s most rural states compared to its most urban states, in terms of its real impact on living standards, it is useful to test for a rural bias across all states. A rural bias can be confirmed if, when taking all of Brazil’s states into account, there is a strong

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*The proportions of the population living in metropolitan and rural areas in each state were extrapolated from the 2009 PNAD, using appropriate sampling weights. According to the preliminary results of the 2010 census, published by IGBE (2011), Rio de Janeiro is indeed the most urban state, while Piauí is the second-most rural state behind Maranhão (which is, in turn, the third-most rural according to the PNAD). As part of the robustness test discussed later in this section, hypothesis tests were performed using Piauí, Maranhão, and Alagoas as the most rural states and Rio de Janeiro and São Paulo as the most urban states.

† The states tested as most rural were Piauí, Alagoas, and Maranhão. The states tested as most urban were Rio de Janeiro and São Paulo. Distrito Federal was not considered due to a data irregularity discussed in an earlier footnote, and the fourth-most urban state was not tested in its place due to large discrepancies between which state is most urban according to the two possible measures: highest proportion living in metropolitan areas and highest proportion living in urban [i.e., non-rural] areas.

‡ Specifically, a price index using the cost of a basic needs basket calculated by IPEA for 25 different spatial regions based on expenditure data from the 1987/1988 POF survey (see IPEA, 2009).
positive correlation between a state’s percentage population living in rural areas and the impact of Bolsa Família on poverty in that state. Indeed, such a correlation exists, as shown in Figure 3, which compares Bolsa Família’s state-level impact on the squared poverty gap with the estimated percentage of a state’s population that lives in rural areas.* Each state is one observation, or one point on the scatterplot. The positive correlation is statistically significant (the t-statistic equals 6.76) and the data conforms fairly well to the correlation (R-squared = 0.65). The more rural a state is, the more successful Brazil’s signature anti-poverty program tends to be.

PROBABILITY OF ESCAPING POVERTY DUE TO BOLSA FAMÍLIA

Another way to test and quantify Bolsa Família’s rural bias is to compare the probability of being urban and poor to being rural and poor in the actual and counterfactual scenarios, using a probit model. Probit regression analyses are frequently used in poverty assessments to determine the correlates of poverty.39 Comparing the results of probit models in actual and counterfactual scenarios can be used to see how transfer programs change the composition of who is poor, and which sub-groups of the poor are more likely to remain poor despite the program.40

The socioeconomic variables selected for the probit model are similar to those used by Pessino (2011) to compare the probabilities of being poor before government transfers and remaining poor after government transfers in Argentina. Her independent variables include the number of children in the family, dummy variables for geographic region and whether the house is in a shantytown or other precarious location, and dummy variables for the gender, age,

* The squared poverty gap is chosen because it satisfies a number of desirable poverty axioms that are not satisfied by the headcount index or poverty gap, such as the monotonicity axiom (satisfied by the poverty gap but not the headcount index) and the transfer axiom (not satisfied by the headcount index or poverty gap) (Foster, Greer, and Thorbecke, 1984). It is less useful to focus on Bolsa Família’s impact on the incidence of poverty, as the most cost-effective way to lower the headcount index is to target those whose incomes per capita place them right below the poverty line, whereas those who are furthest from the poverty line are arguably much more needy.
education level, and migration, employment, and marital status of
the household head. This study added a dummy variable to dis-
tinguish between urban and rural households.* The shantytown
variable was removed due to data limitations, and migration status
was removed due to the existence of small cells when performing
crosstab tests. To maintain the categorical nature of the predictor
variables, the number of children variable was changed to a dummy
variable equal to one if there are children in the household, and
zero if there are not.† As in Pessino (2011), one probit model is run
to estimate the probability of being poor before monetary transfers
(in this case, Bolsa Família), and another to estimate the probabil-
ity of being poor after transfers, conditional on being poor before
transfers. The latter is equivalent to the probability of remaining
poor after Bolsa Família, and can also be used to calculate the prob-
ability of escaping poverty due to Bolsa Família. Table 6 presents
the results of the two probit regressions.

In the first probit, a negative coefficient indicates a lower prob-
ability than the omitted group of being poor before Bolsa Famí-
lia, and a positive coefficient indicates a higher probability than
the omitted group. The results are as expected: households with
children have a higher chance of living in poverty than households
without, households in the Northeast and North regions are more
likely to be poor than households in other regions, and households
with an educated household head employed in the formal sector
are least likely to poor. Living in a rural setting makes a household
substantially more likely to be poor than living in an urban area.
As an illustration, consider a family with children in the North
region, headed by a single female between the ages of twenty-five
and forty who completed primary school but not secondary school
and is employed in the informal sector. In an urban area, such a
household would have a 14 percent likelihood of being poor, while
a household with the same characteristics would have a 21 percent

* Such a variable could not be included in Pessino’s analysis for Argentina, since Argentina’s
household survey only covers urban areas.
† The model was estimated with and without this change, with an insubstantial change in the
coefficients and no change in the conclusions.
likelihood of being poor in an urban area.*

In the second probit, a negative coefficient indicates a higher probability than the omitted group of escaping poverty due to Bolsa Família, while a positive coefficient indicates a higher probability of remaining poor despite the existence of the anti-poverty program. A family could remain poor despite the program because it does not receive a transfer from Bolsa Família, or because the transfer is insufficient. In the former case, the poor family might be excluded from the program by design (because there are no children in the household, for example), by choice (self-exclusion), or by error (perhaps the family has not been identified as poor by the municipal workers responsible for registering poor families for the program). In the latter case, the family’s monthly income remains too low to purchase a basic needs basket in the area, despite receiving a Bolsa Família transfer.

As Table 6 shows, rural households are more likely to escape from poverty due to Bolsa Família, and urban households are more likely to remain poor in spite of the anti-poverty program.† The hypothetical household presented above would have a 31 percent chance of escaping poverty in rural Brazil, and a 26 percent chance in urban Brazil.‡ This makes sense: the cost of living tends to be significantly higher in urban areas (see Table 1), and Bolsa Família’s eligibility cut-off for household income per capita is not adjusted for regional differences in the cost of living, so urban (and, in particular, metropolitan) families living in poverty should be more likely to be excluded from the anti-poverty program by design.§ As

* This follows from $P(Z < -2.049 + 0.293 + 0.248 - 0.073 - 0.324 + 0.595 + 0.217) = .14$, and $P(Z < -2.049 + 0.293 + 0.248 - 0.073 - 0.324 + 0.595 + 0.217 + 0.297) = .21$.

† This does not mean that rural families are less likely than urban families to be poor after Bolsa Família. On the contrary, the results of a probit regression to measure the probability of being poor after Bolsa Família (not conditional on being poor beforehand) reveal that the rural predictor variable has a coefficient of 0.240. Even though rural families have a higher likelihood of escaping poverty due to Bolsa Família, they are still substantially more likely to be poor than urban families.

‡ This follows from $1 - P(Z < 1.922 - 0.413 - 0.400 - 0.335 - 0.119 - 0.018 + 0.006 - 0.146) = .31$, and $1 - P(Z < 1.922 - 0.413 - 0.400 - 0.335 - 0.119 - 0.018 + 0.006) = .26$.

§ For a description of the difference between exclusion by design and true errors of exclusion, see Lustig (2011); for a practical application of the concepts to case studies of Argentina, Brazil, Mexico, and Peru, see Lustig et al. (2011).
an example, a family living in Brasília with household per capita income of 150 reais per month would be ineligible for Bolsa Família (the cut-off is 140 reais), despite not being able to afford a minimum standard of living (the basic needs basket costs about 167 reais in Brasília). On the other hand, a family with household per capita income of 110 reais per month living anywhere in rural Brazil would be eligible for Bolsa Família, despite already being capable of purchasing the basic needs basket.

To move beyond hypothetical examples, the survey data matches up quite well with the assertion that poor metropolitan families would be more likely to be excluded from the anti-poverty program by design. Over one hundred thousand poor households with children had nominal income above the Bolsa Família eligibility cut-off in 2009 and did not receive Bolsa Família; they were excluded by design. The sample mean of the values of the Laspeyres spatial price index corresponding to each of those excluded households equals 0.988 (nearly the index’s maximum), and running a tabulation of the spatial regions to which each of the observations belongs reveals that all of the poor in the sample who were excluded by the program design feature of not adjusting program eligibility for the different costs faced by the poor across regions lived in four metropolises: Belém, Rio de Janeiro, São Paulo, and Brasília.

While some poor metropolitan households with children are declared ineligible and excluded, over a third of beneficiary families that are eligible based on nominal income are non-poor, meaning they could already afford the basic needs basket. These non-poor yet eligible households are most highly concentrated in the rural Northeast region, which has the lowest cost of fulfilling basic needs.

Even after accounting for the likelihood of being excluded by design, poor urban households are still more likely than rural

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* The cost of the basic needs basket in Brasília is calculated as the cost of the same basket in metropolitan São Paulo in September, 2009 (162 reais) times 1.028, the value for Brasília of the Laspeyres spatial price index for food and housing, which is indexed to São Paulo (see Section 2).

† In Brazil’s most expensive rural area, the basic needs basket would cost 106 reais. This follows from multiplying the cost of the basic needs basket in metropolitan São Paulo in September, 2009 (162 reais) by the highest value of the Laspeyre’s price index in rural areas (0.654).

‡ 186 sampled households, representing 103,394 actual households, fit these criteria.
households to see their transfers fall short of what is needed to escape poverty, since the transfer has a lower purchasing power in areas with a higher cost of living. The average cost of living in Brazil’s ten metropolises is about 40 percent higher than the average cost of living in Brazil’s rural areas, which can have an important impact on the real purchasing power of the transfer in terms of the food and non-food basic needs it can buy. In many cases, the difference is even higher: the cost of a basket of basic needs in metropolitan Brasília, São Paulo, Rio de Janeiro, or Belém is over twice as expensive in nominal terms as the same basket in the rural Northeast (see Table 1). Thus, not only would a poor family in Belém with a given per capita monthly income already be much worse off than a family with the same nominal income living in the rural Northeast (ceteris paribus), but the transfer would also make a much smaller impact on the metropolitan family’s standard of living, since it can only be used to purchase around half of the basic needs that could be purchased with the same nominal transfer in the rural Northeast. It is not surprising, then, that poor families in the Northeast (which is also Brazil’s most rural region) are more likely to escape poverty due to Bolsa Família than poor families in any other region (see Table 6).

In sum, Bolsa Família’s rural bias becomes even more obvious when analyzing the probability of being poor in the absence of Bolsa Família income, the sub-groups with the highest likelihood of escaping poverty after Bolsa Família, and the effects that spatial price differences can have on program eligibility and the real value of monetary transfers. While rural households are more likely to be poor in the absence of Bolsa Família, they are also more likely to surpass the poverty line due to the CCT. Metropolitan households are more likely to be excluded from the program because eligibility is based on nominal income. Furthermore, an urban beneficiary’s transfer will have a lower purchasing power and a lower positive impact on standard of living than a nominally equal transfer to a rural beneficiary. Probit regressions, hypothetical examples, and an analysis of the composition of the non-eligible poor and the eligible non-poor confirmed the rural bias found in Section 4, and rein-
forced the speculation that regional differences in the cost of living are the primary cause of Bolsa Família’s rural bias.

POLICY IMPLICATIONS

Having identified Bolsa Família’s larger impact in rural areas and the fact that some of Brazil’s poor children living in metropolitan areas are excluded from the program by design, while some non-poor households in rural areas remain eligible and, in fact, do receive Bolsa Família transfers, a logical follow-up would be to determine what implications this has for policy. From the government’s and policymakers’ perspective, there are two possibilities: first, that Bolsa Família was intended to have a rural bias—in which case no policy action would be required—and second, that the rural bias is an unintended consequence of not adjusting the CCT program’s eligibility cut-off and transfer size for spatial price differentials.

There are a number of reasons the Brazilian government might have intended for Bolsa Família to have a rural bias. Historically, poverty has been much higher in rural Brazil than in urban Brazil. Baseline school enrollment rates also tend to be lower in rural areas, indicating that rural families are investing less in the human capital of their children. In addition, since rural families tend to live further from schools, health facilities, and transfer payment locations, the direct and opportunity costs of complying with the program conditions tends to be higher in rural areas, which could justify a higher real transfer for rural households.* For these reasons, a number of CCT programs are explicitly restricted to the rural poor: examples include El Salvador’s Red Solidaria, Paraguay’s Tekaporá, and, up until 2003, Mexico’s signature anti-poverty program Oportunidades. Other CCTs have used geographic targeting mechanisms that advertently or inadvertently focus on the rural poor, such as Nicaragua’s Red de Protección Social and

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* To deal with this issue, one of the bills on the table in the Brazilian legislature seeks to increase the transfer amount received by rural families who face high transportation costs to withdraw their transfers (Britto and Soares, 2011). This type of proposal does not take into account that rural beneficiaries already receive higher transfers in real terms than their urban counterparts.
Guatemala’s Mi Familia Progresa.\textsuperscript{46}

In the case of Brazil, however, it does not seem that the program’s rural bias is the result of an intentional objective to focus specifically on the higher persistence of poverty, low school enrollment, child labor, or program transaction costs in rural areas. The law instituting Bolsa Família (Lei No 10.836/04) makes no mention of rural or urban areas, nor do the program’s objectives, described by Brazil’s Ministry of Social Development.\textsuperscript{47} The fact that some metropolitan families who cannot afford a basic needs basket for each family member are deemed ineligible and excluded from the program, while some non-poor rural families are deemed eligible and included in the program (see Section 5), is in direct conflict with Bolsa Família’s role as a component of Brazil’s Zero Hunger safety net system, whose objective is to assure the human rights of adequate nourishment and food security.\textsuperscript{48} With this objective in mind, there is no justification for excluding families who cannot afford a basic needs basket.

One of the three “principal axes” of Bolsa Família is the cash transfer, which is intended to promote the immediate alleviation of poverty.\textsuperscript{49} That being the case, a portion of the metropolitan poor should not be excluded by design. Not adjusting the transfer size for spatial price differences is also unjustified, as the transfer does much less to alleviate poverty for poor urban households than for poor rural ones.

With these considerations in mind, the Brazilian legislature should move to adjust the program’s eligibility cut-off and transfer size to account for regional cost of living differences. An ideal adjustment would divide the country into multiple spatial regions, such as the twenty-one used in this paper (see Table 1) or the twenty-five used by IPEA (see IPEA, 2009), to more truly reflect differences in the cost of living and make the real values of the eligibility cut-off and transfer size as consistent as possible across the country. Because program eligibility is determined via partially verified means testing of self-reported income and registered in an electronic database called Cadastro Único,\textsuperscript{50} it would be straightforward to adjust the means test and registry to incorporate spatial
price differences. Furthermore, benefits are withdrawn using magnetic cards at ATM machines, so adjusting benefits based on cost of living should also be simple. The only added administrative cost of adjusting for spatial price differences would theoretically be the small up-front cost of programming a code that automatically adjusts the eligibility cut-off and benefits.*

Adjusting eligibility cut-offs for price differences in two or three spatial regions is not unheard of for cash transfer programs: South Africa accounts for urban/rural location in the simple means test used to determine eligibility for an unconditional cash transfer program, and Panama has different cut-offs for rural indigenous areas, rural non-indigenous areas, and urban areas. Nor is it unheard of to adjust the transfer size, even in Brazil itself: the country’s first federal CCT, Programa de Erradicação do Trabalho Infantil, gave twenty-five reais per child per month to rural families with children employed in dangerous forms of child labor, and forty reais per child to urban ones. In other countries, Colombia’s Familias en Acción pays higher transfers to the urban poor.

In sum, adjusting the eligibility cut-off and transfer size of Bolsa Família for spatial price differences would make the program more in line with its overarching objectives, and add neither a great deal of complexity nor substantial administrative costs to the program. Such a change is bound to be controversial, however. Rural beneficiaries or municipalities might not trust the spatial price index, and feel that they are getting cheated by the adjustment. Political economy dynamics might complicate an effort to reduce the program’s rural bias. When former president Luiz Inácio Lula da Silva was reelected in October 2006, he won every state in the Northeast region (Brazil’s most rural region) by a considerable margin, whereas his main support in four previous presidential elections (of which he won one and lost three) had been in the more urbanized South and Southeast regions. Voting patterns in

* It helps that the same entity, Caixa Econômica Federal, is in charge of the Cadastro Único database, responsible for paying the benefits, and even owns the ATMs that beneficiaries use to receive their benefits (Soares and Sátyro, 2009).
† In English, this translates as Child Labor Eradication Program.
the 2010 election mirrored those of 2006: Lula’s appointed successor and former chief of staff Dilma Rousseff also won every state in the Northeast.\textsuperscript{57} In both cases, this regional shift of electoral support can be largely attributed to Bolsa Família.\textsuperscript{58,59}

If the spatial price adjustment proposed in this paper had to be made without increasing the program’s budget, current beneficiaries who are not poor would have to be removed from the program in order to include the currently excluded poor metropolitan households, and the transfers allocated to rural households would have to be decreased in order to increase the transfers allocated to urban households. Removing households that are not poor is consistent with the program’s objectives; indeed, if a beneficiary family escapes poverty during their first two years in the program, they exit the program at the end of that period. Nevertheless, it might not be ideal to remove families that are non-poor but near-poor. Income volatility is particularly high in Brazil,\textsuperscript{60} especially among Brazil’s poor.\textsuperscript{61} As a result, people at risk of becoming poor frequently cross the poverty line in both directions.\textsuperscript{62} Systemic shocks can push many near-poor households below the poverty line; economic recessions in Latin America have been associated with increases in poverty, particularly among children.\textsuperscript{63} Shocks can also have negative effects on poor children’s human capital accumulation. Brazil’s macroeconomic crisis of 1987–1991, for example, was associated with lower school enrollment and higher infant mortality.\textsuperscript{64} Because Bolsa Família seeks to alleviate poverty not only in the present but also in the future, and because it is an important part of Brazil’s broader system of safety nets, families that are non-poor but highly vulnerable to falling into poverty should not necessarily be excluded. Thus, even on theoretical grounds, it is controversial to remove the near-poor beneficiaries, such as the rural households who are eligible for the program due to their low nominal income, but can buy a basket of basic needs in their region and are therefore not poor.* It is even more controversial to reduce the benefits of

\* The non-poor who are also not vulnerable to poverty, however, should be removed. There should be absolutely no beneficiaries in the top 40 percent of the distribution function of household income per capita, for example; in 2006, about 5 percent of Bolsa Família transfers went to this portion of the population (Soares and Sátyro, 2009). This is known as an error of
poor rural households, who may still be in poverty despite receiving Bolsa Família, in order to free up budgetary resources to increase the transfers of poor urban households and “even out” the real benefits received by each.

Nevertheless, there is no reason to believe that Bolsa Família’s budget is limited to what it currently spends. On the contrary, the total program budget and the total value of transfers paid have increased every year since the program began. In addition, the program has been expanding to include more households since the 11 million household limit was removed in January 2009. Figure 4 shows the increase in the number of beneficiary households and total transfers paid since the program was implemented in January 2004. In fact, when the limit was removed at the beginning of 2009, the government set a new goal (but not a limit) for the number of beneficiaries: 13.7 million households by the end of that year. As of March 2011, Brazil was still over 750,000 households short of that goal, indicating that there is ample room to add the excluded metropolitan poor into the program.

How should this be accomplished? First, all metropolitan households with nominal per capita income above the current eligibility cut-off but below the cost of a basic needs basket who are already registered in the Cadastro Único should immediately be included in the program. Municipal workers, who are in charge of locating the poor in their respective municipalities, should be informed of the change, so they know the revised target population. Municipal quotas, which are based on poverty mapping elaborated by IBGE and identify a target number of beneficiaries in each municipality, are used to identify municipalities that are underperforming in locating beneficiary households; these quotas should be revised according to the spatial price adjustment.

With regard to increasing the transfer size, scaling up benefits by the Laspeyres spatial price index presented in Section 2—assuming the government does not wish to lower the amount paid to rural households—would increase the cost of transfers by ap-
approximately 42 percent. * This is a very affordable increase, especially considering that Bolsa Família is a relatively lightweight budget item, at just 0.39 percent of Brazil’s GDP in 2009. † After the increase, the program would cost about 0.55 percent of GDP, which can be compared to other more regressive government transfers such as federal employee pensions, which cost 2.3 percent of GDP, and social security, which costs 7.0 percent of GDP.68

Furthermore, Brazil’s executive branch already increases the nominal transfer size periodically. Since the program was implemented, the transfer was increased by presidential decree in July 2007, June 2008, July 2009, and March 2011.69 70 The most recent increase raised the minimum transfer from twenty-two to thirty-two reais—an unprecedented 45 percent increase. Bills on the table in Brazil’s Senate and Chamber of Deputies propose further increases to transfer size, such as indexing the benefit to national inflation and adding performance-based benefits. Another bill currently under consideration in the Senate proposes to raise the minimum Bolsa Família benefit to half of the monthly minimum wage.71 At present, the minimum wage is 510 reais, and increasing each household’s monthly transfer to 255 reais would increase the cost of transfers by a factor of ten. Clearly, Brazil’s policymakers are not opposed to raising the cost of Bolsa Família transfers, especially when the well-being of poor households and their children is at stake.

In short, the Brazilian legislature should adjust Bolsa Família’s eligibility cut-off and transfer size to account for spatial price differences. Including poor metropolitan households that are cur-

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* The total monthly cost of Bolsa Família transfers after the proposed adjustment is calculated as the sum of the cost of transfers after the adjustment in each state. The cost of transfers in state $s$, in turn, is calculated as the value of transfers paid in state $s$ in March, 2011 times an index measuring the average cost of living in state $s$. The index is calculated as the sample mean of the Laspeyres spatial price values corresponding to the surveyed individuals from that state, divided by 0.449, the lowest value of the original Laspeyres spatial price index (see Table 1), to ensure that all families receive no less than they were previously receiving in nominal terms. The proportional increase in total monthly cost is simply the national monthly cost after the proposed adjustment (which comes to $1.7 billion reais) divided by the national monthly cost in March, 2011 ($1.2 billion reais).

† Author’s calculation based on a program budget of 12.4 billion reais in 2009 (SAGI/MDS, 2011) and GDP of 3.2 trillion reais in 2009 (World Development Indicators, 2011).
rently excluded by the nominal eligibility cut-off should be the first priority. Ideally, they should not replace non-poor beneficiaries that are vulnerable to poverty, since income is volatile and systemic and idiosyncratic shocks can send near-poor families into poverty. The number of beneficiary households has been increasing since the limit was removed at the beginning of 2009, and the current number of beneficiaries is still over 750,000 households less than the goal that was set for the end of 2009. Excluded poor metropolitan households that are already registered in Cadastro Único should be included immediately, and urban municipalities should expand their search for poor households that were previously thought to be ineligible. Transfer sizes should also be increased, which can be done without reducing any household’s transfer for 42 percent of the current cost of transfers. This is very affordable, especially considering the precedent for raising Bolsa Família’s transfer size.

CONCLUSIONS

Poverty has been falling in Brazil since 2003 according to all commonly-used poverty measures, and monetary transfers have played an important role in this process. In particular, the conditional cash transfer program Bolsa Família caused between a 12 and 18 percent decrease in the poverty headcount index, and between a 24 and 31 percent decrease in the squared poverty gap index in 2009. Because the eligibility cut-off and transfer size of the program are not adjusted for regional differences in the cost of living, it has had a much higher impact in rural areas than in urban ones.

This paper adjusted income by a Laspeyres spatial price index to reflect the different costs of a basic needs basket in different areas. This adjustment also generates poverty lines that obey the consistency property, or in other words, that are fixed in terms of the real standard of living they imply. Using consistent poverty lines, Bolsa Família reduced the squared poverty gap by around 50 percent in Brazil’s most rural state, Piauí, and around 8 percent in its most urban state, Rio de Janeiro. Since poverty figures are calculated us-
ing a sample survey that is subject to measurement error, however, it is possible for an observed difference in poverty reduction in two states to be statistically insignificant; a hypothesis test confirmed that Bolsa Família’s impact was higher in Brazil’s most rural states than in its most urban ones. The robustness of this result was also tested, and is robust to the choice of different states, alternative spatial price indices, and different poverty lines. Furthermore, there is strong positive correlation between a state’s percentage population living in rural areas and the impact that Bolsa Família had on the squared poverty gap in that state.

A probit model comparison was used to see how Bolsa Família changed the composition of who is poor, and which sub-groups of the poor were more likely to remain poor despite the program. While rural families are more likely to be poor before Bolsa Família, they are also more likely to escape poverty due to the program. Urban families are more likely to remain in poverty, either because they are excluded or because the transfers they receive fall short. A group of metropolitan poor that was excluded because its nominal incomes exceeded the eligibility cut-off was identified, as well as a group of non-poor rural beneficiaries whose nominal incomes made it eligible for the program.

For Bolsa Família to achieve its objectives, spatial price differentials must be taken into account when setting the eligibility cut-off and transfer size. It is not unprecedented to adjust a CCT for regional differences in the cost of living; a few cash transfer programs in other countries adjust the eligibility cut-off or transfer size for price differences across two or three spatial regions. An ideal adjustment would make a narrower distinction, such as the adjustment proposed here, which divides Brazil into twenty-one spatial regions.

Given that the number of Bolsa Família beneficiaries has been expanding since the eleven million household limit was removed in early 2009, and that the current number of beneficiary households is still about 750,000 households below the goal set by the government for the end of 2009, poor metropolitan households that were excluded by the nominal eligibility cut-off could very fea-
sibly be immediately included in the program. Excluded poor metropolitan households (those with nominal per capita income above the current eligibility cut-off but below the cost of a basic needs basket) that are already registered in the Cadastro Único should immediately be included in the program, and municipal quotas should be adjusted. The size of transfers should also be adjusted for regional differences in the cost of living. Assuming policymakers do not want to decrease the size of anyone’s transfer, the value of transfers to be paid would increase by 42 percent, which is very affordable, especially since Bolsa Família is a relatively lightweight budget item, comprising just 0.39 percent of GDP in 2009.

Policymakers have already shown interest in expanding both the coverage and benefits of Bolsa Família in order to continue alleviating poverty and increasing the human capital of Brazil’s poor. The next step is to adjust Bolsa Família’s eligibility cut-off and transfers for the different prices faced by the urban and rural poor, and to expand the program accordingly.

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The continuing existence, and sometimes growth, of certain ethnically homogenous low-income neighborhoods in today’s American cities is a puzzling phenomenon. In the past twenty-five years, new urban dynamics have dramatically reconfigured inner city neighborhoods. Young, white professionals have returned to the inner city in large numbers after forty years of “white flight” to the suburbs. Gentrification, understood as massive private and public investments in the inner city, exerts tremendous pressure on residential areas that are ethnically homogenous and economically depressed. By driving up housing prices and triggering waves of displacement, urban revitalization seems to lead, inexorably and unsurprisingly, to the dissolution of homogeneous poor ethnic areas.2,3

However, there are a number of baffling exceptions to this pattern. Certain low-income groups have successfully carved out

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homogenous ethnic areas for themselves in today’s cities, despite forces of gentrification. How do these ethnic enclaves survive the intense economic pressures of gentrification? Why do some enclaves thrive, while others fall short and are displaced by rising housing prices? This paper explores the tension between the gentrification process of the inner city and the production and maintenance of poor ethnic neighborhoods in contemporary American cities.

**TWO COMMUNITIES FACING GENTRIFICATION**

To address this question, the paper examines two neighboring communities in South Williamsburg, a heavily gentrified neighborhood in Brooklyn, New York City. One is the Satmar enclave, an insular, ultraconservative Hasidic Jewish community. The other community is comprised of Latinos of various national origins (primarily Puerto Ricans and Dominicans). While both groups are among the poorest in New York City, are visible minorities, and live in the same small area, they share few other similarities.

The Satmar seem extremely cohesive and isolated, segregating themselves from the outside world and building a collective identity on religion and a common language, Yiddish. They organize their experience of the contemporary American city around the re-creation of a “shtetl,” Yiddish for the small towns from which previous generations of Satmar emigrated. Throughout most of its history, the Satmar have been a largely homogenous and close-knit community. By contrast, Latinos in South Williamsburg, despite sharing a common language, have a more fragmented and transient collective identity. Puerto Ricans and Dominicans face different challenges and prospects for local mobilization, due to variations in citizenship and immigration status. Moreover, Latinos constitute a single ethnic group primarily just from outsiders’ points of view.

**Resisting Gentrification and Feeding the Local Political Machine**

This paper argues that to understand the impact of the gentrification process on poor minority neighborhoods, communi-
ties' political capacity matters. “Political capacity” is understood as the ability of local communities to organize themselves effectively alongside political actors. Political capacity allows groups to tap into the flow of government funding, the most important kind of which is housing subsidies for low-income households. In a revival of the patron-client relationship of the early twentieth century, elected officials channel social services to ethnic enclaves to mitigate the impact of gentrification, in exchange for electoral support in the form of a voting bloc.

The Satmar have generally prevailed in the past two decades in the struggle for resources, and this has allowed them to resist gentrification more successfully than the Latinos. In recent years, however, their hold on the local political system in Williamsburg has been challenged, with some success, by grassroots Latino organizations. This history offers an opportunity to study how political capacity and connections with the local political machine are produced, maintained, and change overtime.

Methods and Data Collection

Research was conducted in these communities throughout the Fall 2010–Spring 2011 academic year. Using a mixed-method approach, we gathered data on the political field in Williamsburg and the distribution of housing subsidies for low-income families. We interviewed local leaders, attended public meetings, gathered newspaper accounts of daily life, performed ethnographic fieldwork among Latino undocumented immigrants working for Satmar families, and gathered statistics on the housing market.

This paper first describes, highlighting cultural factors, how the Satmar community shaped itself as a political actor able to trade votes for social services. It then supplements this qualitative and historical approach with attempts at measuring the extent of the housing subsidies received by the Satmar community. It concludes its focus on the Satmar community by stressing the recent challenges to the Satmar’s political clout by Latino community organizers. It then shifts attention to the Latino community in South
Williamsburg, emphasizing powerful internal lines of differentiation as a sharp contrast to the strong collective identity of the Satmar community. The last part of this paper analyzes the opportunities and constraints that young Latino community leaders face that shape their attempts to reform the political machine.

**THE SATMAR AND THE POLITICAL MACHINE: A CULTURAL HISTORY**

The Satmar have a deeply religious culture anchored in interrelated commitments to insularity, mysticism, and strong attachments to both geography and charismatic leaders. First arriving in the United States in the 1940s, they are a Hasidic movement of Eastern European origin, deriving their name from a small town in what is now Romania. They view their mission, above all else, as the protection of their *mishkan* (sanctuary) of Orthodox Judaism in the midst of the Williamsburg *midbar* (wilderness); in other words, protecting the community from external, secular influences. Despite forming tight political relationships where useful, there is a sense of overall detachment from racial and class-based struggles. This has resulted in a strange form of isolation, with a drive to protect the community’s shared religious mandate through shrewd but guarded maneuvering in the outside world.

This mandate was set in motion by Joel Teitelbaum (1887–1979), the first and most famous Satmar Rebbe (master or mentor). Teitelbaum was a renowned figure for Jews across the world and an example of the Satmar devotion to central, charismatic authority. His followers numbered in the hundreds of thousands, and perceived him to be an otherworldly, godlike leader. The Rebbe was the kind of leader sociologist Max Weber described as “endowed with ‘supernatural’ abilities, commanding a group of followers who placed their absolute faith in his judgment.” The first generation of the Williamsburg Satmar was particularly ecstatic in its reverence for his religious knowledge and insight. Having survived the trauma of the Holocaust, they yearned for the uniquely rigorous orthodoxy Teitelbaum championed. At the same time, older gen-
erations of Hasidim introduced a fierce strain of political engagement. Enraged by what they saw as American inaction in the face of the Holocaust, they vowed to forge political connections to prevent anything similar from ever happening again.⁴⁰

Teitelbaum’s physical presence in the community only bolstered the Satmar perception that Williamsburg was to be a new stronghold for the Satmar Hasidim and a site of political action. Whereas Weber describes typical charismatic leaders as eschewing bureaucratic and administrative leadership,⁴¹ the Rebbe’s legacy took a decidedly hands-on approach to governance. Unlike comparable religious figureheads, he also took an active role in the development of leaders who could support future generations.⁴² Moreover, while members of other Hasidic groups gradually moved away from their first-generation neighborhoods, geographic proximity to the Rebbe was of the utmost importance to the Williamsburg Satmar. His holy presence radiated outward throughout the whole community, anchoring its intense religious practice and ensuring its material security; and this sense of absolute reverence comes through in discussions with his informants.⁴³ Crucially, his presence also established an early but profound connection between the Satmar religion and the literal, physical boundaries of the neighborhood. For his followers, it was impossible to imagine a Williamsburg without the Rebbe, and equally impossible to consider him living anywhere else.⁴⁴ 

Energized by devotion and motivated by survival, the Satmar searched for ways to capitalize on their newfound American freedoms. Whereas existence in the Old World was always threatened by societal anti-Semitism and government repression, life in Williamsburg presented the possibility of security and even prosperity. A new class of Satmar “culture brokers” found ways to balance their overarching religious mandate with the municipal needs of the neighborhood. Skilled networkers, communicators, and businessmen, they secured jobs and financial backing from the Brooklyn community at large.⁴⁵ Satmar entrepreneurial efforts soon saw great success, in both Williamsburg and the rest of the city.⁴⁶ Solidarity engendered by the Rebbe also enabled effective neighbor-
hood mobilization in political struggles. The Satmar were able to maintain the boundaries of their neighborhood for decades, refusing to yield their position because of fears of strangers entering the neighborhood and threatening their religious purity. This precedent grew into a fierce belief in self-determination and neighborhood control, and a natural tendency to mobilize the community toward that end.

The Satmar Rise to Political Power in Williamsburg

Satmar tactics began to transform from grassroots organizing into tightly formed relationships with the New York City political machine, reflecting a series of changes made to the nation’s poverty-fighting strategy from the 1960s to the 1980s. A core part of President Johnson’s War on Poverty was the Economic Opportunity Act of 1964, an ambitious attempt to refocus revitalization programs on the local level. The law created a comprehensive network of Community Action Agencies meant to provide job training and education initiatives to impoverished communities. By receiving grants directly from the federal government and bypassing entrenched political machines, progressive community-based organizations rose to unprecedented power. A new generation of community activists and leaders began to threaten the existing routes of political control, attempting to “challenge the institutions of local government that kept them on the margins of American society.”

This legislation was a turning point in Williamsburg race relations. Previously content to merely police the boundaries of its colony, the Satmar was forced to actively compete for a limited amount of state resources. Given its already robust skills in collective action, the Satmar groups excelled in accessing these crucial development grants. The founding of the United Jewish Organizations (UJO) enabled a comprehensive strategy that coordinated grant requests.

These seismic shifts did not go unnoticed by more mainstream politicians and office-holders. The Seneca Democratic Club, a historically dominant force in Brooklyn politics, was es-
especially concerned about the threat posed by ethnic organization. They cultivated relationships with Satmar leaders, who were seen as more accountable and predictable than those from other groups—a uniquely attractive ally because of their strong cultural cohesion. As Mintz notes, “Hasidim were not interested in presenting their own candidates in elections [and] seemed to pose no future conflicts of interest.”

The Seneca Club harnessed the Satmar’s voting bloc by offering the community the most precious commodity of all: housing. Exploiting its close relationship with the New York City Housing Authority, the Seneca Club helped impose strict racial quotas on public housing projects that drastically favored the Satmar by brazenly manipulating housing waitlists and intentionally misleading non-Hasidic families. In return, the Seneca Democrats did not just gain votes, but also the support of a strong, homogeneous community that could stave off the neighborhood’s economic decline. In other words, the Seneca Democrats pursued this relationship as a shrewd political tactic, and not out of a charitable concern for marginalized ethnic groups. This put the community’s other minorities in a difficult position, as Satmar groups began to control development projects through a mixture of private funding and political maneuvers. By combining these different avenues, the Satmar assembled a powerful web of community organizations that effectively harvested its connections in government and business.

Martin Needelman, director of Brooklyn Legal Services Corporation A—an organization providing legal aid to low-income individuals and community groups in Williamsburg—is no stranger to the political tactics that rely on the Satmar’s unique cultural dynamics, as he has taken part in several high-profile investigations into their practices. He recalled that the neighborhood’s political terrain was once unified under War on Poverty programs in the early 1960s: “the War on Poverty . . . created a large a network of Community Action Programs that the federal government funded directly, skip[ping] over the state. This was meant to empower low-income communities and communities of color.” However, according to Needelman, this approach was almost completely rolled back
as federal support had all but ended by 1980.

Just as the arrival of federal funding ended up being a boon to the Satmar, its withdrawal proved to be equally advantageous, opening new areas for expansion and influence. Politicians who were once weakened by the shifting political environment soon enjoyed a rapid rise to power and new control over urban neighborhoods. Their investment in the Satmar was tactical and mutually beneficial. No longer threatened by new ethnic leaders, the local political machine regained its hold over Williamsburg.20

Meanwhile, the Satmar remained apathetic to demands for structural transformation and social progress, and instead focused on their overarching religious mandate. This meant protecting the neighborhood at any cost while ignoring the urban solidarity inspired by the War on Poverty. The revitalization of the political machine ensured that the Satmar could draw on skyrocketing numbers of development grants to carry out this goal. Their quiet collusion with entrenched political networks, both during the War on Poverty and throughout the subsequent conservative backlash, continued to enable the Satmar to easily secure new projects and provide for their neighborhood.

**EVIDENCE OF DISPARITY IN THE STRUCTURE OF THE HOUSING MARKET**

Despite occasionally veering into the realm of the openly criminal, such as when a prominent Satmar leader was charged with stealing $220,000 in federal housing subsidies in 2011,21 this quiet collusion usually happens out of public view and is difficult to observe directly. However, a quantitative search for the accumulated effects of these informal deals, both documented and suspected, can provide confirmatory circumstantial evidence for deals that channel the flow of state resources. An exploration of the financial structure of the Satmar rental housing market uncovered one particularly salient effect.

Using data from our field work, canvassing,22 the U.S. Census, New York City’s Department of City Planning,23 and prior
ethnographies, we isolated two select, contiguous groups of four census tracts each of Latinos and Satmar from several dozen potential candidates in the neighborhood, a four-square-mile area centered on a point just over the Williamsburg Bridge from Manhattan. These areas, half a mile apart and each home to about 20 thousand people, were chosen to be overwhelmingly homogenous—one was 56 percent Hispanic or Latino (and only 27 percent white), while the other, 98 percent white and only 3 percent Latino, was confirmed to be overwhelmingly Satmar and represents a substantial portion of the Satmar population in Brooklyn, with a 26 percent higher population density than the Latino area.

Figure 1 compares several key metrics for both of these areas, as well as Brooklyn on the whole.

These data show that the Satmar experience roughly comparable vacancy rates and housing prices. They have far larger families and are poorer and more overcrowded than their Latino neighbors and Brooklyn as a whole. These broad metrics alone demonstrate little of analytical value. More significant, however, is an examination of specific subsets of housing data, as subsidies and political deals are often narrowly tailored to the most uniquely salient features or subgroups. In the case of the Satmar, their very large families would be just such a feature. In this segment of the housing market, there is a clear disparity. To start, the Satmar and Latino markets are structured very differently in regard to unit size, with the Satmar heavily skewed toward larger units, as seen in Figure 2.

Restricting our study to only these units, we adopted a monthly rent of $499—less than two-thirds of the Borough-wide average for both categories—as the upper bound of a “below market” category, conservatively judging that a disparity of this magnitude presented a data point to be explained and constituted evidence of likely outside intervention in the market. Figure 3 shows the proportions of housing units by this price metric. Asked rent is another useful metric, reflecting a snapshot of units on the market at a given time. Figure 4 presents a disparity as well. Figure 5, taking population and poverty into account, provides the clearest
metric of disparity.

These data indicate that large families in the homogenous, strictly defined Satmar area have far better access to large apartments priced far below the market. In other words, it is much easier to be a large, poor Satmar family than it is to be a large, poor Latino family in Williamsburg. While these data say nothing of the provenance of this disparity or the desirability of subsidizing poor people raising large families, they are a window into the sharp contrast between the Satmar and their neighbors, and may serve to corroborate the results of existing and future qualitative investigation of development projects.

CHALLENGES TO THE SATMAR’S POWER: THE BROADWAY TRIANGLE CONTROVERSY

One such project is a controversial plan that seeks to develop up to 1,800 housing units, many of them government-subsidized for low-income tenants, on a vacant, city-owned thirty-one acre lot known as the “Broadway Triangle.” A source of political conflict between the Satmar Hasidim and the Latinos, the site has been the focus of a hotly contested two-year rezoning process, the fairness and legality of which are the objects of a suit filed by leaders of the Latino community and other community groups known as the Broadway Triangle Community Coalition (BTCC). The plan illustrates the Satmar’s incredible ability to control local political processes; its creation in partnership with the city is, in a sense, a culmination of the Satmar’s organizational evolution in the local political landscape. The Broadway Triangle is also significant because it is the last industrial site undergoing urban renewal in what is now an intensely gentrified neighborhood. In the late 1990s, young, college-educated residents began to move into Williamsburg and drove up housing values, and, as a result, threatened the availability of affordable housing for the low-income Latino and Satmar communities. The Satmar community—already contending with a population that was doubling every ten to twelve years, with an average family size of seven to eight children—was able to
secure substantial zoning victories in a “Memorandum of Understanding” brokered solely among politicians to the exclusion of local grassroots groups in 1997.49 These victories—including units zoned for very large families50 located in low-rise buildings51 (to accommodate Jewish religious proscriptions against the use of electricity, such as that in elevators, from Friday evening to Saturday evening)—came largely at the expense of the Latino community, which shared the Satmar’s dire need for housing but lacked their political clout.52

The Broadway Triangle Community Coalition has leveled two distinct charges at the plan. First, the rezoning proposal’s inordinate amount of 6- and 7-room apartments unfairly favors the Satmar, who typically have large families. And second, the city’s approval process was undemocratic and lacked transparency. Development rights to the site were granted in a no-bid, closed-door process to two non-profit organizations—United Jewish Organization (UJO) and the Ridgewood-Bushwick Senior Citizens Council (RBSCC). UJO is closely affiliated with the Satmar community; RBSCC was co-founded by the long-time New York State Assemblyman and County Chair for the New York State Democratic Party, Vito Lopez. The plan’s critics allege that Lopez used his clout to influence the approval of the plan in exchange for support from the approximately four thousand-strong Satmar voting bloc (a substantial figure in an election with just over seventeen thousand total votes cast in the last cycle).53 Therefore, these two organizations are accused of colluding to give the Satmar unfairly privileged access to affordable housing.54

During the Fall of 2010, the authors interviewed sources close to the controversy in both communities and attended meetings of Brooklyn Community Board 1, one of fifty-nine such unsalaried community advisory groups appointed by the city’s Borough Presidents to work on local land use, zoning, safety and other community issues. In addition to the underlying divisions55 in the Board’s 160,000-strong constituency, these meetings showed also that despite the political machine victory represented by the Broadway Triangle plan, the system was no longer quite as monolithic as
it once had been. On the Satmar side, the 2006 death of their holy leader set off a succession feud among his sons that ended up fracturing the movement into two wings, eroding the group’s united voting bloc. On the Democratic side, Assemblyman Vito Lopez—coming under increasing fire for his role in the Memorandum negotiations—began to lose confidence in his ability to control the traditional core of his constituency, which was developing a new taste for self-determination and grassroots activism.

Nevertheless, machine politics rolled along: Lopez managed to shore up his base by effectively trading control of the Broadway triangle to the more powerful Satmar sect in exchange for bloc support for him and his hand-picked candidates. Martin Needelman, who ran against one of Lopez’s political associates in a local election and is Plaintiff counsel in the suit, explained that politicians tended to embrace the Satmar’s cultural and religious needs because of the payoff they could reliably expect:

Lopez wanted Hasidic support . . . So he gave them Broadway Triangle as a tradeoff. I got 70 percent of the Latino vote, but my Puerto Rican opponent got 90 percent of the Jewish vote. He abandoned all the neighborhood housing organizations he had been affiliated with . . . and excluded them from the planning of the Broadway Triangle. It was a huge turnaround. The Hasidic community is very transactional. You can be a liberal, Democrat, conservative or Republican or gay or straight or black. They give you this and they negotiate this. They can deliver a lot. They can deliver four thousand votes for you or four thousand votes against you in a bloc.

After years of legal battles, the Broadway Triangle development plan continues to work its way through the courts. On January 4, 2012, the plaintiffs in the case, the Broadway Triangle Community Coalition, won a major victory when State Supreme Court Justice Emily Jane Goodman issued a preliminary injunction that has temporarily blocked the project. The left-leaning Justice Goodman explained that the impact of the development would severely increase segregation in the neighborhood. Justice Goodman, however, retired from the bench on February 28, 2012 and Justice
Shlomo S. Hagler will take the suit along with the rest of Goodman’s caseload, although it remains to be seen whether he will be as sympathetic to the plaintiffs. The legal counsel for the city has stated that it will appeal the temporary injunction, opening yet another chapter in an already drawn-out struggle.

LATINO CULTURE AND IDENTITY: A WORLD APART FROM THE SATMAR

If a new political moment has in fact emerged, it is the result of the Latino community’s rising influences within Williamsburg and the accompanying surge of grassroots sentiment that has challenged entrenched party boss Vito Lopez. The Latinos differ significantly, among themselves as well as in comparison to the Satmar, in the way they understand the relationship between race, place, and identity. Overall, they are far less cohesive and insular, lacking a shared identity with a clarity or intensity approaching anything like that of the Satmar’s. Moreover, they are culturally divided into ordinary workers—including many undocumented illegal immigrants—and more educated activists, like those who led the public charge against the Broadway Triangle plan. Unlike the Satmar, and somewhat surprisingly, these activists build cross-ethnic coalitions over affordable housing issues and express solidarity across racial lines in the face of gentrification. Conversely, undocumented Latinos describe racial tension and abuse at the hands of their Hasidic employers.

These differences in worldview—between Latino activists and Latino workers as well as between the Satmar and the Latino communities in general—give rise to differences in these groups’ political and organizational capacities, and by extension their success in resisting gentrification. The authors’ interviews and participant observation at an informal labor market in Williamsburg revealed crucial variation in the ways people think of their racial identity and form a related sense of place—the way in which they attach meaning to physical location. Ordinary Latinos in this neighborhood, especially the undocumented work-
ers interviewed, are far less sentimental about their homes and neighborhood. Lacking a strong attachment to Williamsburg or even the United States, they think of their true homes as their Latin American countries of origin, where their families often remain. For some, their attachment to place remains unequivocally to their countries of origin; for others, their attachment to the American communities in which they reside remains ambivalent at best.

Líneas, an undocumented day laborer describing her struggle to make ends meet, casually discussed her and her friends’ living arrangements, and the possibility of moving to a different neighborhood in order to avoid overcrowding. In other words, she was far more concerned about making rent than staying in this or that particular home. She was even unsure of the name of the local social service organization that had given her meals, hinting at a real sense of indifference toward the community. Javier Bosque, director of that organization—the Southside Mission—explained that many workers don’t find civic engagement appealing because they do not see the United States as a permanent home. They are uninterested in learning English and hope to eventually return home to Mexico, El Salvador, and other home countries, a sentiment borne out in the authors’ discussions with the workers.

Their notion of social identity, spread across space and time, stands in contrast with older, static understandings of immigration in terms of assimilation or cultural retention. Recent migration scholarship has stressed the notion of transnationalism, focusing on experiences spanning national boundaries, or “multi-stranded social relations that link together societies of origin and settlement.” Transnational spaces, described by theorist Thomas Faist as “combinations of ties, positions in networks and organizations, and networks of organizations that reach across the borders of multiple states,” result in places like Williamsburg holding a drastically altered and weakened meaning for their residents.

For another group of Latinos, however—the activist leaders and their core constituency—Williamsburg has enormous meaning. Most of them were born and raised there, or have spent con-
considerable time in the area. They tend to exhibit a deep commitment to the community—particularly to its low-income residents—feeling compelled to defend the traditional neighborhood against the intrusion of the gentrifiers. Esteban Duran, one of Brooklyn Community Board 1’s fifty voting members and an aspiring local politician, cited his childhood roots in the community as a reason for returning and agitating for affordable housing, as did Rob Solano, director of Churches United for Fair Housing, one of the non-profit community groups opposing the Broadway Triangle development.

For these activists, this attachment to place also translates cross-ethnic solidarity with the Satmar over housing—in other words, unity against the common enemy of gentrification. Rob Solano said,

“When affordable housing wasn’t really an issue, we were in a moment of luxury. You had your apartment, you were set . . . But now we’re in a moment of crisis, and, in crisis, you don’t have time to be racist. When the building is burning down, you don’t have time to discriminate.”

Esteban Duran echoed this conciliatory view, saying, “I don’t believe the Satmar are necessarily trying to exclude certain races, but want a plan that will give them the best potential for getting their members in.” Martin Needelman even went so far as to point out that some Satmar—those in the weaker of the two post-schism groups, who had the Broadway Triangle development steered away from them by Assemblyman Lopez—were suffering the same sort of discrimination as Latinos and others seeking affordable housing.63

At first blush, this solidarity seems odd, especially since the Satmar express exactly the opposite sentiment, with Satmar leader David Niederman, head of the powerful United Jewish Organizations (UJO) and one of the most public proponents of the Broadway Triangle plan, saying that the plan’s opponents “want that they should be the one, and that [we] should not have a part of it. That’s basically what it is. They are all greedy for money.” However, viewed in the larger context of the gentrification threatening the activists’ cherished neighborhoods, their conciliatory tone is not so strange.
Sociologist Jonathan Rieder, writing about a similar New York City case study, describes how the “vulnerability of place”—intense emotional significance attached to a neighborhood—often provokes powerful reactions that manifest themselves indirectly. The post-ethnic rhetoric of the Latino activists has every indication of being a proxy for their desire to protect their traditional low-income neighborhood against the rising tide of gentrification.

Accordingly, the transnationally-minded undocumented Latino workers, lacking this protectionist instinct, described their Hasidic employers as virulently racist. Maria, a Mexican day laborer, explained that Hasidic employers often look at her from head to toe and walk by, passing her over for one of the Polish workers standing in a group away from the Latina women; when they would hire her, they made her work ten hours without lunch. The bitterness with which she told her stories sounded nothing like the rhetoric of relative harmony from the activists, underscoring the rift between the place identity of the activists and the transitory racial identity of the workers.

This rift reveals the Latinos as fragmented, with nothing like the monolithic unity of even the post-schism Satmar. This division has crucial implications for political capacity: because the Latino leaders are not working with a cohesive, homogenous constituency sharing a uniform place or ethnic identity, they have not been as effective in interfacing with the political machine. Nevertheless, despite this disadvantage, activists like Rob Solano have scored some victories—like a successful push to add more affordable housing to a controversial 2005 rezoning plan—and continue to agitate for reform.

A NEW GRASSROOTS MODEL TO REPLACE THE MACHINE?

Might these activists represent a new breed of leaders working in a more democratically transparent and less sectarian political environment? New leaders like Esteban Duran and Rob Solano, have emerged from the Broadway Triangle controversy, claiming to
represent a way to make democratic voices heard in an otherwise stagnant machine-style party, adopting actions and language that attempt to downplay the importance of their political ambitions and emphasizing their role as compassionate advocates of those in need of affordable housing. Although they share some objectives, Duran uses primarily conventional means of organization, working through a rival to the entrenched Democratic party called the New Kings Democrats (Brooklyn is coterminous with Kings County, New York), whereas Solano reaches his constituents outside of party structures, mainly via local churches.

Duran, a son of immigrants born and raised in Williamsburg, feels a sense of obligation to promote transparency and accountability. He is no stranger to the machine, having worked on the 2005 campaign of a City Council member allied with Vito Lopez. However, following Lopez’s reversal away from community-based groups and toward the Satmar, Duran felt he was no longer an appropriate ally and became involved with the New Kings Democrats, who challenge traditional party structures by supporting independent candidates typically ignored by the machine. Matt Cowherd, the group’s founder, said, “One-party rule fosters corruption. In Brooklyn, Tammany Hall is very much alive and well. We felt like, because people weren’t paying attention, party leaders were getting away with murder.”

Although the Brooklyn residents targeted by New Kings for outreach appear not to be the same lower-income, mostly Latino residents for whom Duran claims to advocate, New Kings offers Duran an outlet to signal his public challenge to the established party. This kind of public challenge—even to just belong to the group, which frames itself as a reformer of the urban political machine, is to rebuke Vito Lopez—is an integral part of Duran’s strategy as a community-oriented leader. He also believes he must defend his motives and embody the role of this kind of leader. He explained that he “look[s] at [New Kings] in the sense of bringing focus to practices that are happening in the borough”—in other words, he sees it as a way of exposing corruption, not as a realistic successor to the party (nor himself as a challenger to Lopez). And
he takes every opportunity to speak out against corruption in just this way.

These opportunities come largely in the form of access to public stages from which he can voice his rejection of the machine. Another such stage is the Community Board, where he is a vocal critic of the established Party. During one meeting, after an FBI representative had briefed the attendees on a new local anti-terrorism initiative and opened the floor to questions, Duran—referencing an ongoing FBI investigation into a non-profit associated with Vito Lopez and the Broadway Triangle—obliquely asked him about “the local non-profit that is currently under investigation.” Although irrelevant, the question showed the importance of visibility as a political tactic.

Rob Solano seeks to change the status quo as well, albeit by organizing through churches instead of a traditional political organization. He founded Churches United for Fair Housing in 2003 as a way to help community members who felt powerless to challenge a disappointing lack of affordable housing in a new waterfront rezoning plan. Solano credits the group’s organizational effort, which succeeded through a series of large public demonstrations and by harnessing the Community Board’s powers to weigh in on proposed zoning changes, with generating a credible grassroots movement. He says:

[The 2005 rezoning issue] gave us our clout, our credibility in the community, because we got most of what we wanted: 30% affordable housing in the revised plan . . . this is a very high percentage by nationwide standards . . . Now people come to us when they’re planning affordable housing.

Like Duran, Solano seems to be dedicated to securing affordable housing for South Williamsburg, and together they have harnessed momentum from a grassroots resurgence. Their rhetoric sharply contrasts the transactional, “votes for favors” approach of the Satmar and, until only recently, Vito Lopez, emphasizing empowerment, cooperation, and reconciliation. The New Kings Democrats have even claimed to be less interested in being successors of the Brooklyn Democratic Party than in offering tangible
community improvement. Although it is impossible to say whether this tactic is genuine, there is no denying its effectiveness.

CONCLUSION

Despite their deep differences, both the Satmar and Latino communities possess enough demographic potential to make or break the profitable tide of gentrification. At different points in their histories, both the Satmar and the Latinos have made the choice to exploit the attention of political enterprises, because attention has proven more beneficial than neglect. But there are still those today who remember a time when the political machine was less entrenched (or at least less obviously so), pursuing civics without politics. Joseph Garber, an Orthodox Jew who is nonetheless marginalized because he is not fully Hasidic, has lived almost his whole life in Williamsburg and has taken up a variety of positions in local government and housing organizations to advocate for more transparency. Garber uses Community Board meetings to boldly call attention to improper dealing, often loudly and aggressively. “I’m very committed to honesty in government . . . [it] is the most noble profession when done well,” he explained. A self-admitted gadfly—“people consider me an informer because I rat them out . . . I don’t play games”—his passion for honesty in public life has brought him into conflict with some of the most powerful Satmar leaders, including Rabbi Niederman. Niederman, exemplifying the sectarian Satmar mindset of absolute unity, responded by publicly labeling Garber a muser—an insult that refers to a traitor who appeals to secular authorities instead of allowing Jewish courts to exercise their divine authority.

Yet many of the authors’ interviews and observations at Community Board meetings revealed that the community has a kind of begrudging respect for Garber. Perhaps they can detect that he is motivated by something beyond today’s divisive politics. As Garber himself observed, the sectarian state of affairs does not stretch quite as far back as it may sometimes seem:

Blacks and Jews, by their similarity of trouble, always had kin-
ship together. I go to East New York [Brooklyn] housing developments, there are blacks in their 80s who remember the Jews, there are ladies who can speak Yiddish!

The case study of the Broadway Triangle controversy reveals that a coordinated effort to tap into a neighborhood’s political processes is an effective means by which groups can attempt to fight against gentrification. In other words, American pluralistic, party-based democracy is deeply susceptible to the concentrated influence of sectarian groups trafficking in voting blocs and informal deals. Yet such practices have also resulted in robust local elections, media attention on a national stage, and governmental institutions invigorated by political agitators. Today, the neighborhood’s political scene mixes the traditional traits of a healthy, contentious public sphere with unavoidable signs of collusion, unfairness, and outright corruption. Thus, the Broadway Triangle is neither a tipping point of progressive, grassroots change that will usher in “kinship together”, nor ultimate proof of the political machine’s strength. It is likely some combination of both.

To view all charts and tables, visit:
http://www.helvidius.org/2012/iserp

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Notes
We adopt a cultural and historical perspective to explain the striking political empowerment of the once-marginalized Satmar Jews. Building on the seminal ethnographic work of George Kranzler (Hasidic Williamsburg 1995), Jerome Mintz (Hasidic People, 1992) and Nicole Marwell (Bargaining for Brooklyn, 2007), our interviews with both insiders and outsiders.

“rebbe”, derived from Yiddish for master, teacher or mentor, refers to the leader of a Hasidic Jewish movement.

He cared so deeply for every individual in the community that he literally remembered them not by the strength of memory but by the strength of his love and caring . . . There’s not a life in this community that he hasn’t touched. There’s not a single person that I know that I come in contact with that did not have at least one incident [with the Rebbe] that would be considered miraculous. (Mintz 41)
from this, census data, and prior ethnographies of this community, we concluded that the population of this area is predominantly Satmar.

http://journalism.nyu.edu/publishing/archives/livewire/archived/family_feud_will_the_real_satm/index.html

85,721 / sq mi vs. 63,523 / sq mi

Census 2000: SF3 Sample Data. Calculated by weighted averaging of the four Satmar tracts data for this item

Universe: Specified renter-occupied housing units paying cash rent

Source: U.S. Census Bureau, 2010 Census.

Latino aggregate rent $3,185,900, Satmar $1,907,700, Kings $427,286,700

Source: U.S. Census Bureau, Census 2000 Summary File 1. Calculated by weighted averaging of the four Satmar tracts

Census 2000 Summary File 3 (SF 3) - Sample Data

Assumption: take middle of each price bracket; setting $1,000 in place of “$1,000+”; ignoring “no cash rent” category

$680 for 2+ bedroom units and $702 for 3+ bedroom units

Assumption: take middle of each price bracket; setting $1,000 in place of “$1,000+”; ignoring “no cash rent” category

Ibid.


Jerilyn Perine, interview by Brian Lehrer, The Brian Lehrer Show, WNYC, January 17, 2012. Jerilyn Perine, executive director of Citizens Housing and Planning Council and former Commissioner of the Department of Housing Preservation and Development, said in an interview on the Brian Lehrer show, “What you see here is kind of the end of a long line of projects that really, you know, could be—look—taken as a whole didn’t just pop up as a site. It’s the last of the more complicated old industrial sites in this part of Brooklyn that over a very, very long period of time through urban renewal efforts have been transformed through all kinds of housing needs.”

Marwell 56

Kranzler 12

Marwell 70

Marwell 74

Kranzler 19

Marwell 63


Even the seating areas were strikingly punctuated by different demographic pockets, with Satmar Hasidim sitting in one small cluster and community activists in another.

On her retirement: http://www.nypost.com/p/news/opinion/editorials/toodles_judge_poodle_IMLEZ2BTYsXIP0grrNib1J

We use pseudonyms for the undocumented laborers. Some gave only their first
names, or obviously-fabricated names.

58 At the corner of Marcy and Divisions Sts.
59 Handlin, Oscar. The Uprooted
60 "Transnational Migration Studies: Past Developments, Future Trends" (2007)

Peggy Levitt and B. Nadya Jaworsky.

1994

62 Faist, Thomas “Transnationalization in international migration” (2000), p. 4
64 Rieder, Jonathan. Canarsie, p. 90

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DEFENDERS OF THE FAITH?
BRITAIN AND THE PERSECUTION OF
CHRISTIANITY IN JAPAN, 1867–1873

Keith Jamieson

On January 5 and 6, 1870, the new government of Meiji Japan began to deport an estimated three thousand Japanese Christians from Urakami Village, near Nagasaki, to other parts of Kyushu, in an event known as the Urakami kuzure (‘destruction’).¹ This was the culmination of Japan’s most significant persecution of Christians in two hundred years, made all the more surprising in light of the presence of foreign representatives in the treaty port of Nagasaki and the apparent close interest taken in the subject by the Western consuls in Yokohama. It was indeed thought at the time that it was the constant clamor of protest taken up by the European and American diplomats in Yokohama and Nagasaki that finally halted the persecutions, and no Westerner was seemingly more active on behalf of the Christians than British Consul-General Harry S. Parkes. Parkes happened to be in Nagasaki when the deportation began and personally intervened on behalf of the Christians with local Japanese officials; he continually brought up the subject with high-ranking Japanese ministers while at the imperial court in Osaka, and in his correspondence with London regularly kept the Foreign Office informed of the course of anti-Christian activities.²

Most of the available sources, then as now, are united in pointing to Western intervention as the major factor in the cessation of persecution, and in noting particularly the role of Parkes and the British. This conclusion is partially the result of common sense: the British would be expected to take a strong interest in an attack on Christianity, especially as their trade with Japan was at the

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time significantly greater than that of any other Western power.\(^3\) Closer examination, however, reveals that domestic factors, rather than British scrutiny, were most important in the termination of persecution. The British were in Japan to trade, not to proselytize, and their chief aim was, by Harry Parkes’s own admission, the success and stability of a friendly Japanese government. Knowing this to be the case, the Japanese were able to successfully manipulate Parkes and the other Western consuls in order to carry out their desired religious policy.

THE DESTRUCTION OF CHRISTIANITY IN JAPAN IN THE SEVENTEENTH CENTURY

By the time of Japan’s official opening to the West in 1854, Christianity had been prohibited in the empire for nearly two hundred fifty years, and the story of its suppression was relatively well known to Foreign Office officials.\(^4\) The religion was introduced to Kyushu by St. Francis Xavier in 1549, and by the beginning of the seventeenth century had spread throughout that island as well as, to some extent, the main island of Honshu. Adherents included the daimyo\(^5\) of Omura, Arima, and Shimabara, and while Jesuit reports of more than six hundred thousand converts may be exaggerated, it is nevertheless clear that Christians comprised a significant minority in the western han.\(^6\) The dedicated ministrations of Jesuit priests were abetted by indirect support from contenders in Japan’s ongoing civil wars, most notably Oda Nobunaga, who attacked the establishment Buddhist priesthood as part of his efforts to establish a new unified government.\(^7\) This support came to an end after Toyotomi Hideyoshi and Tokugawa Ieyasu succeeded in reestablishing central control. Ieyasu, in particular, was extremely hostile toward the Christian faith, and it was he who between 1612 and 1614 banned the practice of the religion, ordered the expulsion of all Western priests, and authorized the destruction of Christian churches.\(^8\) Those Jesuits not driven out were put to death, and the only significant act of native resistance, the Catholic rebellion at Shimabara, was crushed by 1636. Christianity remained officially
extinct in Japan for the next two centuries.\(^9\)

In trying to understand the mindset that stories of the seventeenth century persecutions produced in Parkes and his compatriots, it is important to emphasize their unanimous agreement that the extermination of Christianity was, above all, the Jesuits’ own fault. To most nineteenth century Britons, the Jesuits were guilty of treasonously plotting to overthrow the Japanese government. Protestant minister the Rev. Hamilton A. MacGill, writing to Foreign Secretary Lord Granville in 1870 to advocate a more forthright policy in defense of Christianity, admitted that he was “well aware that the crime and calamity of persecution against the Christian religion in Japan . . . were precipitated by the discovery that the Romanish missionaries aimed at political as well as Christian results.”\(^{10}\) British diplomats concurred: Harry Parkes (falsely) claimed that “the civil struggles of the commencement of the seventeenth century”—meaning the wars by which the Tokugawa shogunate\(^{11}\) had been established—“were religious in their character.”\(^{12}\) Even historian J. J. Rein, while admitting that “no support for [the] accusation” that Catholic priests were fomenting rebellion “can be found in the writings of the Jesuits,” nonetheless held that Ieyasu’s extermination of them was in some sense rational or justifiable.\(^{13}\) Ieyasu’s attack on Christianity was most likely caused by a need for support from the vehemently anti-Catholic Buddhist priesthood, and by suspicion of Christians for having largely sided with his rival Toyotomi Hideyori in the civil war, as much as by supposed Jesuit scheming. The contextualization of the Tokugawa extermination of Christianity in British minds with anti-Catholic attitudes—it will be remembered that the anti-Catholic Test Act had been repealed only in 1829, and it remained illegal for a Catholic to ascend the throne of Great Britain—was to have crucial ramifications during the next major episode of persecution in Japan.\(^{14}\)

Despite the intensity of shogunal repression of Christianity in the first half of the seventeenth century, some Christians managed to survive. These so called hidden Christians (kakure kirishitan) were able to preserve their beliefs using the traditional Buddhist method of secret worship, onando buppo (itself developed
during periods of persecution of Buddhism). Christian villages would employ a secretary to keep the religious calendar, a “watering-man” to baptize infants, and a “hearing-man” to pass information along to the believers, who would then worship in private houses without the knowledge of the authorities. Incredibly, this technique worked sufficiently well that when Catholic priests finally returned to Nagasaki in the early 1860s, they quickly discovered the existence of several thousand Christian believers. Some of these refused to acknowledge the legitimacy of the new ministers, but many others eagerly flocked to the French cathedral and sought instruction from the long-vanished keepers of the true faith.

THE FIRST URAKAMI PERSECUTION, 1867

During the opening of the country in the 1850s, the shogun, under Western pressure, consented to the abolishment of the practice of *fumi-e* (by which Nagasaki residents were required to trample on Christian icons in order to prove they were not believers), but the harsh laws against practice of Christianity remained on the books. French priests were supposed to be in Nagasaki only to provide for the needs of the small foreign community, who under the treaties between Japan and the Western countries were permitted to engage in Christian worship. But, faced with the opportunity to contact survivors of one of the greatest Christian persecutions since Roman times, the priests proved unable to resist. They began to receive Japanese worshippers in their homes and travel to Christian villages, including Urakami, in order to preach and give Mass. Upon becoming aware of this proselytization, the shogunal governor of Nagasaki, Tokunaga Hisamasa, initially did not react. Following protests by the anti-Christian daimyo of Omura, however, the governor ordered the arrest of Urakami residents in July and August 1867. Altogether more than sixty were imprisoned.

Parkes was aware of the arrests, as revealed in a later letter to the Foreign Secretary, Lord Stanley, and probably informed London about them at the time. Parkes’s secretary, Ernest Satow, was in Nagasaki when the persecution began, and heard “a good deal”
about them from local officials. He notes that those imprisoned were threatened with capital punishment under Japanese law. Yet unlike the French, Prussian, Portuguese, and American consuls in Nagasaki, no British representative protested to the Japanese about the arrests. Satow merely advised a Japanese friend that “England would not be pleased” to hear of the persecutions, and added that he would not object to the daimyo of Omura advocating more stringent attacks on Christians if their only aim was to embarrass the shogunate. The French representative in Yokohama, Léon Roches, was by contrast hyperactive in the defense of the Japanese Christians. He personally petitioned the Shogun for the prisoners’ release, which seems to have hastened the end of the persecution in October 1867. On the American side, meanwhile, the Secretary of State William Seward was interested enough in the matter to cable American Consul Van Valkenburgh encouraging him to cooperate with the other representatives in the moderation of the anti-Christian laws.

In Britain itself, meanwhile, the Urakami incident was barely reported. Only the Birmingham Daily Post, of the dozens of sources examined, carried a story on it; an October 5, 1867 article that relates the discovery of the Christians by Catholic priests in greater detail than their persecution. It even claimed that “all the Consuls [sic] have been to the Emperor, and he is much embarrassed,” suggesting that most Britons were unaware of the inactivity on the part of their representatives in Japan. The more frequent reports of the later Urakami incidents after the Meiji Restoration do not display any awareness of the persecutions of July and August 1867.

Why was there such apathy of the key British players in Japan—Parkes, Satow, Parkes’s other secretary A. Bertram Mitford, and Nagasaki consul Marcus Flowers—during the last shogunal persecution of Christians, given the interest taken in the matter by all the other foreign representatives? The records suggest that a number of circumstantial factors reduced British willingness to protest to the Japanese government of the time. For one, Parkes was more concerned with the recent murder in Nagasaki of two British sailors from the HMS Icarus. The Japanese official to whom French
Nagasaki consul M. Lèques protested about the Christian persecution had in fact been sent to the city by the shogun to investigate the British case.⁶ For another, the very groups advocating more stringent action against the Urakami Christians—the daimyo of Omura and Satsuma, local Nagasaki officials—were allied with the Emperor, who the British were inclined to support in the looming civil war between Emperor and Shogun. Satow openly supported the western daimyo against the shogun and and explicitly wrote in his memoirs that he tolerated the Kyushu officials’ hostility toward Christians insofar as it was “of course intended as a general manifesto against the Shogun’s government.”⁷ The success of French Minister Roches, whose policy in Japan was one of coziness with the shogunal government, in obtaining the Christians’ release reveals how closely protests on behalf of native Christians were tied up with local politics and intra-European power rivalries in the Far East.⁸

THE MEIJI RESTORATION AND REVIVAL SHINTO

Shortly after the release of the imprisoned Urakami Christians, in January 1868, the shogunate was overthrown. Samurai from the western han of Choshu and Satsuma rallied around the Emperor, seized Osaka, and effected the last Tokugawa shogun’s submission to imperial rule. This event, though it enabled the advance of modern science and economics, was to have dark implications for the Christians around Nagasaki. The new oligarchs who surrounded the young Meiji Emperor knew that their position was precarious; they represented the same faction geographically that had fallen before Tokugawa Ieyasu at Sekigahara in 1600, and even their dramatic early success in the civil war did not give them control of Edo (modern Tokyo) or the northern han, which remained in the hands of Tokugawa retainers. The crumbling of the shogun’s rule did not automatically give the new rulers a power base of their own. In order to create a new basis of support for control over to the country, the Meiji oligarchs turned to religious institutionalization—just as Ieyasu had—in this case by rallying around the
semi-mythical figure of the Emperor and proclaiming the reestablishment of the ancient Shinto rites.²⁹

This in itself almost constituted a revolution, as Buddhism, not Shinto, had been patronized by the Tokugawas. Shinto as it existed in Japan by 1868 was less a separate religion than a syncretistic mix of Buddhist ceremonies and older, traditional practices and beliefs. To divide the two, as the Revival Shinto scholars surrounding the Emperor now proposed to do, required less a “restoration” than the creation of an entirely new religious system. Yet on April 4, 1868—even before the promulgation of the famous Charter Oath outlining the aims of the new government—came the order for Buddhist monks to return to secular life, and a few days later for the removal of Buddhist objects from Shinto temples and the renaming of Shinto temples that had Buddhist names. These orders were issued by the Department for Shinto (Jingimuka), which, under the initial Meiji system of rule, supposedly ranked even higher than the executive arm of the imperial government (Dajokan).³⁰

There followed a widespread outbreak of disorder in which groups of hooligans torched Buddhist temples and assaulted priests. This persecution of Buddhism indirectly furthered hostility toward Christianity because Buddhist priests, desperate to escape official disfavor, became the loudest voices in condemning the influence of the foreign sect.³¹ Moreover, rather than being an isolated incident as it had been under the bakufu, the persecution of Christians at Urakami was now part of a pattern of state hostility toward any non-Shinto religion, which helps explain why the Urakami persecution of the Meiji period was so much more severe than its precursor.

Despite the dramatic changes in Japan’s religious policy after 1868, there is no evidence in the records that the British were especially concerned by the contemporary attacks on Buddhism, much less that they drew any connection between it and the government’s hostility toward Christians. The only near-contemporary reference is in F. V. Dickins’s biography of Harry Parkes, which makes passing reference to “the abolition of Buddhism in Satsuma,” but adds that it “was accepted, without a murmur, even by the Buddhist
priests themselves,” and only ten pages later arrives at the attacks on Urakami Christians.  

Only three days after the decree against Buddhism, the Da-jokan decided to repost throughout the empire the triple-edict boards condemning Christianity, and notified Westerners to that effect through its officially published gazette. This time, the British minister did protest against the anti-Christian policy, although not before the minister from the United States had done so. Parkes reported to Lord Stanley his remonstrances concerning the triple edict in a dispatch dated May 30, 1868. He explained that he spoke informally on the matter to de facto foreign minister Date Munenari and two other high officials, emphasizing to them that the effort to “bring about a good understanding between foreign nations and Japan, might be entirely defeated if the Mikado’s Government declared itself actively hostile to the faith which all the nations having Treaty relations with Japan professed.” He also reported, however, that he convinced the representatives of France, Holland, Italy, Prussia, and the United States not to send letters of protest to the Japanese ministers at Yokohama, and included translations of the new edict to determine if it “compares favourably with that of the old Government.” It is evident from the very beginning of news of fresh Japanese undertakings against Christians that Parkes took a far milder approach in the Christians’ defense than that to which his colleagues, particularly the French and American consuls, were inclined. He cannot have felt too strongly about the threat of persecution, as his dispatch declined to substantiate rumors of new imprisonments around Nagasaki, and was written on the same day (May 30) that he sent off a report to Lord Stanley on the Japanese celebration of Queen Victoria’s birthday.

THE SECOND URAKAMI PERSECUTION, 1868–1873

Though Parkes as of May 30 thought that “the threatened persecution had not then set in,” hostile action against the Christians of Nagasaki had in fact been ongoing for several months. The Meiji government established itself in Kyushu in February
1868, and at the end of that month appointed Sawa Nobuyoshi, a staunch nationalist and dedicated opponent of the Shogun—he had spent five years in exile in Choshu following a failed 1863 coup attempt—governor of Nagasaki. He and his staff were opposed to Western influence in Japan, dedicated supporters of the government’s religious policy, and more hostile to Christianity than the Emperor or his ministers. They found on their March 1868 arrival in Nagasaki that most of the local officials, having been restrained from their earlier eagerness to crush the Urakami Christians by the orders of the Shogun, shared their enthusiasm for a fresh persecution. On March 14, 1868 came the arrest warrant for Christian leaders in Urakami village. There is little evidence that the British were aware of these measures, arising not from the central government but from local officials supporting the broader aims of the Meiji Revival Shinto policy. There are no reports in British newspapers of any Urakami persecutions before October 1868, and the mere “rumors” that Parkes ascribed to Nagasaki consul Flowers at the end of May were apparently only “several days” old. By that point, however, arrests were well underway, and the Dajokan had discussed the issue nearly a month earlier (on April 25, 1868).

After submitting its infamous decree ordering the dispersal of 4,010 Christians throughout the western han (June 7, 1868), the Dajokan waited several months before taking action, which suggests its awareness that attacking the Western religion would have a negative impact on the government’s foreign relations. That it felt it could nevertheless get away with issuing the decree in the first place testifies to the perception, even on the part of the Japanese, of the relative apathy toward Christianity of the country’s largest trading partner. The French, stalwart defenders of the Catholics around Nagasaki, had fallen out of favor due to their support of the floundering shogunate; the British, who had at the very least observed a highly benign neutrality that aided the imperial forces, were evidently not thought to care as much about what the Japanese did to their Christians. They were, after all, hardly unaware that the anti-shogunal forces in the western han also tended to be those that were most hostile to Westerners and Christianity;
Parkes makes regular referrals, even in his earliest dispatches on the subject, to the need of the Meiji oligarchs to show some degree of unfriendliness toward Christianity in order to appease the more rabid nationalists in their midst.\textsuperscript{45} Even Consul Flowers, generally more eager to intervene in favor of the Urakami Christians than his superior in Yokohama, recorded in a July 1868 letter to Parkes the feelings of an official in Nagasaki that “it was not so much against Christianity they were acting, as to preserve order in the country.”\textsuperscript{46}

Upon first learning of the plans for exile of native Christians in June 1868, Parkes wrote to Lord Stanley expressing his opinion that the decree was the result of “the anti-foreign party [having] propose[d] to make Christian proselytism a source for hostility to foreigners.”\textsuperscript{47} Although explaining that those affected “may be condemned to capital punishment,” he did not record any protest on his part to the Japanese against such treatment, and in the dispatch merely expressed the hope “that the conduct of foreign missionaries at this juncture will not increase the agitation.”\textsuperscript{48} This is a remarkably tepid response to the threat of a massacre of Christian believers, and Parkes’s instinctive reaction to blame “the conduct of foreign missionaries” rather than the Japanese authorities is consistent with his attitude throughout the Christian persecutions. One month later, apparently forced to make some remonstrance to the Japanese government by the demands of the other Yokohama ministers and the joint protest of the French, British, Portuguese, Dutch, and American resident consuls in Nagasaki, Parkes wrote to Lord Stanley that it was “satisfactory” to be told by foreign affairs advisor Date Munenari that “the decree under which upwards of four thousand native Christians were sentenced to banishment, has as yet been enforced in this case only of one hundred twenty.”\textsuperscript{49} He again blamed the conduct of the Catholic missionaries in Urakami for the difficulty of the persecution.\textsuperscript{50}

In August 1868, the desire of the French minister in Japan, Léon Roches, to submit a note signed by all the consuls to the imperial government protesting the deportation of Christians from Urakami prompted a remarkable and lengthy dispatch from Parkes to Lord Stanley offering a qualified defense of the anti-Christian
policy. He told the Foreign Secretary that he immediately rejected the idea of a joint protest, and convinced the representatives of the United States, Holland, Italy, and Prussia to refrain from one. For his reasoning he cited “the excited state of the country” and that “no extreme penalty . . . has yet been inflicted on the converts,” and repeated Munenari’s “the sentence of banishment . . . which appears to have passed upon four thousand persons, has yet been carried out in the case of 120 only.”

Parkes improbably argued that “the decree itself is not conceived in a tone of rigid intolerance” and here made his reference to the delicacy of Christian relations in Japan due to the supposedly religious character of the Sengoku jidai. He emphasized that “the present Mikado’s Government cannot be held responsible” for antagonism toward Christians, and even went so far as to impugn the standing of the Christians themselves, wondering “whether the objections to their conduct can be said to be confined solely to their religious professions” and noting that “in a printed account of the arrest of the Christians in the summer of last year . . . it is stated that they opposed the police sent to arrest them.”

Parkes concluded to Lord Stanley that he intended to “lose no opportunity of impressing upon influential members of the Mikado’s Government” the need for a friendlier policy with regard to Christianity, but would not issue formal protests of the sort desired by the French minister (and which had proved effective during the last persecution under the shogunate), feeling that “much more can be urged on these and similar points in friendly conversation than in a formal note.” If the Foreign Office records can be assumed complete, this is Parkes’s last dispatch to the Foreign Secretary on the subject of Japanese Christians until November 1872.

Regardless of arguments relating to its expediency, Parkes’s complacency on the subject of Christian persecution is astonishing. His own adjectival summary, “friendly,” is an apt one, echoed by all the British diplomats in records of their remonstrations with the Japanese. A. Bertram Mitford, in a May 28, 1868 letter to Harry Parkes from Osaka, noted approvingly in conversation with the Prince of Uwajima (Date Munenari) that the prince “appeared to attach great importance to the opinions expressed,” even though
“he could not pledge himself in any way to rescue the prisoners from their fate.” In another letter Mitford explained that the Japanese kindly “do not profess to deny the excellence of the Christian teaching,” as if this made their persecution of it less offensive. In the same letter he cited the Taiping rebellion, “founded on a few Christian tracts,” as apparent justification for the suppression of the religion. The Foreign Secretary himself, in a July 1868 dispatch to Parkes in Japan, wrote that “the evidence of these despatches of the generally friendly disposition of the Japanese Government is highly satisfactory,” even though he was replying to Parkes’s first reference to the anti-Christian edict of May 30! When he instructed Parkes to act against the “obnoxious edict respecting Christianity,” he told him only to pressure the Japanese government to revoke the edict “in a friendly way.” These are all remarkably sanguine stances for a British government to take regarding the explicit persecution of its state religion.

BRITISH VIEWS ON THE PERSECUTIONS

The demonstrated willingness of British officials, in Japan and at home, to extenuate Japanese maltreatment of the Urakami Christians requires some explanation. In the first place, it must be admitted Japan’s treaties with the West did not give Parkes legal authority to intervene in its policies toward Christians. The religious freedom clauses of the American, Dutch, Russian, British, and French treaties of amity and commerce signed with the Japanese in 1858 only read that neither party should meddle in the other’s religious affairs. Those missionaries that were present in the empire were supposed to operate only in the treaty ports for the benefit of lapsed foreign believers, rather than for Japanese converts. However, this did not prevent Léon Roches from speaking to the Shogun on behalf of Christian converts in 1867, and there was nothing illegal about applying something more than merely “friendly” pressure on the Japanese government to stop imprisoning its Christians or threatening them with execution. Had Parkes cared to speak more emphatically on the subject, there would have
been nothing to prevent him doing so.60

Furthermore, that a certain degree of apathy toward Japan's treatment of its Christians was shared by both government officials and the British press suggests that more than institutional or legal factors were at work. The opinions of some scholars on this subject—namely, that the British public was well informed of and highly angered by the Urakami persecutions, and that hostility toward Japan created by news of the persecutions was a major factor in the failure of the Iwakura mission—do not bear scrutiny.61 Discussion of Japan in Parliament or the British press was rare in the early years of British involvement there (1858–83); of Japanese persecution of Christians, rarer still. In the London Times, for example, months if not years could pass between mentions of the country.62 One of the mere three reports carried by the Times on Urakami between 1870 and 1872 refuted an earlier article, of March 6, 1872, describing torture and crucifixion of Japanese Christians, on the basis of inaccuracy.63 Another article on the persecution, in the London Pall Mall Gazette of March 16, 1872, declined to publish accounts from the Nagasaki Gazette because “it seems that the paper in question is under the influence of Roman Catholic priests at Nagasaki.”64 Most of the other published stories on Japanese attacks on Christianity fell along similar lines, although they were less overtly anti-Catholic. They were universally short, and tended to be sandwiched between longer articles on different (often mundane) subjects, or combined with other information on Japan of a less inflammatory nature.65 Often they placed rumors of persecution in Japan and China within the same article.66 In all the accounts, details were slight (scarcely better than hearsay), and because of the time involved in between Nagasaki and Britain, the news was published many months after the events described.67 While there is not space here for an exhaustive survey of articles in the British press on Japanese persecution of Christians, the trend of general disinterest is clear.68

Nor, in contrast to what might be expected, were the missionary societies in Britain a very effective pressure group in urging the Foreign Office to intervene more strongly on behalf of the Urakami
Christians. The Methodist “General Religious Intelligence” of November 1870 included a copy of a report by the Nagasaki Shipping List on the subject of persecution, but noted that such Western missionaries as were employed by the Japanese government “are left almost entirely untrammeled in regard to what they teach.” The official appeal to the Foreign Office by the United Presbyterian Church’s Board of Missions only tried to impress upon Lord Granville (who became Foreign Secretary in July 1870) the vague “importance of securing the full toleration of Christianity” in the future. The church delegation—from the Council of the Evangelical Alliance and British Missionary Societies—sent to the Foreign Secretary to remonstrate on the matter during the Iwakura Embassy’s sojourn in Britain was met by Harry Parkes himself, then on leave, convinced of the fairness of the Japan’s government’s position, and persuaded that force should not be used to stop Japanese hostility toward native Christians even if this impeded evangelization in the country. In short, the attitude of the evangelical societies in Britain was similar to (and often directly informed by) that of the Foreign Office.

In addition to the great distance involved and lack of good reports, much of the apathy amongst British Christians must be due to the very small numbers of Protestant missionaries and converts in Japan at the time. No significant British Protestant missionary activity took place in Japan before 1873. The first English missionary of any kind, one George Ensor, an Anglican minister from London, reached Nagasaki only in January 1869 and did not baptize his first convert until April 1869. He may have pressed Parkes and Flowers for a more active defense of the Urakami Christians, but he himself was concerned about the proselytizing of his French Catholic rivals. Ensor was the only British churchman in Japan until 1871. That the persecutions at Urakami touched neither Western missionaries—whose preaching the Japanese scrupulously avoided noticing, even to the extent of allowing them to escape police raids—nor Protestant converts (of whom there were still only ten in 1872, scattered between Nagasaki and Yokohama) surely explains to a great extent the lack of close attention paid to
the Urakami incidents in Britain.\textsuperscript{73} This is made even more apparent when one considers that the much closer interest in the persecutions by the United States and especially France were probably the result of the presence of a much greater number of missionaries from both countries and, in the case of the French, the involvement of co-religionists.\textsuperscript{74} The Catholicism of the priests and their converts seems to have played into rampant British suspicions of Catholic unscrupulousness well into the nineteenth century. In the writings of Parkes, Mitford, and Flowers, as well as in the British press, suggestions that French Catholic rapacity for converts irresponsibly provoked the persecutions, that the priests were deliberately flouting the laws of the Japanese government, and that the priests were, in any sense, following in the steps of their Jesuit forebears in plotting something vile against the rulers of Japan, are all consistent explicit or underlying themes.\textsuperscript{75} Mitford, in particular, declared the priests to “have preached sedition and treason.”\textsuperscript{76}

There was also, it must be said, general suspicion on the part of the skeptical British officials in Japan that the Urakami Christians were not the saintly, miraculous survivors of ancient persecution that the French priests presented.\textsuperscript{77} In addition to the fairly self-serving argument by Harry Parkes that the Christians may have attacked police officers sent to arrest them, British reports gradually suggest as the persecutions went on that the very identity of the Urakami residents as Christians was under question.\textsuperscript{78} Mitford recorded without comment the contentions of Japanese elites that “the school of Urakami is but a bastard form of Christianity,” and that the “converts have but little in common with true Christians.”\textsuperscript{79} In fact, the hidden Christians had, in their centuries of hiding, created a syncretistic religion of the sort common in Japanese history, which combined a Christian framework with elements of traditional Japanese ritual. St. John the Baptist was viewed as a water-god, St. Francis of Assisi a wind god. These unorthodoxies proved difficult for even the French priests to root out.\textsuperscript{80} It is not entirely surprising that the British refrained from raising much alarm in support of a bastardized form of Catholicism, especially when the Japanese did not harass native Protestant
converts. The latter also tended to be of a higher social class than the largely peasant Urakami Christians, with whom the British had no opportunity for regular contact.  

But all that the above proves is that there was less public pressure upon Harry Parkes to do something about the attacks on Christians than there was upon his French and American colleagues. He was still free to act if he had cared to do so. That he did not is—perhaps—partially due to his own lack of religious fervor, but more directly due to his understanding of his purpose in Japan. Parkes was not a missionary, but a resident representative of the British Empire, the perceived ambition of which was—in the words of historian Ronald Hyam—to “organis[e] the entire world for the purpose of satisfying the needs of the expanding British economy.” His position more than anything impelled him to supervise and encourage British trade with Japan. All other concerns were secondary to that end, and its attendant requirement: a stable, friendly Japanese government. Parkes was unwilling to pressure the Japanese government on the subject of Christianity if doing so would weaken its standing in the country—his dispatches on the progress of the civil war, which are longer and more frequent than those on the Urakami persecutions, indicate that he was well aware of the uncertain position of the Meiji oligarchs—or result in Japanese resentment toward Britain. He knew that France’s assertiveness on the Christian matter had, by irritating those Japanese opposed to foreign influence, returned to haunt them after the collapse of the bakufu. Parkes may even have deliberately taken a softer stance than that of Britain’s colonial rival, France, in order to gain more influence over the Meiji government: sources on the persecutions tend to present all the European powers acting in concert against Japan, or as part of a group led by Parkes, but intra-European competition persisted overseas as much as it did on the continent in the era of New Imperialism. While acting in defense of the Urakami Christians to the extent required in order to forestall potential criticism in Britain, Parkes hardly considered spreading the faith to be part of his mandate, and was more concerned with containing an incident that could negatively
impact trade than he was with keeping the Japanese from imprisoning their own citizens. As the various British Prime Ministers and Foreign Secretaries of the period were not terribly interested in the distant outposts in Japan—worth much less to Britain than the concessions in China—they gave Parkes very wide authority to make decisions on his own: Lord Granville’s instructions to Parkes on his 1873 return to Japan following home leave explained that “Her Majesty’s Government fully rely on your ability to judge what the interests of British subjects require.”

Policy thus tended to be determined in Yokohama and approved in London only later. Parkes’s disinclination—driven by trade concerns—to prod the Japanese on the issue became the chief factor in Britain’s lackluster response to the Urakami incidents.

**JAPANESE STRATEGY TOWARD THE BRITISH**

The Japanese were not simply lucky in being handed a British minister who did not care to cross them on a matter far from his heart. Particularly between 1868 and 1870, they were determined to persecute the Urakami Christians as part of the policy of Revival Shinto and skillfully handled the foreign consuls in order to be able to do so. The month and a half that the government spent deliberating before issuing the deportation decree shows that the Japanese were not blithely unaware that attacks on Catholic converts might antagonize Western governments. They were careful to employ claims and methods that would placate the foreign representatives even as support for Revival Shinto helped quiet ultranationalist critics. For example, in response to the July 1868 protests by the Yokohama consuls to the de facto Japanese minister for foreign affairs, the minister Date Munenari blamed local officials in Nagasaki for a policy that had been sanctioned by Dajokan decree and promised to personally intervene to stop their excesses. He did not, of course, do so. The August 7, 1868 Dajokan order postponing the exile of the remaining Urakami Christians, following the deportation of the first hundred-twenty, of which Harry Parkes made so much in his dispatches to the Foreign Office, was in fact sent out because the
rebellion by former bakufu admiral Enomoto Takeaki in Hokkaido had made it impossible for the authorities to transport the remaining three thousand some Christians. As soon as the rebellion had ended in June 1869, the deportations resumed. By that point, however, Parkes had already obtained approval from the Foreign Office to pursue a very mild course in the hopes of influencing the Japanese government to alleviate its treatment. It took six months before the consuls succeeded in obtaining a meeting with the chief Japanese ministers. At that meeting the ministers (including future ambassador Iwakura Tonomi) improbably managed to convince the foreigners that the persecutions were their fault, because the Catholic missionaries' ministrations to native Japanese had been in violation of the 1858 treaties. No official protests were made. Instead, on February 9, 1870, Western missionaries were instructed by the combined foreign powers to restrict their activities to foreign zones within the treaty ports. At around the same time, in March 1870, the subject of the Urakami persecutions was brought up for the only time in the British Parliament, and the public was mollified by Parkes' presentation of the Japanese position.

In their conversations with Parkes and his secretaries, the Japanese demonstrated a clear awareness of the British minister's desire to find sympathy for their position. The views Parkes and Mitford ascribed to Japanese officials were echoed again and again: “he laid great stress upon the difficult position in which the Japanese Government found themselves”; “it is remarkable how little sympathy these people [Christians] find with any class of their countrymen”; “they felt themselves deterred by a fear of consequences from advising toleration of the open profession of the Christian religion.” By expressing a (partially sincere) belief that they were persecuting Christianity due to popular demand, the Japanese knew that they could bring the British, wary of doing anything that might destabilize a government they favored, on board with their Shinto Revival policies. They successfully gambled that British concern over hostility toward their religion would be outweighed by a desire to support the Meiji government and embarrass the French.
END OF THE PERSECUTIONS

Having succeeded in playing off both the Western powers and native extremists, however, the Meiji government began to bring the campaign against the Christians of Urakami to a halt. After February 1870 there were no more deportations. The Japanese kept their promise to Parkes to send officials to the han to which the Christians had been deported in order to monitor their treatment, and permitted the British to do the same. In June 1871 this even led to a public reprimand for some officials in the Kaga han who had been overzealous in their brutalization of the Urakami exiles. At around the same time, the Shinto Revival movement that was a major impetus for the Urakami persecutions began to wind down. The government had by this time defeated most of its internal enemies and successfully imposed central rule from Edo; it no longer needed the support of the revolutionary Shinto priests, who in the event were generally less successful than their Buddhist predecessors in drumming up support for the government among the population. The gradual trend toward de-emphasis of nationalist religious rhetoric is hinted at in the evolution of the names of the religion department, from the Jingikan (“Office for Shinto”) in 1868, to the Jingisho (“Ministry of the Shinto Religion”) in 1871, to the more innocuous Kyobusho (“Ministry of Religion”) in 1872. At the last date, authority for Shinto temples was also transferred from the important Ministries of Civil Affairs and of Finance, where it had formerly resided as evidence of state support for Revival Shinto. The decision to end the persecution of Buddhism was made in 1873, the same year as the Urakami Christians were allowed to return to their homes. Parkes was lionized back home and in many subsequent publications for having ensured their release; yet the mortality rate among the returning Christians was about 17 percent.

Frequently pointed to as a cause for the end of the harassment of Japanese Christians is the experience of the Japanese ambassadors of the Iwakura mission as they traveled the world in 1871 and 1872. It does seem that the U.S. Secretary of State, Hamilton Fish,
used the Urakami persecutions as one of his many excuses for not then signing on to the plan for treaty revision with the Iwakura ambassadors.\textsuperscript{100} It is also true that the matter was twice brought up by Foreign Secretary Lord Granville in his three meetings with Iwakura, and that the Embassy included several men, including Iwakura himself, who, once fervent opponents of the Christians, adopted more tolerant views after their travels in the West.\textsuperscript{101} Most dramatically, Ito Hirobumi, having returned to Japan in June 1872 from the United States to obtain higher diplomatic credentials, addressed a cabinet meeting in the Emperor’s presence to advocate benign treatment of Christians in order to obtain revised treaties with the West.\textsuperscript{102} But the claim that the end of Japanese persecution of Christianity came as a direct or sole result of the treatment of the Iwakura mission does not hold water. Lord Granville did twice ask Iwakura about the Japanese government’s treatment of its Christian subjects, but in the context of much longer discussions on other issues—the third meeting between the two dealt almost entirely with the Shimonoseki indemnity—and, as shown, he was very willing to use Parkes’s testimony to mollify any direct pressure on himself or Japan from British Christian groups.\textsuperscript{103} Freedom of religion was not included among the twelve points outlined by Parkes for Lord Granville in November 1872 as prerequisites for any revision of the 1858 treaty with the Japanese. He did refer to it in an addendum, but only to say that the Japanese government had not at the time shown any inclination to cease persecuting its Christian subjects.\textsuperscript{104} The large protests reported by some sources for better treatment of Christians following the arrival of the Embassy in London are not substantiated by any contemporary British news reports, nor by Kume Kunitake’s (admittedly sanitized) account of the Embassy’s travels in Britain.\textsuperscript{105} On the contrary, it would appear that the Embassy was well received in Britain, and the press reports that do exist tend to extol the achievements of the Meiji Restoration and the heroism of the ambassadors.\textsuperscript{106} While Kume’s description of the Embassy’s travels and the improved opinion of Embassy members regarding Christianity do suggest that the Embassy’s travels had some effect on its members’ person-
al opinions on the faith, these were in line with the general trend toward ending Christian persecution evident in Japan, and by the time the mission returned home in late 1873, the important decisions had already been made.  

EPILOGUE AND CONCLUSION

The return home of the Urakami Christians in June 1873 and the removal of the triple-edict boards in February 1873 did not officially legalize Christianity in Japan. Indeed, the Japanese claimed that they had removed the boards only because the edicts were by that time so well known to the people as to make their publication unnecessary. Sporadic persecutions continued, with less frequency and intensity, until the promulgation of the Meiji Constitution in 1889, and even that granted freedom of religious belief only “within limits not prejudicial to peace and order.” Complete religious freedom in Japan did not come until after the Second World War. Moreover, the end of official persecution of Christianity did not result in a sudden wave of Christian converts. By 1885, there were only eleven thousand Protestant Christians in Japan, perhaps twice that number of Catholic converts, and an unknown but not substantial number of Hidden Christians, in a total population of about thirty four million. To the irritation of the missionaries, many young Japanese feigned an interest in Christianity in order to learn English, or for the entertainment value of Christian sermons as was recorded by Meiji convert to Christianity Uchimura Kanzo.

In his memoirs, Uchimura explains that he was transiently interested in Christianity because of “its music, its stories, [and] the kindness shown me by its followers,” but hesitated to convert because of its “stringent laws” and status as the once-proscribed “evil sect.” While in his case these objections were eventually overcome, many another young Japanese was unwilling to become “a traitor to [his] country, and an apostate from [his] national faith by accepting a faith which is exotic in origin.”

The Meiji government ceased persecuting Christians in the
1870s as part of a broader movement of “civilization and enlightenment” (bunmei kaika), in which Japan tried to reconstruct itself on the model of the advanced Western countries. Enthusiasm for this policy among the oligarchs began to slacken in the 1880s and 1890s due to the emergence of the People’s Rights movement and other democratic forces, often abetted by Christian converts. Concerned at losing control over the population, toward the end of the century the government began again to promote the old Confucian and Shinto elements of Japanese tradition, which stressed respect for the Emperor and the rulers of the country.115 Buddhist leaders, meanwhile, continued their vehement intellectual attacks on Christians in an effort to restore themselves to the authorities’ good graces. Uchimura Kanzo was himself famously condemned in 1891 and forced to resign as an educator for paying insufficient homage to the Imperial Rescript on Education, a case that was taken as a sign of increased disfavor toward Christianity.116 By the outbreak of the Russo-Japanese War, the prominent Japanese Christians were generally those who supported the government and conservative strains within Japanese society. Buddhist priests Kuroda Shindo and Maeda Eun joined with Honda Yoichi and Kozaki Hiromichi, both Christians, and Shinto scholar Shibata Reiichi in a May 1904 Religionists’ Meeting in Tokyo that tried to justify Japan’s war aims against Russia.117 More revolutionary Christians, such as Ueki Emori, had by then, disillusioned, generally reconciled to Buddhism.118 Thus, the “large hopes” written of by the Rev. W. Fleming Stevenson and other British Christian leaders regarding a “Christian conquest” of Japan were to be disappointed. To this day, Christians comprise a tiny proportion of the Japanese population: at the last census, around three million out of a total population of 127 million, or about 2 percent.119

It would thus appear that the traditional narrative of the 1867–1873 Urakami incidents is inadequate in several respects. The old story does not adequately account for the internal tensions that prompted the first Christian persecutions. Nor does it explain the very surprising degree of tolerance and understanding exhibited by the British when faced with the persecution of members of their
own religion, especially when compared with the wrath and horror that followed the Japanese extermination of Christianity in the seventeenth century.\textsuperscript{120} Though part of the more tepid response must of course be accounted for in the much smaller number of persecuted, the difference in British attitude cannot solely be ascribed to a difference of scale. Trade concerns and the overarching policy goal of a stable, pro-British Japanese government caused Parkes to combat the persecutions with as little vigor as possible, encouraged by the absence of significant interest and latent anti-Catholicism back home. Moreover, while the traditional narrative presents the case of Urakami as a British victory over “Japanese jealousy and bigotry,” closer examination reveals that the Japanese did not end the persecutions until they had satisfied their domestic aims, and deftly played off the (relatively unenthusiastic) Western objections before that time.\textsuperscript{121} Far from another instance of Oriental defeat in the power struggles of the nineteenth century, the Urakami incidents were actually an occasion on which the Japanese outmaneuvered the Europeans and Americans. They negotiated Western demands for religious toleration in such a fashion as to be able to satisfy domestic opponents and eventually avoid any sweeping occurrence of proselytization. The Urakami persecutions are, like Commodore Perry’s 1854 arrival in Edo Bay, an occasion on which an Orientalizing narrative of Western victory over weak or duplicitous Easterners proves insufficient.\textsuperscript{122}

Notes


3 In 1885, for example, its exports to Japan were four times those of the United States. Ellen P. Conant, ‘Japan “Abroad” at the Chicago Exposition, 1893,’ in Challenging Past and Present: The Metamorphosis of Nineteenth-Century Japanese Art, edited by Ellen P. Conant (Honolulu: University of Hawai’i Press, 2006), 258.

4 For my account, I follow J. J. Rein’s Japan: Travels and Researches, fact-checked by modern sources. Rein’s history (included as part of a survey undertaken on behalf of the Prussian government) makes use of Jesuit documents and was reviewed by Ernest Satow; I
take it to be fairly representative of the attitude of contemporary British elites.

5 Japanese feudal lord.
6 J. J. Rein, *Japan: Travels and Researches* (London: Hodder and Stroughton, 1884), 274, 304. Yosaburo Takekoshi in *The Economic Aspects of the History of the Civilization of Japan* gives the figure of 2,000,000, including children. The word *han* refers to administrative divisions of Japan during the early modern period. They were equivalent to feudal fiefs.

8 Ibid. 108; Rein 1884, 305 – 6.
9 Ibid. 308 – 9.

11 The shogun was the military ruler of Japan between 1192 and 1868. The position was controlled by the Tokugawa family from 1603 until its abolition as part of the Meiji Restoration.

13 Rein 1884, 310.
15 Ibid., 101.
17 Abe 1978, 112.
22 Satow 1921, 276.
24 Ibid., 161.
25 *Birmingham Daily Post* (Birmingham, England), Saturday, October 5, 1867; Issue 2872.
27 Satow 1921, 276.
28 Burkman 1974, 165.
29 Ibid., 167 – 9.
33 These boards listed three permanent edicts: the first prohibited murder, arson, and robbery; the second prohibited the ‘formation of coalitions’; and the third prohibited the ‘evil sect of Christianity’. Burkman 1974, 209.
34 Abe 1978, 120 – 1.
35 Parkes actually spoke to a figure referred to repeatedly in the British sources as ‘the Prince of Uwajima’. I was not able to establish with certainty that this refers to Date Munenari,
who had in fact been forced to retire as head of Uwajima domain by the bakufu in 1858, but because Date was an authority on foreign relations during the early Meiji period and his successor, the actual daimyo of Uwajima during the Urakami incidents, was not a significant figure, I feel justified in assuming that Parkes’ ‘Prince of Uwajima’ is indeed Date Munenari and not his successor Date Muneco. Also, while an official Minister of Foreign Affairs was not appointed until 1885, Date was the acknowledged spokesperson for foreign policy in the early years of the restoration.

37 Ibid., 202.
39 Parkes, F. O. 1727/110, 201.
40 Abe 1978, 121 – 2.
41 Parkes, F. O. 1727/110, 201.
42 Abe 1978, 122 – 3.
43 Ibid., 123. Parkes’ copy of the decree to Lord Stanley was not sent until 21 August 1868, but as the degree was referred to in a July letter from Marcus Flowers in Nagasaki, we may take that to be an oversight on his part.
44 Burkman 1974, 165.
45 Parkes, F. O. 1727/110, 201.
48 Ibid.
50 Ibid.
51 Parkes, Despatch, F. O. 1727/162, 238.
52 Ibid.
53 Ibid., 239.
54 Ibid.
55 See footnote 32.
59 Abe 1978, 133 – 4. The 1866 treaties signed with Prussia and Italy state the same. Although to threaten the Japanese with armed attack, as Roches is attributed to have done in 1868, would probably have been to go too far. Burkman 1974, 187.
60 See, for example, Olive Checkland, Britain’s Encounter with Meiji Japan, 1868 – 1912 (Houndmills, England: The Macmillan Press Ltd, 1989), 116 and Fox 1969, 498; also to a certain extent Abe 1974.
61 Ibid., 535 and fnnte.
63 The Pall Mall Gazette (London, England), Saturday, March 16, 1872; Issue 2212.
64 For an example of the first, see the 24 February 1869 Glasgow Herald, which placed
a brief report on 'Religious Persecution in Japan' after a four or five times long analysis of 'The Convent Scandal. Case.' Glasgow Herald (Glasgow, Scotland), Wednesday, February 24, 1869; Issue 9094. For one of the second, see the Birmingham Daily Post (Birmingham, England), Thursday, Oct 15, 1868; Issue 3194.

66 Ibid.

67 For example, Parkes’ despatch of 30 May 1868 was not received by the Foreign Office until 27 July. Parkes, F. O. 1727/110, 200.

68 While I could regrettably not locate any articles from the famous Japan Weekly Mail relating to persecution of Christians, and therefore cannot tell how news of the persecutions were received by British citizens within the country, the tone of reports from a publication based in Yokohama would have little bearing on the attitudes of the establishment press back home.


70 MacGill, F. O. 3744/41, 328.

71 Fox 1969, 497. There was also a report of a deputation ‘headed by Lord Ebury’ visiting Lord Granville to discuss the matter, but being met by Parkes with a similar response. See The Leeds Mercury (Leeds, England), Monday, February 12, 1872.


73 Ibid. 505 – 6. I attribute the improbable escape of the French priest at Urakami, Father Laucaigne, during the first arrests in July 1867 at least in part to the connivance of the Japanese authorities. See Burkman 1974, 157.

74 There were at least 17 French priests in Nagasaki by 1867, and six American Protestant missionaries as early as 1859. See Ibid., 156 and Fox 1969, 502 – 3.

75 For just a few examples, The Pall Mall Gazette, March 16, 1872; Mitford, F. O. 1727/154(i), 234; Parkes, F. O. 1727/154, 233.

76 Mitford, F. O. 1727/154(i), 234.

77 It is important here to remember that the British consuls in Japan were generally better informed of developments in the country than their continental and American counterparts, as Mitford and Satow both spoke Japanese and had extensive local contacts.

78 Parkes, F. O. 1727/162, 239.

79 Mitford, F. O. 1727/154(i), 234. This was the same letter in which he made his derogatory remark about the Taiping Rebellion.

80 Yosaburo 2004, 101 – 2, against Burkman 1974, 155, which claims, apparently based on Catholic sources, ‘surprisingly little deviation’ from mainstream Catholicism.


84 F. V. Dickins claimed that it was such ‘by the terms of [his] commission and in fact’. Dickins 1894, 170.


86 Burkman 1974, 166.

87 It is impossible, for instance, to imagine that Prussia’s conflict with France in 1870 – 1 did not influence its minister in Japan to go along with Parkes in opposing French demands for group protest.
89 Abe 1978, 124.
90 Ibid., 124 – 5.
91 Ibid., 126.
93 Mitford, F. O. 1727/119(i), 208; Mitford, F. O. 1727/154(i), 234; and Parkes, F. O. 1727/110, 201, respectively.
94 Abe 1974, 127.
95 Fox 1969, 495.
97 Ibid., 210.
98 Fox 1969, 500.
99 Ibid. Most of the contemporary newspaper accounts and F. V. Dickins’ biography of Parkes were also quite laudatory.
102 Ibid., 130.
105 See Kume Kunitake, The Iwakura Embassy, 1871 – 73: A True Account of the Ambassador Extraordinary & Plenipotentiary’s Journey of Observation Through the United States of America and Europe, Vol. II: Britain, trans. Graham Healey (Chiba, Japan: The Japan Documents, 2002). Abe 1978, 131, cites some Japanese Foreign Office documents for his claim, so there may have been some demonstrations, but they were most likely small and did not represent the totality of public opinion.
110 Ibid., 147.
111 Fox 1969, 520; Stevenson 1879, 325 fnote.
112 Fox 1969, 515.
113 ‘One Sunday morning a school-mate of mine asked me whether I would not go with him to a certain place in foreigners’ quarter, where we can hear pretty women sing, and a tall big man with long beard shout and howl upon an elevated place, flinging his arms and twisting his body in all fantastic manners, to all which admittance is entirely free.’ Such was his description of a Christian house of worship conducted in the language which was new to me then.’ Uchimura Kanzo, How I Became a Christian (Tokyo, Japan: Keiseisha, 1895), 10.
114 Ibid., 10 – 11.
115 Ienaga 1965, 12.
116 Ibid., 13 – 14.
117 Ibid., 15. Interestingly, Western Christians also generally supported Japan over

120 "...like a chapter out of Dante's Inferno," quotes Rein, with approval. Rein 1884, 308.
121 Dickins 1894, 156.

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ITALY ACCEPTS THE SUPREMACY OF EUROPEAN COMMUNITY LAW

Ramy Srour

On July 15, 1964, the European Court of Justice (ECJ) established the supremacy of European Community (EC) law.¹ This new norm had not been, nor was it meant to be, part of the Treaty of Rome. It was a judicial construct that would shape the relationship between member states and the EC for years to come. The norm of supremacy established that “European law was supreme to national law; thus if [a national act] violated European law, it would be illegal.”² Italy, through its Constitutional Court, promptly opposed the norm. When the same case was argued before the Italian judges, the norm was explicitly rejected, a position further strengthened by subsequent cases.³

However, Italy’s stance did not remain unaltered. On June 8, 1984, the Constitutional Court modified its jurisprudence, and in Granital v. Amministrazione delle Finanze dello Stato it accepted the supremacy of EC law.⁴ Though this marked an important step, the process was not complete. The Court refused to rule that a national law conflicting with European law would be invalidated; rather, the law would simply be “disapplied.”⁵ The shortcoming in the Court’s opinion was accounted for five years later when the Parliament passed the “communitarian” law (informally termed La Pergola).⁶ The act established that at the end of each calendar year, Parliament would automatically transpose EC directives and regulations into the domestic system. The act represented the end of a process that turned the norm of supremacy from a judicial construction into a formal legislative mechanism that would directly transpose community legislation into the domestic system. This study seeks to understand the factors that led Italy to accept the supremacy of European law.

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Given the sui generis nature of the EC and its institutions, there is little doubt that Italy would have accepted the supremacy norm sooner or later. Nevertheless, while the outcome may be seen as pre-established, the specific reasons behind it, and more importantly, the timing of the internalization, are less clear. Why Italy accepted the norm when it did is an empirical puzzle worthy of attention. Additionally, Italy’s case is particularly interesting in light of its Constitutional Court’s explicit rejection of the norm two decades earlier. The reasons behind this diametric shift are thus of importance.

Italy’s acceptance of EC law supremacy prompts the student of international relations to assess the theoretical significance of this event within the larger class of behavior to which it belongs, namely, cooperation among states. Accepting the supremacy of a body of law that is outside of the state constitutes a substantial relinquishment of national sovereignty. Understanding why and when states agree to limit their sovereignty in an international setting is an important task, especially in light of the growing relevance of international organizations and agreements as the preferred means of interaction by states in the international system. Shedding light on this particular case may help explain other similar instances in the international context. Indeed, understanding why and when states agree to limit their sovereignty is a key component of our knowledge of what cooperation is, and under what conditions it takes place.

This study contends that Italy’s acceptance of the supremacy of EC law was the end result of a process that began at the end of the 1970s. Three causal factors underpin the argument here advanced. First, the economic downturns produced by the 1979 oil crisis, and in particular high unemployment and high inflation, became the primary issues to be confronted by Italian governmental elites. Second, due to this crisis, the Italian government was faced with general dissatisfaction with the national economy, and overwhelming public support for further European integration. Third, the ongoing integration process at the European level emphasized the economic benefits to be gained from a more cohesive and
aligned union, and that the harmonization and alignment of national laws was the sine qua non of an adequate integration process. The convergence of these three dynamics led the Italian government to accept the supremacy of EC law in an effort to eliminate the last major obstacle to the economic benefits that would alleviate the concerns of its population.

This argument draws some of its insights from the neofunctionalist approach to the study of European integration. Neofunctionalist accounts suggest, “the desire to obtain the full benefits of integration in the first area would lead to pressures for integration in a second linked area.” From that perspective, the Italian government’s decision can be seen as an effort to obtain the benefits of the single market by integrating in another area: the European judicial realm to which the norm of supremacy belonged. This is the only extent to which the argument advanced in this project resembles a neofunctionalist theory of European integration.

The argument also draws several insights from Geoffrey Garrett’s functional theory of cooperation and institutional choice. His emphasis on European states’ desire to solve their economic problems through enhanced integration is here replicated. In addition, his argument suggests that a dissatisfied electorate tends to influence political and economic decisions made by national governments. However, as later sections will reveal, this theory also suffers from certain limitations that must be accounted for.

This study has many implications. By framing the adoption of supremacy as an internalization process, we can simplify the European integration process with respect to one state—in this case Italy. When a norm becomes present, we are better able to evaluate and assess the nature of the causal processes that may have taken place. Second, by framing cooperation as a process of norm adoption, this study sheds light on the dynamics that drive other kinds of cooperative arrangements among states. More precisely, cooperation between states may be a result of concerns about survival or about increasing capabilities. But it can also be an effort by countries that share the same norms and simply seek to advance them, whether they are political, economic, environmental, or legal
Finally, in developing a “two-level” explanation of norm internalization, which is what this author seeks to achieve, we are able to combine both aspects of the study of international politics, thus offering a more complete explanation. As Robert D. Putnam observes, “we need to move beyond the mere observation that domestic factors influence international affairs and vice versa . . . to seek theories that integrate both spheres, accounting for the areas of entanglement between them.”

The paper is structured in three parts: Part I evaluates the existing literature on cooperation, with a focus on the socialization and norm literatures, in an effort to develop a testable argument. Part II provides empirical support for the argument advanced in Part I. Part III evaluates the empirical findings and concludes.

THEORETICAL FRAMEWORKS: CONSTRUCTING A THEORY OF NORM INTERNALIZATION

The Dependent Variable

The dependent variable of this study is norm internalization. Thus, its purpose is to determine the process by which an international norm is adopted by a state, internalized, and then fully institutionalized. While it is possible to capture the same dynamic by framing the dependent variable as institutional adaptation, scholars have suggested that the difference between “norms” and “institutions” may not be superficial. Indeed, “norm language can help to steer scholars toward looking inside social institutions and considering the components of social institutions.”

The supremacy norm is characterized as international for two main reasons. First, it is international by nature. Supremacy was instituted by the European Court of Justice—a body that lies outside of the state system. Second, it is international in scope, for the norm seeks to regulate behavior among EC member states as well as between member states and EC institutions.

Norm internalization varies on a continuum. Although at first this may seem counterintuitive—for a norm either does or
does not enter the domestic realm—the case of Italy suggests otherwise. The Italian Constitutional Court’s 1984 decision points to the fact that although norms may be internalized, sometimes this process is not completed. When the norm enters the domestic context, but is not defined in the same way as it was when outside the state system, we can deem the norm only as partially internalized. Consequently, when domestic institutional actors act to ensure that the internalized norm reflects, both in form and in scope, the international norm, the process may be considered complete. This operationalization is characterized by the fact that “international norms must always work their influence through the filter of domestic structures and domestic norms, which can produce important variations in compliance and interpretation of these norms.”

In the case of Italy, prior to 1984 the domestic context had been characterized by a complete absence of the supremacy norm. The court acted in 1984, but its reservations rendered the norm an inexact reflection of that which had been created by the European Court of Justice. In 1989, the parliamentarian act ensured that the ECJ’s doctrine was fully reflected in the Italian institutional system.

Theoretical Frameworks

The study of cooperation has elicited contributions from several schools of thought within the international relations and comparative politics literature. However, not all approaches have given it the attention it is due. Realists, for instance, have generally contended that international institutions have little impact on the international system, and that “they have no independent effect on state behavior.” John J. Mearsheimer defines institutions as “a set of rules that stipulate the ways in which states should cooperate and compete with each other.” His definition appropriately captures the scope of this paper, for these rules are “negotiated by states, and . . . they entail the mutual acceptance of higher norms, which are standards of behavior defined in terms of rights and obligations.” Norms underpin the structure of institutions, and thus define the nature of the cooperation that is thereby derived.
However, Mearsheimer would contend that the cooperation that ensues is the product of a state’s self-interest, and that states abide by rule-shaping norms simply out of their own choice and not because they are obliged to do so. This contention is hard to dispute, given the anarchic nature of the international system. However, the discussion does not end simply because there is agreement that the international system lacks a centralized enforcement mechanism, and that states pursue their interests. Indeed, the choice driving states to embrace these rules may not be as free as Mearsheimer would have us believe. While he does refer to the absence of obligations on states deriving from without, his contention is incomplete, in that it ignores the presence of constraints deriving from within. The argument advanced here suggests that Italy’s choice, while undeniably its own, was the result of political and economic pressures from within which, perhaps, made its choice less “free” than realist arguments might suggest. Thus, while realist approaches may help us understand certain aspects of the system, they do not fully explain how those aspects affect state choices.

Within the field of European studies, neofunctionalism is the approach that tends to be directly associated with European integration. The theory is rather complex and comprises several components. However, it is centered around the following tenets. First, interests drive national policy choices, and once the process of integration has begun, these interests remain constant. Second, decisions about integration are taken without much knowledge and when deadlines are approaching. Third, because of the close interdependence of the different issues dealt with by integration, a step in one area will produce further steps in other areas too. Fourth, states are no longer the sole actors, but work side by side with bureaucratic elites at the supranational level. Finally, the outcomes of integration are not fixed in advance, but rather, they are the “transient results of an on-going process.”

This paper borrows some insights from the neofunctionalist approach. In particular, I contend that the Italian government’s desire to curb unemployment and inflation was a relatively constant interest throughout the decade from 1979–1989. This does
not necessarily suggest, however, that these two issues would be the sole interests motivating Italy’s efforts toward future integration. Thus, it is possible that once unemployment and inflation are accounted for, new issues may become part of the Italian agenda for integration. The theory is also useful because it is possible to conceive of the decision to accept the supremacy of EC law as one “spillover” effect created by the movement toward the Single European Act (SEA) and the Economic Monetary Union (EMU).

In spite of these similarities, neofunctionalism’s contention that decisions are taken without much knowledge of future consequences is refuted by the empirical data. The decision to accept the supremacy norm was a well-reasoned effort aimed at solving specific problems, and although it was made with an approaching deadline in sight, the consequences were predicted with a certain degree of confidence. Finally, while the integration process did show a notable increase in activity at the supranational bureaucratic level, Italy’s case demonstrates that the main causal factors driving the process were cast at the domestic level. The population’s concerns with economic issues and how the government would respond to them were not particularly bureaucratic dynamics.

In a study seeking to understand the process by which international norms are driven into the domestic context, theories of norm transition may be particularly insightful. Andrew P. Cortell and James W. Davis, Jr. argue that international norms are internalized because of pressures exerted by domestic societal and political actors. They posit a causal link that emphasizes the process by which, “government officials and societal interest groups can appeal to international rules and norms to further their own interests in the domestic political arena.” The process is thus internal to the state, and understanding its causes requires the analysis of domestic factors.

Cortell and Davis propose two such factors that enable us to understand whether, “an international norm will influence state behavior: the domestic salience of the norm; and the domestic structural context within which the policy debate transpires.” The domestic structural context factor is logically antecedent to the
salience of the norm. If the domestic structure is characterized by a centralized “decision-making authority,” then the internalization process is likely to be successful, regardless of the salience of the norm. However, in the more likely event that the domestic context is more pluralist in nature, the “impact of government officials’ appeals on the state’s policy will depend on . . . the domestic salience of the international rule.” Domestic salience can then be detected by analyzing the “changes in the national discourse, the state’s institutions, and state policies.”

This argument is useful because, unlike realist accounts, it leads us to seek the domestic causes that drive a state’s choice to embrace certain rules of conduct. The concept of salience is also considerably helpful. By narrowing down the universe of norms to only the salient ones, the argument adequately accounts for the fact that states pursue behavior that in some way advances their interests. However, this theory also requires that prior to being internalized, the norm must be already perceived as salient; that is, only norms that have been salient for a certain amount of time will be invoked in the domestic context. This is not unlikely, but did not occur in Italy’s case. The norm of supremacy had not been part of the domestic discourse, and no societal or political actor had invoked it rhetorically. Indeed, when the Constitutional Court decided to establish the norm in the Italian legal system, its decision was perceived as a major turning point in its institutional approach. Had the norm been salient, it is likely that the decision would have been less eventful. In addition, as will be shown later, the external integration process at the European level constituted an important factor in leading the Italian government to accept European law supremacy; the salience theory, although it highlights the importance of international norms, does not account for external processes that evolve over time.

Norm embrace is not always merely the result of a state’s desire to achieve a certain objective: sometimes, it is the result of external pressure exerted by powerful hegemons. G. John Ikenberry and Charles A. Kupchan approach the study of norms by framing it in terms of socialization. The standard definition of so-
cialization points to the “process of inducting actors into the norms and rules of a given community,” and Ikenberry and Kupchan particularly emphasize the induction aspect. Their argument views socialization as, “an important element of power . . . exercised through a process . . . in which the norms and value orientations of leaders in secondary states change and more closely reflect those of the dominant state.” The process is initiated when, “foreign elites buy into the hegemon’s vision of international order and accept it as their own—that is, when they internalize the norms and value orientations espoused by the hegemon and accept its normative claims about the nature of the international system.” This characterization may be particularly useful if one were to view the EC’s context as one in which European institutions act as hegemons and member states as secondary actors. This distinction is even more relevant given that Italy, although a founding member of the EC, is generally ranked as a second-tier state.

Ikenberry and Kupchan hypothesize that hegemonic socialization occurs under three circumstances. It is likely to follow periods of “wars and political crises, periods marked by international turmoil and restructuring[,] as well as the fragmentation of ruling coalitions and legitimacy crises at the domestic level.” Second, norms must gain support at the elite level within the state. Finally, socialization is likely to come about “in the wake of the coercive exercise of power” by the hegemon, through the manipulation of material incentives.

When applied to the Italian case, the theory of hegemonic socialization is insightful in several respects. Beginning in 1981, and up until the fall of the First Republic in 1992, Italy was governed by a five-party coalition, the pentapartito. Thus, coalitional fragmentation seems to have been a factor in the decade under examination. In addition, both the court’s 1984 decision and the passage of the law in 1989 can be seen as indicators of elites being receptive to the integration process and to the idea of supreme European law underpinning it. Finally, the integration process, with its emphasis on economic gains, and thus material incentives, may be seen as Europe’s hegemonic pressure being exerted on Italian elites.
However, while this may be the case, the EC did not use particularly coercive tactics, which is what hegemonic socialization requires. The argument also highlights the manipulation of material incentives as an important factor “inasmuch as it occurs primarily after war.”\(^\text{38}\) Obviously, this condition did not apply in the Italian case. Moreover, the examples Ikenberry and Kupchan cite as supporting their argument all refer to one state’s efforts to socialize another state. However, Europe’s path toward integration involved the entire community, so while Italy may have been the most receptive, it would be difficult to ascertain that it had been consciously singled out as the sole target. In sum, while a particularly insightful approach, hegemonic socialization lacks a certain degree of generalizability that would make it applicable to instances of European integration.

If hegemonic socialization is not entirely satisfactory, perhaps the larger concept may better capture the phenomenon. Jeffrey T. Checkel’s theory of European socialization includes most of the factors highlighted in hegemonic socialization.\(^\text{39}\) However, the account differs insofar as it differentiates between two specific kinds of socialization—a dichotomy that may prove useful in understanding the decision calculations of the Italian government. On one hand there is the kind of socialization where, “agents may behave appropriately by learning a role—acquiring the knowledge that enables them to act in accordance with expectations—irrespective of whether they like the role or agree with it.”\(^\text{40}\) In contrast, the second kind takes place when agents “go beyond role playing and . . . accept community or organizational norms as the right thing to do.”\(^\text{41}\)

Although both seem plausible answers to the Italian question, there are some limitations to their applicability. First, the argument suggests that it is not sufficient to show that agents “carefully calculate and seek to maximize given interests [by] adapting their behavior to the norms and rules favored by the international community.”\(^\text{42}\) Rather, the argument goes, we need to demonstrate that they “actively and reflectively internalize new understandings of appropriateness.”\(^\text{43}\) In doing so, the framework creates meth-
odological barriers that are not easily overcome. The analyst’s task becomes that of demonstrating, in an objective fashion, what the actors involved thought and believed at the moment they were acting. This is the ultimate goal of every social scientist; however, reality shows that it is hardly ever attainable.

Thus, socialization dynamics, both hegemonic and appropriateness-driven, are either incomplete or methodologically lacking. The causal link they highlight may prove useful in understanding the mechanisms driving norm acceptance, but other causal factors require further theorizing. As mentioned earlier, Garrett’s functional theory of cooperation provides many of the missing pieces. In studying member states’ motivations for signing the SEA, Garrett argues that the “ever-growing trade dependence of the European economies, combined with more than a decade of poor and declining performance (Eurosclerosis), greatly increased the benefits of completing the common market relative to the costs of cooperation.” The data illustrate that this is what happened in Italy. Poor economic performance, coupled with an integration agenda that enlarged at an increasing pace throughout the 1980s, were two of the major factors that led to the internalization of the norm. In addition, Garrett notes that, “government instability increased dramatically in Europe during the late 1970s and early 1980s as voters punished their leaders for not arresting economic decline.” It is plausible to suggest, then, that political considerations were also an important part of the Italian government’s decision to play an active role in the integration process.

Although the argument advanced in this paper borrows many of its insights from Garrett’s conceptualization of European integration, there are a few shortcomings that it also seeks to remedy. First, Garrett’s argument does not adequately operationalize the factor of economic decline. Second, Garrett suggests that the electorate’s dissatisfaction with the economy is an important factor driving a government’s policy choices. However, it is possible that other issues may be deemed salient by the population—issues which the government may seek to accommodate. Finally, Garrett’s explanation is not particularly clear with regard to the role that
economic issues actually played; were they an end in themselves, or were they means to other objectives? In the following section, I illustrate how these shortcomings can be remedied by developing a testable argument as to why Italy decided to accept the supremacy of European law.

Italy Accepts the Supremacy of EC Law

As the previous section illustrates, the existing literature on cooperation and socialization provides some of the answers needed in order to craft an argument about Italy’s acceptance of supremacy, but none of the approaches are exhaustive. By adopting some of the insights offered by both the neofunctionalist and institutional choice frameworks, I develop a three-part explanation. I argue that the economic downturns produced by the oil crisis of 1979, an overwhelming public support for European integration, and the ongoing integration process, converged in leading the Italian government to accept the supremacy of European law.

The economic turmoil of the 1970s, in particular the 1979 oil crisis, raised Italian inflation rates to above 20 percent within two years (see Appendix A). At the same time, unemployment levels remained high, continuing to increase throughout the 1980s. These economic issues were two of the Italian population’s major concerns during this decade. In addition, the vast majority of Italians looked to Europe as the most viable solution to their financial problems, so their support for further integration was particularly high, especially when compared with that of other EC states. At the European level, integration was witnessing one of its most active moments. After the slumber of the 1970s, the European agenda suddenly enlarged; beginning with the 1979 European Monetary System, the process saw a steady rise with the signing of the SEA in 1986, and the approach of the 1992 deadline for the creation of the Single Market. The Italian government was thus confronted with three factors: economic downturns, public discontent and support for Europe, and a revived European agenda. It consequently understood that the best way to bolster the national economy, and
thus appease its electorate was to eliminate the most cumbersome barrier to the economic benefits integration would bring. It is for this reason that in 1984 the government sought to have supremacy recognized by filing the suit that led to the Granital case. However, because the resulting opinion did not perfectly align with the standards mandated by the ECJ, the government finally enacted the La Pergola law in 1989, which officially put an end to Italy’s rejection of the norm.

I offer two indicators for the measurement of economic downturns: rising unemployment and high inflation. In addition to being the two most salient economic issues in the time period under consideration, they also capture the demand side of the equation: the population. Indeed, in order for this variable to have an effect on the decision calculations of the government, it must be one that directly relates to the economic perceptions of the public. Lack of employment can be considered as constituting a direct impact, and the price level of commodities will impact an individual’s perception of her economic welfare. Unemployment rates are measured yearly, and an increase is detected when the rate in year X is greater than the rate in year X-1, or: U(\(x\)) > U(\(x-1\)).

Inflation is measured both in absolute terms and in relation to other EC member states. The key aspect of these indicators is that they matter insofar as they are perceived to matter. Thus, while I offer objective measures of their actual levels, it is important to understand how serious the Italian public and the Italian government perceived them to be. Indeed, it is possible that even a minimum level of dissatisfaction may be the reflection of some level of real decline.

Public opinion captures the population’s perceptions of the national economy and of the progress of European integration. It is characterized as either high or low. This is determined by showing that the support percentages are high both in absolute terms and in relation to other EC members. The questions examined are specific in that they explicitly refer to an individual’s feelings about the economy, the problem of unemployment, and the process of European unification. This dramatically decreases the amount of
bias the analyst may encounter when interpreting levels of public opinion.

The European agenda with regard to integration is a relatively larger concept to be captured. It is not possible to include all the steps that contributed to integration in the 1980s. For instance, issues regarding political, security, and foreign policy integration, although important, are not the focus of this analysis. Rather, the focus is centered on the major turning points: the EMS, the SEA, and the EMU. Indicators of an ongoing integration process aimed at further cohesion are: whether the rhetoric employed refers to the economic gains to be obtained from integration, whether improvement in unemployment and inflation levels are mentioned as important goals, and whether the acceptance of a European body of law is mentioned as necessary for the attainment of the Single Market.

It is clear that the three causal factors illustrated above are cast at both the domestic and systemic levels of analysis. Public opinion is a dynamic that develops internally, and thus captures the domestic level. Conversely, the European agenda’s evolution takes place outside of Italy, and although the individuals affecting it are to some extent acting as representatives of their countries of origin, the process itself is regional, both in its nature and in its objective. Finally, economic downturns are a variable that captures both levels of analysis, for no economic dynamic is solely the product of a given state’s internal policies. Thus, while the problems were particularly severe in the Italian case—probably because of the profligacy of its economic actors—some weight must also be attributed to the external factors affecting its economy.

The unit of analysis driving this argument is cast at the group level. The preferences of the Italian public are examined on an aggregate level, because of the nature of the empirical data. This determination also suggests that the economic factors ought to be viewed in light of their aggregate impact on the Italian population as a whole. Lastly, the European agenda is not analyzed as the product of any particular European actor’s endeavors. Rather, these actors at the European level will be viewed as the representation of a
group of Europeans who, because of their beliefs and in light of certain goals, drafted an agenda with a specific structure and content.

In order to understand how these factors impacted the outcome in question, an illustration of the causal mechanism is imperative. The casual link in the argument is represented by the Italian government. The main contention is that the Italian executive was particularly receptive to these internal and external dynamics, and that the government's decisions to initiate the 1984 case and the 1989 enactment were a conscious effort to account for all three factors.

Thus, in light of the preceding discussion, it is possible to hypothesize that:

Economic downturns, overwhelming public support for Europe and dissatisfaction with the economy, and an ongoing integration process, converged in leading the Italian government to accept the supremacy of EC law.

**EMPIRICAL EVIDENCE**

The data presented in this section cover the decade beginning in 1979 and ending in 1989 with the enactment of the *La Pergola* law. The main objective is to establish the causal link between the three factors identified and the outcome under consideration. The approach is qualitative in nature, although some quantitative details are provided. The case material is organized in three main sections, each section showing the independent impact of each causal factor over time. The aim is to single out each variable so that implications may be drawn about its specific role in effecting the outcome. This is particularly useful given that different combinations of these factors may apply to other cases outside this one.

With regard to the European agenda, the vast majority of the evidence derives from official EC reports and authoritative secondary sources on the subject. This provides exposure to the official aspect of the agenda, while simultaneously assessing different interpretations of the various steps of integration. The data about Italy's economy were obtained from the databases of the Interna-
tional Monetary Fund and the Organization for Economic Co-operation and Development. Data concerning Italian public opinion were obtained from the yearly polls of the Eurobarometer, a series of surveys distributed to the public by the European Commission, well known for detailed questions focused on national and European matters, with an emphasis on the latter.

Obviously, the methodology suffers from some limitations. The Eurobarometer, although a sophisticated device, is a polling system and thus presents some bias in the way its questions are phrased. Second, like any type of survey, the Eurobarometer is also limited in the kind and size of sample it represents. However, here it is assumed that the information obtained from the Eurobarometer is reflective of the Italian population as a whole.

Third, due to technical difficulties, Eurobarometer data were not available for all years between 1979 and 1989, because some editions lost some of their pages in the scanning process. Years with no data are marked as N/A.

Fourth, the term "supremacy," and the idea behind it, are judicial concepts, and therefore it did not appear with much frequency in the official documents of either the EC or the Italian government. However, supremacy captures much of the legal underpinnings of the move toward integration; for instance, terms such as ‘approximation of laws,’ ‘harmonization of regulations,’ ‘legal cohesion,’ all imply, in one way or the other, that EC law is to be set on a higher level than its conflicting national counterpart.

Analysis of the Granital case introduces an additional methodological limitation. This limitation revolves around the government's motivation for filing the suit, and the actual reasons that led the fifteen judges to issue their opinion. Admittedly, there may have been other factors that pushed the government to bring the case, but the argument here assumes that if the desire to account for the three causal factors was not the leading cause, it surely was one among them. This is even more likely given the role the causal factors generally played in the process. With regard to the court’s decision, the only available source is the text of the case itself, due to the unanimity of all of the court’s decisions. Thus, within the confines
of this study, there is no method by which to ascertain the actual motivations of the fifteen judges. Therefore, it is assumed that the court took an affirmative step toward Europe, perhaps pushed by the fact that the complaining party in the case was the executive.

**Monetary Struggle: Inflation**

The 1979 Iranian revolution produced effects that were felt throughout the entire Western world, including Italy.\(^46\) There were no doubts about how the crisis would impact the country; it was clear from the outset that the Italian economy would be “suddenly and radically” changed.\(^47\) The most immediate effect was the impact on the price level of gasoline, but this soon impacted all goods. A sudden rise in inflation was inevitable.\(^48\)

The government saw a very busy year, trying to find the best possible means to mitigate the inflationary impact on the Italian economy. At the close of the year, the Minister for the Economy Antonio Bisaglia assured his interviewers that, “in light of the data we are receiving, we are evaluating the oil situation . . . . However, we are moving along a path that will on the one hand provide us with the most petroleum, and on the other will produce the smallest possible impact on inflation.”\(^49\) Unfortunately, the hoped-for results did not come about immediately. As Appendix A shows, the already high inflation rate of 14 percent increased the following year, reaching a historic maximum of almost 22 percent.\(^50\) However, in 1981, the rate began a steady decline that would bring it to 4.75 percent in 1987, the lowest value Italy saw in the 1980s.

Italy was not the only Western state to be impacted by the Iranian crisis; in some fashion, all EC members had to deal with higher petroleum prices and rising inflation rates. However, Italy was the most heavily impacted among the ten. Germany and France also faced their highest rates in 1981, but the latter’s reached 13.33 percent, while the former’s a ‘mere’ 6.32 percent.\(^51\) These relative differences are important because they highlight the particularly difficult situation Italians faced. This helps to explain their low confidence in the government’s ability to solve their problems, and
therefore their high support for the European Community. Moreover, as Italy was one of the largest exporters in the EC, its manufacturers saw the increase in prices as a direct threat to their economic transactions. As the Minister for the Economy noted, the high inflation rate “would soon erase the competitiveness of our goods, which is already in decline.”

Although entry into the EMS had been “considered a useful tool to impose deflationary policies on the domestic social and political actors,” by 1985 the inflationary situation was still a serious concern. Indeed, although the inflation rate in 1985 had decreased by eleven percentage points from its peak in 1980, it was still one of the highest in Europe. Italy’s lack of success in adapting to the standards of the EMS is further evidenced by the fact that in 1988 the rate began its second steady increase of the decade.

The reasons behind Italy’s inability to bring its inflation levels closer to those of its European counterparts are not immediately clear. Kenneth Dyson and Kevin Featherstone suggest that, from its inception, the EMS “came as something as a shock for the Italian monetary authorities.” In fact, Italian acceptance of the EMS was not without internal opposition. The skeptics were numerous; they all feared the costs that entrance into the system would entail. The head of Confindustria, the national employers’ organization, “saw the design as faulty.” The Minister for External Trade thought the EMS “would be less cohesive [than the ‘Snake’] and was thus doomed from the start.” The Minister for Agriculture “foresaw an intolerable burden on Italian agriculture.” Even the Banca d’Italia, the Central Bank, “feared that the new EMS would be unworkable, or at least that the Italians would not be able to live with it.”

The government understood that these fears were perhaps the reflection of internal systemic weaknesses. Given the country’s inability to bring down its inflation rate to the level of its European counterparts, the government sought action at the continental level, even after entry into the EMS. In his 1985 address to the European Parliament, Prime Minister Bettino Craxi recognized that Italy was among those countries that, “still [had] to follow a more
prudent course to preclude a recurrence of the phenomenon of inflation.” He emphasized that it was for this precise reason that the Italian government would be, “among those who favour a comprehensive recovery programme based on differentiated policies: more expansive policies for countries with a high level of stability, and more prudent ones for countries where... levels of inflation are somewhat higher.”

Thus, the inflation problem remained a constant concern throughout the decade, probably due to Italy’s inability to adapt to EC standards. The government’s pressure for solutions at the European level further illustrates its belief that Europe would be the only source of real solutions. It is not excessive to suggest, then, that if the solutions would derive from Europe, anything acting as an obstacle to their receipt would need to be displaced. Ensuring that European rules regulating economic and monetary solutions would be supreme over national laws was imperative.

Unemployment: The Constant Fight

During the few months preceding the Iranian crisis, Italy had seen a modest improvement in its overall economic situation. This had partially been the result of the Pandolfi Plan, a three-year economic plan named after Treasury Minister Filippo Pandolfi, which aimed at lowering labor costs. This improvement ended with the advent of the crisis and inflation. As Appendix B shows, Italy’s unemployment rate began its rise in 1980 and continued this trend throughout the decade. There is little doubt that unemployment levels were very closely connected to the problem of inflation; if the competitiveness of national goods was damaged, their production, and thus the manpower behind it, would also be affected.

As the general attitude indicated, unemployment was the main concern of the Italian public. At the end of every year, on the evening of December 31, the president of the republic addresses the Italian population, laying out the main themes of the ending year. The president then addresses the people with exhortations as to how to better face these challenges. The president of the repub-
lic retains very little political power in Italy; however, his symbolic importance is notable. President Sandro Pertini (1978–1984) addressed the issue of unemployment in all seven of his end-of-year speeches. His appeals to the public and to the government are best captured in his last address, delivered on December 31, 1984, in which he emphasized:

Unemployment is an awful evil. Numerous Italian families, who are listening at this moment, will spend a very sad beginning of the year because unemployment has invaded their homes. Thus, they will not be able to greet the new year with joy; there will be misery in their homes. Let us fight unemployment.65

The president’s direct appeal to the public on this yearly ceremony indicates the impact unemployment had on the country as a whole.

More importantly, by the mid-1980s unemployment was the most salient issue at the center of the political debate, as evidenced by the rhetoric used in the context of national and European elections. In a 1983 La Stampa article, Carlo Donat-Cattin, a Christian-Democratic candidate for that year’s parliamentary elections, was reported to have stated: “We need a government that will fight unemployment and inflation.”66 The issue was also contentious at the level of European elections. Claudio Martelli, the vice-secretary of the Italian Socialist Party (PSI) noted that, “the socialist parties [of Europe] are concentrating their efforts on the fight against unemployment, which is our primary objective.”67 The editors of La Stampa were clear:

We cannot say with determination that the ending legislature, born in 1979, has been responsible for the most serious recession Italy has seen since the end of the Second World War . . . We can say, however, that it has cradled it . . . because it leaves us with an unemployment rate [above 10%], from little more than 2 million to well above 2 million and 750 thousand unemployed.68

These statements point to the high salience of unemployment as a social and political issue. The government of the mid-1980s was well aware of this, and sought to find a solution employing all
means available. However, an increase in growth and production at the national level would not suffice; joint action with the other members of the EC was required. An important opportunity presented itself when it became Italy’s turn to hold the presidency of the Council of Ministers in the first half of 1985. Prime Minister Craxi was clear in his emphasis on unemployment as the major concern, and on joint European action as the best solution:

[W]e discussed at length the economic and social situation in the Community, a feature of which is still the unacceptably high level of unemployment at over 10% which is in sharp contrast with the prosperity of our nations and undermines the credibility of our system . . . . We have defined guidelines with a view to economic growth such as may create new jobs. [One of the main challenges, then, is] how to reconcile industrial innovation with the protection of employment. It is something we must tackle as a matter of urgency.69

The issue remained the center of national attention until the end of the decade. In 1988, unemployment touched almost three million people, and the ex-Minister of Labor Gianni de Michelis (1983–1987) was reported to have referred to the situation as “additionally dramatic,” especially in light of the reported growth in GDP at the end of 1987.70 Besides being real, then, the problem of unemployment persisted until the late 1980s, and persisted in the rhetoric of Italian government officials. Concerns over unemployment would prove to be crucial in the government’s identification of the measures to take in order to respect the 1992 deadline.

Public Opinion: The Attitude of Italians Toward Integration and the Economy

The bulk of these data derives from two types of Eurobarometer questions. The first regard the public’s overall satisfaction with the economy, and its thoughts about unemployment; the second reflect the population’s attitude toward Europe, the impact of EC membership, and the support for further and more cohesive cooperation between EC member states. The charts illustrating the
The two questions Italians most often heard when confronted with Eurobarometer pollsters were: “In general, are you for or against efforts being made to unify Western Europe?”; and “Generally speaking, do you think your country’s membership of the Common Market is a good thing, a bad thing, or neither good nor bad?” As can be seen with regard to the first question, Italians consistently supported efforts toward further integration. In 1979, 86 percent of the population said they were for further unification. This number did not decrease much throughout the decade, reaching its lowest in 1982, when more than three-fourths of the population still thought unification was an appealing outcome (See Appendix C, Table 1).

With regard to the feelings toward benefits derived from membership in the EC, the percentage of Italians who saw membership as a good thing never went below 66 percent of the population. By 1988, over 80 percent of the population thought that Italy had benefited from its membership in the EC. Italy consistently ranked among the countries with the highest support for closer European integration. The contrast is even more striking when compared with some other member states, such as Denmark or the United Kingdom, where support for the EC was never particularly high.71 This incongruence between member states is important because it suggests that Italian public support was not just part of a larger European trend. Indeed, it was peculiar to Italy.

In 1979, Italians were asked an additional question that did not appear in following years. The question read: “Do you think the movement toward unification of Europe should be speeded up, slow down, or continue as present?” A clear majority of Italians, 55 percent in the spring and 66 percent in the autumn (averaging 60.5) thought the process should speed up. While support for the pro-European option was not as high as in the previous questions, the Appendices show that Italy was the only country among the nine where the majority opted for a quicker process; most other Europeans thought the process should continue unaltered.72
The polls also included several queries about the public’s attitude toward the economy, and unemployment in particular. In 1979, in light of the first direct elections to the European Parliament, Italians were asked: “Among the three following things, which represents your strongest hope from the work of the new European Parliament? Should it control administrators and officials; speed up the process of unification; or take the initiative to make the Member States work together to face the economic crisis in Europe?” 68 percent of Italian respondents thought that the new Parliament should work to encourage members to act jointly to solve the economic crisis (Appendix C).73

A recurrent question was: “How do you think the general situation in your country has changed in the past twelve months?” Responses were available only for the years between 1982 and 1985. It is striking that over three-fourths of the Italian population thought that the economic situation throughout 1981 had gotten worse, and only 11 percent of respondents thought it had improved. This trend decreased over the four following years; but, by 1985, almost half of the population still thought the economy had not seen any improvement.

Finally, when in 1982 they were asked whether they thought unemployment would be better fought if Italy acted alone or jointly through the EC, 65 percent of Italians believed that joint European action would produce the best outcome.74 Concern about unemployment was also apparent when Italians were asked: “What do you think is the biggest problem that will change life in the next ten or fifteen years?” 60 percent of respondents thought that unemployment would be the second most life-changing factor, preceded only by fear of crime and terrorism.75

Some commentators have suggested that in Italy, the “popular association of Europe with wealth strengthened” over time.76 It is, then, plausible to suggest that “the political elites . . . would lose prestige if Italy could not remain abreast of EC developments.”77 Public consciousness of the country’s financial problems thus urged the government to adopt affirmative measures aimed at ensuring a smoother integration process. The government’s activism is at-
tested by the 1985 Milan summit predating the SEA, and by the multiple speeches delivered to the European Parliament during the Italian presidency, as noted above. But it was most apparent in its decision to officially decree that European law would be supreme over national law. In order to fully understand the government’s move toward internalization, the larger context in which it operated must also be taken into consideration. The third causal factor, the integration process itself, will be illustrated in the next section.

**European Integration: The Process**

By the end of the 1970s, “increasing economic divergence and dwindling political enthusiasm for the European ideal had created a situation in which the prospects for further advances toward European unity seemed extremely gloomy.” The EMS was, in the eyes of then-President of the Commission Roy Jenkins, the means through which both political and economic problems would be solved. In a speech delivered in Florence, shortly before the signing of the agreement, Jenkins emphasized the economic advantages the EMS would bring. The gains included a stronger and more developed industry and a credible alternative to the U.S. dollar but, more importantly, it would “contribute to the battle against inflation [and] it would help reduce unemployment.” The Italian government could not ignore these prospects. As president of Confindustria Guido Carli aptly noted, “[i]f Italy is too weak to participate in the EMS, it is also true that she is too weak not to participate.” But improvements did not come about as rapidly as the government had wished. Italian monetary policy had difficulties adapting to the new “external constraint,” and the fiscal problems persisted.

However, Europe had gained momentum. On June 19, 1983, the heads of the Ten convened in Stuttgart, Germany and signed the Solemn Declaration on European Union. The Declaration constituted an intermediate step toward the SEA, and was the product of the so-called German-Italian initiative, a proposal submitted by the foreign ministers of the two countries in 1981.
important aspect of the Stuttgart Declaration was its scope. Article 3.1.1 called for:

An overall economic strategy in the Community to combat unemployment and inflation and to promote convergence of the state of economic development of the Member States. Priority should be given to encouraging productive investment and raising competitiveness as a basis for creating durable jobs, bringing about sustained economic growth and reducing unemployment. In this context, effective action . . . should be taken . . . by means of . . . harmonization of social security systems.85

The emphases on unemployment and inflation are key elements of this provision.

Article 3.4 is also particularly relevant. Entitled “Approximation of Laws,” it provided:

Approximation of laws in areas within the competence of the European Communities will be pursued and intensified through effective use of the measures provided for in the Treaties. . . . Among new activities which can be conductive to the attainment of European Union, the following deserve special attention: the introduction of legal instruments which can strengthen cooperation among the judicial authorities of the Member States . . . which can thereby make the administration of justice more efficient and less cumbersome; cooperation in the area of suppression of infringements of Community law.86

The article’s mention of legal approximation and the problem of community law infringements were obviously an invitation to heed the dictates of European law supremacy. Given the integration process’ particular emphasis on unemployment and inflation, if the socioeconomic benefits were to be obtained, affirmative internal steps had to be taken in order to ensure that this would be the case.

The path toward the SEA had been officially opened. The German-Italian initiative was soon emulated by other committees at the European level. The Dooge Committee, chaired by former Irish foreign affairs minister James Dooge, included one representative for each member state and one member from the European
The final report proposed, among other things, “the creation of . . . a European legal area, the strengthening of the European Monetary System, and the development of common policies on the environment, culture, and social affairs.”

The appeal these new steps held for the Italian government became most apparent when the EC members reviewed the Dooge report at the Milan European Council held on June 28–29, 1985 and chaired by Prime Minister Craxi. The Italian presidency was adamant in its efforts to overcome any political deadlock and conclude the conference with substantial results that would lead to tangible solutions. When the situation seemed to be stalling, Prime Minister Craxi, “for the first time in the history of the Community, plumped for a new interpretation of Article 236 of the Treaty of Rome . . . by putting the issue to a vote.” Belgium, France, Germany, Ireland, Italy, Luxembourg, and the Netherlands voted in favor of the motion, and the mandate for the creation of a European Union was issued. Given that these types of decisions had always been achieved through consensus, the Italian suggestion was groundbreaking.

However, despite the energetic effort and the prolonged negotiations, the final draft of the SEA deeply disappointed the Italian government. Foreign Affairs Minister Giulio Andreotti noted, with much regret:

> An objective examination of the results of the Intergovernmental Conference shows that the Single European Act is merely a partial and unsatisfactory response to the need for substantial progress in the direction indicated by the European Parliament and by the reports of the Dooge and Adonnino Committees. . . . The Single European Act does not therefore represent the realization of that fundamental reform of the European Community for which the Italian Government has been striving and which was desired by the national parliament.

Despite the disappointment, Andreotti’s stance toward the future of integration and national implementation was clear: “Italy intends to use the opportunity afforded by the signing of the Single European Act to reaffirm its determination to work to ensure that
the limited reforms agreed upon are not only applied in full but in addition, and above all, that they are carried out in a progressive manner.”

Indeed, Europe now embarked on its path toward the “1992 deadline.” By 1988, the process toward the EMU had gained full speed. That year, the European Commission published the Cecchini Report, named after Paolo Cecchini, the commissioner who had coordinated the study. The aim of the report was to, “evaluate scientifically the benefits of the single market.” The primary results showed that, “the first and immediate effects will be in terms of downward pressure on prices and costs . . . . [In addition, t]he positive impact on employment could in the medium-term amount to about 2 millions jobs.” The report warned, however, that, “if Europe is to get the most out of its large home market, the internal frontiers must truly disappear and be free of administrative complications between Member States. All barriers have to be removed, otherwise the last remaining barriers may on their own be sufficient to keep the markets segmented.”

Conflicting national regulations thus had to be invalidated if these barriers were to truly disappear.

The Cecchini Report was not the only document illustrating the momentum that integration had gathered by the end of the 1980s. The same year the report was issued, the Commission released a document authored by Dominique Servais. This was a comprehensive account of where the path toward the 1992 deadline was heading, what it required, and what its implications would be. The document sought to clarify the concept of “internal market” by noting that it, “goes deeper, since it not only assumes the elimination of obstacles which are currently considered lawful in Community law, but aims at positive integration, implying that account must be taken of objectives of economic, social and legislative cohesion.” This was no small step, and it required substantial institutional change on the part of each of the member states. How would this ambitious goal be achieved? The document stated that the solution would be found in the “harmonization of national regulation [,] mutual recognition of national regulations, and the attribution of a ‘Community effect’ to national protection systems.”
The document thus called on all member states to fully accept the supremacy of European law, especially in light of the fact that the mutual recognition principle was absent in national legal systems. The principle had been introduced in 1979, when the European Court of Justice had held that goods produced in one state could be sold in another. The principle had now become one of the main goals of the 1992 deadline, and it required the supremacy norm to be present.

In sum, the drive toward integration had been gaining strength throughout the decade. The SEA marked the peak of European ambitions, in both economic and legal terms. The 1992 deadline constituted a meaningful incentive for member states, Italy among them, to eliminate all obstacles that divided them from the gains to be obtained.

Supremacy is Internalized

The Italian government acted in light of the existence, and persistence, of the three causal factors illustrated in the previous sections. Minister Andreotti’s statement to the European Parliament in 1985 illustrates the government’s recognition of the deep economic problems affecting the country:

In our view, unemployment is the central problem to be resolved, and it is at this problem that we believe specific analyses and action should be directed on a concerted basis by the Member States of the Community . . . The Italian Presidency therefore intends to ensure that the central importance of the issue of employment is the main criterion guiding the determination and development of Community instruments and . . . initiatives.

The government also recognized what the requirements for fighting unemployment were, as the German-Italian initiative, the Milan Council, and the dissatisfaction with the SEA all showed. The central contention of this study is that the government’s decision to bring the Granital case to court in 1984 reflected its concomitant desire to act internally. The case had risen when the government imposed an import levy on the Italian company Granital
S.p.A. The levy followed the standards that had been decreed by the European Court of Justice in one of its recent cases. The company refused to pay by invoking a national legislation that contradicted the ruling of the ECJ. A suit was filed and it reached the Constitutional Court. There, the parties sought a judgment on the issue of the relationship between the community regulation and the national legislation conflicting with it. The court’s opinion finally established that community law would be supreme over national law. However, because “each is regarded as an independent and separate legal system . . . a Community regulation, when in force, does not abrogate, in the proper meaning of the word, a provision of municipal law which is inconsistent with it, but prevents this provision from becoming relevant in the settlement of a dispute before a national court.” The timing of the court’s decision is crucial; the opinion was issued during the peak negotiation period, between the Stuttgart Solemn Declaration, and the SEA. However, the legal distinction it drew, between “abrogation” and “irrelevance”, was substantial. Simply classifying the national regulation as “irrelevant” meant that it could still be applied in other similar, though not identical, circumstances. More importantly, it meant that it could still be invoked in future suits, thus creating additional hurdles in the transposition and implementation of EU law.

It was because of this peculiar reservation that the La Pergola law was enacted. Article 3, section 1, sub-section (a) of the act, which included the substance of the new legislation, provided that the “periodic adjustment of the national legal system to the communitarian system, is ensured through the amendment or invalidation of national regulations in contrast with the obligations established in article 1, section 1.” The internalization process was thus completed. Italy could now fully enjoy the benefits of the Single Market. This would enable its government to solve its economic problems and thus placate its deeply dissatisfied public.

CONCLUSIONS

The main contention of this paper has been that Italy’s deci-
sion to accept the supremacy of European law was the product of three causal factors. The economic downturns that began in the late 1970s and stretched throughout the 1980s constituted the major concern of the Italian population. The dissatisfaction of the public was coupled with its overwhelming support for a united Europe and a continuing integration process. These two internal factors, together with the revived integration agenda at the European level, induced the government to take affirmative steps toward the acceptance of European law supremacy. This was primarily an effort by the government to solve the economic difficulties of the population by removing the major legal obstacle to the receipt of the benefits of integration.

The evidence suggests that the 1980s were characterized by a tumultuous economy, here operationalized as the levels of inflation and unemployment. While inflation decreased substantially—albeit without ever descending below 4 percent—unemployment remained the one major problem in light of its persistent rise throughout the decade. This explains the population's overall concern regarding unemployment and the economy more generally. In addition, as the Eurobarometer polls suggest, Italians had a particularly positive and supportive attitude toward Europe and further integration. As demonstrated by the steps taken toward the SEA and EMU, the integration process saw a revived intensity during these years. The data also suggest that the government was responsive to the internal economic dissatisfaction, and to the external integration process. This was evidenced by the particular role unemployment and inflation played in the political discourse and by the markedly "maximalist" role Italy played at the European level. Finally, the government's role in the process is illustrated by its efforts to bring the supremacy norm into the domestic realm in the Granital case and by its enactment of the communitarian law in 1989.

Interestingly, the evidence also suggests that the Italian government opted for Europe in spite of the preferences of its elites. An example is provided by the accession of EMS, fervently opposed by the economic technocrats of the time. But it was also apparent
in the SEA itself. Italy decided to sign the treaty, despite the fact that it was an “unsatisfactory response to the need for substantial progress.” This provides insight into the way the Italian policymaking process may function in certain delicate circumstances; faced with two options, either an unsatisfactory deal or no deal at all, Italian elites opted for the former option. This was true despite the fact that this was not what Italy as a country sought. Nevertheless, Giulio Andreotti’s statement evaluating the outcome of the Intergovernmental Conference (see page 29) suggests that the Italian administration saw the SEA as a small, perhaps necessary, step toward the loftier goals Italy had set for itself. Further research may be useful in better understanding whether, as the data in this project seem to suggest, the pressure of public opinion was so strong as to almost "coerce" the government into pursuing policies that are not immediately and clearly beneficial. In particular, it is important to understand whether the goal of reelection supersedes most other considerations.

There was never any doubt that Italy would eventually accept the supremacy of European law. The question then becomes one of why it happened in 1989, and not earlier or later. The argument has been that the convergence of the three dynamics paved the path for acceptance. However, did they all matter equally? This question can be answered with a fair degree of confidence, only if we were to isolate each factor and assess its independent impact by controlling for the other two. Some counterfactual speculation is thus in order.

Italy’s initial refusal to sign the SEA, and its later acceptance, provide a useful example. The refusal was evidence of the fact that the treaty did not fully satisfy the Italians, because it did not perfectly align with their preferences. Of course, the problem was not that it was too costly; it simply was not enough. However, we may wonder what would have been the outcome if the treaty had not aligned with their preferences, in that it had been too costly, or too restrictive. Would it have been signed? The EMS example suggests that the answer would be yes. Entrance into the system showed that the internal institutional costs could be withstood and that there was a strong likelihood that the government would lose its
prestige if it did not “remain abreast of EC developments.” This may in fact be the case with regard to the SEA, EMU, and with the necessary adoption of the supremacy norm.

This concern about prestige may have been even more relevant for a government that between 1981 and 1992 was based on a coalition of five different parties, the so-called *pentapartito*. Although the five parties, the Christian-Democrats, the Socialists, the Social-Democrats, the Republicans, and the Liberals all had a positive and supportive stance toward Europe, each worried about their own constituencies, on whose support they depended for their permanence in the coalition. A look at previous support for European integration also suggests that Italians were not as adamant as they were during the 1980s. In the 1950s, only 57 percent of the population supported further unification, and a number that climbed only to 60 percent during the 1960s. Indeed, before 1970, Italian support for unification was among the lowest in Europe, compared to Germany’s 70 and 81 percent in 1952 and 1962 respectively, or the Netherlands’ 87 percent in 1962.

Changes in Italian attitudes toward Europe seem to coincide with the changes in the overall national economy, and in particular with unemployment and inflation. Throughout the 1950s and 1960s, Italy had seen times of prosperity thanks to the “near-religious adherence to classical liberalism” that had characterized the Luigi Einaudi reforms. Those policies had brought inflation down, and the rising unemployment had been stopped thanks to the increase in exports that soon ensued. According to Dyson and Featherstone, this was immediately reflected in the “Christian Democrats collect[ing] the votes.” The likelihood of economic downturns being a precondition for substantial institutional change is high. This explains norm acceptance as a change designed to account for the economy and its impact on the population.

However, the question still remains whether this institutional shift would have taken place with the same determination had the integration process not been as momentous as in the late 1980s. But this still begs the question of whether integration itself would have been so active had the economy of Europe been in good condition.
The counterfactual nature of this inquiry, added to the uniqueness of the process, precludes any accurate answer. However, further research may assess with more precision whether other instances of revived European integration—for instance, the run to the euro, or the adoption of the constitutional treaty—did or did not coincide with periods of economic crises and recessions.

In sum, economic considerations may play a very important role in driving states toward the pursuit of institutional changes that tend to alter their sovereign control over their policies. But such considerations do not explain the precise mechanisms leading to these alterations. Evaluating how the problems are manipulated domestically is key to capturing the entire picture. This has been the main objective of the argument advanced in this study. Admittedly, the evident reach of this argument is within the sphere of European integration, and in particular Italy’s relationship with this process. However, the argument’s external validity may be emphasized in two ways.

First, the causal mechanism underpinning the argument, and the causal factors driving the norm internalization process may prove useful in assessing other instances of integration within the current Union. Integration is an ongoing process, and the constantly growing body of law that regulates the interaction between member states attests to this fact. The relatively recent debate over the Constitutional Treaty, its rejection by the Dutch and the French populations, and the subsequent Treaty of Lisbon, show how the integration process is both alive and a source of sociopolitical activity within member states. Theories pointing to how economic concerns may affect the mood of public opinion and the policymaking process of governmental elites may shed light on the mechanisms underpinning phenomena such as the outcome of the French and Dutch referenda, or the overall process of European enlargement to the east and southeast. The mechanism I have highlighted emphasizes how economic concerns may prompt further integration. In the French and Dutch cases it is possible that economic concerns may have lead to a restrained integration, or that economic concerns were absent, and thus the French and the Dutch saw no point in
restraining their countries’ sovereignty with an additional constitutional treaty. Thus, the convergence of the economy, the strength of public opinion, and the integration process, may help us solve some of the puzzles that underpin the reality of the European Union.

Second, though this study is concerned with European integration, it is not unlikely that the argument advanced may provide insights into the functioning of other regional or global economic agreements. Regional organizations such as the North American Free Trade Organization, the Southern Common Market, the Association of Southeast Asian Nations, or the World Trade Organization share many similarities with the EU, primarily economic in nature. Arguments pointing to how the overall level of the national economy and public opinion affect the policy outcomes may be applicable in these other contexts, too.

In its modest reach, the argument advanced in this paper has sought to provide further insight into the dynamics driving European integration. As noted above, such insights may be applied elsewhere in the field of international relations and international political economy. Studying the past and future developments of the European integration process enables us to understand how and why states approach or shy away from Europe and the ideal behind it. But the endeavor enables us to reach beyond this in an effort to understand the international system and the factors that lead to cooperation—and sometimes conflict—among states.

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Notes

3 Costa v. ENEL & Soc. Edisonvolta, Case n.14/64, [1964]. See also Frontini v. Ministero delle Finanze, Case n. 183/74, [1974].
6 Legge 9 Marzo, 1989, n. 86. “Norme generali sulla partecipazione dell’Italia al
processo normativo comunitario e sulle procedure di esecuzione degli obblighi comunitari.”


9 Ibid., p. 536.

10 Ibid., p. 539.


12 Examples that come to mind are the North Atlantic Treaty Organization for the first category, the World Trade Organization for the second, the United Nations Environmental Program for the third, and the International Criminal Court for the last.


15 Ibid., p. 891.

16 Ibid., p. 893. [Emphasis added].


18 Ibid., p. 8.

19 Ibid., p. 8. His definition of norms is quoted from Stephen D. Krasner, ed. International Regimes, special issue of International Organization 36,2 (Spring, 1982), at 186. Internal quotations marks omitted.


21 The following elements of the neofunctionalist theory are the essence of the argument advanced by Ernst B. Haas in Beyond the Nation-State: Functionalism and International Organization (Stanford: Stanford University Press, 1964), and much of the paragraph is derived from Philippe C. Schmitter, “Ernst B. Haas and the Legacy of Neofunctionalism,” Journal of European Public Policy 12,2 (April 2005), pp. 255–272, at 259–261.


24 Ibid., p. 452.

25 Ibid., p. 452.

26 Ibid., p. 457.

27 Ibid., p. 457.


29 Andrea Mantella, “Corte Costituzionale più ‘politica’: La svolta di Elia,” La Stampa (Turin), 7 May 1985, p. 2. [All translations from the Italian are the author’s].


33 Ibid., p. 285.
36 Ibid., p. 284.
37 Ibid., p. 284.
38 Ibid., p. 293.
39 Checkel, “International Institutions and Socialization in Europe.”
40 Ibid., p. 804.
41 Ibid., p. 804.
42 Ibid., p. 809.
43 Ibid., p. 812.
46 Mario Deaglio, “La crisi petrolifera cambia tutto: Già superato il piano triennale?” La Stampa (Turin), 18 February 1979, p. 17.
47 Ibid., p. 17.
48 Ibid., p. 17.
49 La Stampa, “Il governo discute il problema energetico: Il rincaro di benzina e gasolio non incidere sulla scala mobile,” La Stampa (Turin), 20 December 1979, p. 2.
50 International Monetary Fund, “World Economic Outlook,” 1999. See Appendix A.
51 International Monetary Fund, “World Economic Outlook,” 1999. See Appendix B.
52 Antonio Bisaglia, “La crisi energetica peserà su sviluppo e occupazione.” La Stampa (Turin), 30 December 1979, p. 11.
53 Talani, Betting For and Against EMU, p. 43.
54 La Stampa, “L’inflazione non cala: Ancora + 0,9,” La Stampa (Turin), 25 March 1985, p. 2. This regional edition of La Stampa noted that “we are still above the 7% inflation threshold decreed by the government.”
55 With the exception of Greece, Italy’s 9.05% was still by far the highest. For a clear comparison, see Appendix A.
57 Ibid., p. 474.
58 Ibid., p. 475.
59 Ibid., p. 475.
60 Ibid., p. 475.
62 Ibid., pp. 7–8.
63 “La crisi petrolifera cambia tutto,” p. 17. The article asked: “Is it possible to keep alive the economic improvement we have been seeing in the past two or three months?”
64 Dyson and Featherstone, The Road to Maastricht, p. 475.
67 Francesco Matteini, “Socialisti europei: Primo impegno la lotta contro la


71 See Appendix C, Tables 3–4.

72 See Appendix C, Table 8.

73 While Italy was not the sole country with this percentage, this constituted the highest response among the ten states, and was also notably above the Community average. See Appendix C, Table 9.

74 With regard to this question, Italy was the country where support for joint action was the highest. See Appendix C, Table 6.

75 See Appendix C, Table 7.


77 Ibid., p. 52.

78 Ibid., p. 53.


80 Ibid., p. 6.

81 Ibid., p. 6.


83 Ibid., p. 476.

84 Ibid., p. 497.


86 Ibid., Articles 3.4.1, and 3.4.3.


88 Ibid.

89 Ibid.

90 Ibid.

91 Ibid.


93 Ibid.


95 Ibid., p. 5.

96 Ibid., p. 6.


99 Ibid., p. 22.
100 Rewe-Zentrale AG v. Bundesmonopolverwaltung für Branntwein, ECJ 120/78, [1979].
106 Dyson and Featherstone, The Road to Maastricht, suggest that with regard to EMS the “Italians were now maximalists” suggesting that their “stance had moved towards Europeanized solutions.” p. 473. This was the same also with regard to the EMU negotiations. See Dyson and Featherstone, pp. 512–514, and pp. 518–524.
107 “Statement in the Hague.” See n. 86.
110 Ibid., Table 13, p. 27.
111 Dyson and Featherstone, The Road to Maastricht, p. 465.
112 Ibid., p. 465.
113 Ibid., p. 465.
At Kamukunji public grounds in the Kibera slum in southwestern Nairobi, a man walked up to me and introduced himself as George. It was noon on a December day in 2010 and the grounds were filled with people. George took out his mobile phone and showed it to me. This was no surprise; after spending a few days in the slum, I had met people who told me they lived on the street but owned or used mobile phones. He explained how the phone was vital to his livelihood and that of his family. I asked him what he thought about the many non-governmental organization (NGO) events taking place in the slum, a question to which he responded “most people in Kibera do not trust *barazas* [public meetings] because they think someone has been paid to do it. With this”—he held up his phone—“we ourselves [sic] can do the things.”

The next week, I met with the Kenyan Permanent Secretary of Information and Communication, Dr. Bitange Ndemo, and asked him about the government’s vision for Kenya. Ndemo responded that he wants every Kenyan to have access to information and communication technologies (ICT): “For every 10 percent [of growth in ICT access], you grow the economy by 1.5 percent [of] GDP.” In this way, he explained, Kenya would develop as an ICT hub for East Africa, which would strengthen and improve the Kenyan state. Achieving this goal required the participation of all Kenyans and a change in the national work ethic toward “a Version 2.0 of our culture,” he stated, adding that this required integration and discipline.

These stories show two very different perspectives on what mobile phone technology means for Kenya and Kenyans. For Emil Graesholm graduated from the University of Cambridge in 2011 where he studied political science. He currently works as a research assistant at the University of Cambridge’s Centre of Governance and Human Rights.
George, it creates business opportunities and gives him autonomy in everyday life. He does not trust the authorities nor does he believe that they can help him. For Ndemo, ICT fosters economic development and integrates Kenyans into a political community. It is a tool for ensuring the future of Kenyan state development. While both point to the development potential of ICT, the conflict between the goals of autonomy and integration, between slum and government office, suggests the need to reappraise our understanding of the influence of technology on state-society relations in development contexts.

Mobile communication technology potentially lowers barriers to participation in public life, increases the intensity and range of communication, and alters the link between citizen and government, creating alternative and disseminated forms of governance, such as local security and private service delivery. Yet this same potential provokes questions about the role of ICT. What forms of participation emerge, who is participating, and for what purpose? What is the significance of slum inhabitants providing their own services? For what political purpose, if any, are mobile phones used? This study uses these questions to interrogate the Kenyan state building project, the role of NGOs, and the informal political dynamics of urban slums. Its central concern is how mobile phones influence governance networks and participatory politics in Kibera.

Existing literature on the impact of mobile phones is of limited use as it tends to build on normative assumptions and focus on particular outcomes, despite an ongoing debate between optimistic and skeptical views on the effects of ICT. This paper takes a different approach in looking at the politics behind the use of mobile phones, specifically examining how development discourse and Kenya’s history have shaped the ways that agents of governance engage with Kibera. Based on field research conducted in December 2010 examining mobile phone use and the politics of slum governance, the paper makes two connected assertions regarding the role of ICT in the relationship between Kibera, NGOs, and the Kenyan state.

First, mobile phone technology amplifies social interactions
in reach and speed, making existing social networks more visible and intense. Providing its own services and security using mobile phones, the urban slum community of Kibera creates ad hoc governance structures outside formal networks, resulting in a stronger community but also marginalizing community members from the context of state-facilitated socio-political life. With service and security delivery important public goods provided by the state, informal slum governance reduces citizen-state contact and results in marginalization, as local alternatives to formal governance emerge and service delivery in inaccessible slum areas fails.

Secondly, independent service delivery and security provision pose challenges to the development and democratic consolidation of the Kenyan state, which suffers from corruption and political apathy. Together, state institutions and NGOs form a formal governance network with overlapping yet occasionally conflicting agendas. Agents of the formal network operate based on established administrative rules that exist within the official rule of law.\(^3\) Regarding the use of ICT, both sets of actors seek greater participation and improved service delivery to legitimize their authority through input and output legitimacy, respectively,\(^4\) and to integrate Kibera residents into political processes by intervening in the slum. They see Kibera as a complex space that needs to be molded according to a particular logic in order to be governable. Governability involves standardization and rationalization of social and natural reality “into a legible and administratively more convenient format,” which results in a particular construction of meaning and an administrative understanding of the world that permeates the governance network.\(^5\) Legibility refers to the ability of an authority to obtain and construct crucial information about subjects’ social and natural environment in order to exercise power. The space of the slum must become legible, and new ICT provides the tools with which to do so. By providing their own services and security, and by challenging integration attempts on the part of the state, Kibera residents resist being made legible and governable; simultaneously, formal authorities have political incentives to act against this process and use ICT to assert control. Thus, new technologies enable
both integration efforts and the process of marginalization.

This study first reviews existing literature on the impact of mobile phones on governance and participation, highlighting limitations of the current literature. It then details the methodology used in field research. The recent political history of Kenya, and ICT developments, are explored, and the Kibera slum is introduced in greater detail. The study then discusses the dynamics of mobile phone usage in Kibera in relation to policies and projects of the formal governance network and introduces arguments by James Scott concerning state optics and state-society relations, which provide valuable tools in understanding ICT usage in Kibera. Finally, the paper presents implications for the formal governance network resulting from the politics of ICT adoption in marginalized communities.

TOWARD A NON-NORMATIVE FRAMEWORK OF ICT

ICT includes electronic hardware and software that facilitate the production, distribution, and consumption of information through networked communication. Research for this paper was focused on mobile phone technology and how it interacts with and complements radio and Internet communication. Mobile technology is a relatively understudied area compared to the Internet; moreover, an examination of multiple technologies creates an opportunity to understand how new platforms interact with old ones, as illustrated by the phenomenon of radio waves broadcasting over mobile phones, and thereby contextualize new technologies.

New ICT, such as mobile phones, contribute to the communicative space of the “networked public sphere.” This common space is an information environment characterized by near elimination of communication costs and by the potential for many-to-many communications, rather than the one-to-one (interpersonal) or one-to-many (mass) communications which characterize “traditional” media like television or radio. In a networked society, interactions are among diverse demographics and social connections switch between multiple networks, as boundaries become more permeable.
and hierarchies become flatter and more complex.\textsuperscript{10} Network society today “cannot be understood or represented without its technological tools.” Indeed, technology augments and amplifies processes of change taking place within societies.\textsuperscript{11} Omnipresent ICT has become a defining feature of modern society.

The following section provides an overview of the literature on the influence of new ICT, particularly mobile phones, on governance and participation as political goals, introducing a theoretical framework and methodology to address some of the limitations of this body of work. The argument that ICT has an impact upon politics is not new;\textsuperscript{12} yet the precise nature of the effects is contested.\textsuperscript{13} Research on new ICT in Africa remains limited and has only recently addressed development.\textsuperscript{14} Nevertheless, literature on mobile phones, political participation, and governance is growing, with several clear positions emerging in the debate.

\textbf{Debates in the ICT Literature}

An optimistic position, embodied in the term ICT for development—ICT4D—tends to view new ICT as a solution that enables economies and politics to leapfrog into new forms.\textsuperscript{15} This position involves the view that ICT enables people to transform their lives by lowering barriers to information and increasing communication access, as well as offering integration into the democratic, participatory sphere by lowering barriers to entry in deliberation.\textsuperscript{16} ICT allows for participation in public processes and adds new dimensions to the local and global public sphere.\textsuperscript{17} Erik Bucy and Kimberly Gregson view widespread political participation as legitimizing authority and functioning as an instrument of consent.\textsuperscript{18} For these authors, a corollary benefit of this interactivity is efficient service delivery and accountable governance. When citizens have easier access to information concerning their government and faster ways to communicate, the pressure on government and public institutions to fulfill their obligations increases. This fosters transparency, reporting, awareness, and deterrence.\textsuperscript{19} Increased visibility has an impact on decision-making and service delivery,
which benefits service recipients. Supporters of this stance argue that mobile phones have the potential to promote deliberative participation and good governance, and can be used in development contexts for that purpose.

These “optimist” arguments have shaped development practice through ICT4D. The 2002 World Bank ICT strategy paper suggests that mobile phones empower and improve the well-being of poor people while enhancing the efficiency and transparency of the public sector. Similarly, the 2011 World Bank approach paper advocates the use of this “unprecedented development opportunity” to help countries leapfrog toward better service delivery. This approach tends to examine particular outcomes of new ICT use that may enhance democratic participation and good governance. However, it appears to build on a functionalist understanding of mobile phones as a tool of social change and contains an element of technological determinism, focusing on the inevitability of transition toward particular development goals such as service delivery and transparency, which seems removed from political realities.

In response to the arguments outlined above, some authors take a skeptical position, arguing that power relations do not necessarily change with technology and that issues of access, control, and power are unchanged. Pippa Norris asserts that new ICT reinforces existing patterns of social stratification, creating a “digital divide” between those with access and ICT-literacy, the “information-rich,” and the “information poor,” who do not have these attributes. M.F. Rice contends that ICT growth has implications for global inequality as well as rural/urban and rich/poor divides within countries, as infrastructure and access are centrally controlled. A second line of argument focuses on the ways in which ICT may be used for control and surveillance. These studies have tended to focus on repressive regimes and how government authorities use ICT to monitor and control their populations, through, for instance, mobile phone tracking and monitoring. Mobile phones can be an obstacle to deliberation and a tool for repressive governance. Moreover, mobile phones have the potential to be abused on the ground. Because ICT tends to be more decentralized
than radio or television, it is also less centrally regulated than traditional media, enabling harmful messages to spread quickly in times of crisis. An example of this darker side of ICT is when mobile phones were used to promote hate speech and mob violence in the wake of the Kenyan election of 2007–08, as raised by Joshua Goldstein and Juliana Rotich. The skeptic’s position on ICT therefore questions if and how mobile phones produce outcomes that improve democratic participation and good governance.

Developing a Non-Normative Research Framework

Much previous literature focuses on the potential outcomes of ICT and thus seeks to provide policy advice for using ICT in furthering development goals, assuming a positive causal relationship between ICT and development. Other authors emphasize the problems of power inequalities that underpin ICT use. Yet even the proponents of the skeptical position appear to focus on the barriers to these goals, while not questioning the goals themselves. All place an implicit value on social change, democratic practices, and development, and tend to fall within a development discourse that posits a deterministic view of transition as leading from "under-development" toward "something better." This literature, and the ICT4D agenda, evaluate what ICT should do and assess technology accordingly.

The normative discourse around ICT merges with development practice and, as discussed in the following section, has been adopted by the Kenyan government. However, some authors call for a less value-laden approach to understanding the political interests involved. When exploring the politics behind change, taking a normative standpoint from the outset can blur and obscure underlying power relations. The question is who defines what the outcome should be, and why. Technology permeates and defines society; the two cannot be separated. This paper focuses on what ICT does and how it is used for political purposes. As such, it is necessary to adopt a different framework.

Isolating the social characteristics of mobile phones with-
out presupposing socio-political outcomes may show how ICT impacts social relations, thus providing a useful framework with which to conceptualize the Kibera case. Collective action and network society theory suggest mobile phones integrate existing social networks.

Mobile phone access reduces barriers to collective action and social groups. Mobile phones decentralize the production, consumption, and distribution of information, while the spatio-temporal immediacy of communication it allows enables greater ease of participation in the public sphere. It does not necessarily follow that participation levels increase: only that such potential exists. Mobile phones also allow for micro-contributions to collective action across structural barriers, as every participant can function as a producer, distributor, and consumer of information. Aggregated contributions build up in size and intensity of interaction, making the value of the social network to each individual increase exponentially. Furthermore, mobile phones contribute to reproducing a social network through greater connectivity. They allow for a decentralized and non-hierarchical organization of social networks, which enables the formation of spontaneous communities and action. The ease of decentralized group formation amplifies existing social structures and behavior. The Kibera case presents us with an opportunity to test how these hypotheses fare in the field.

METHODOLOGY AND FIELD RESEARCH

The field research for this study sought to explore how mobile phones were used in Kibera and how key stakeholders in the ICT field viewed its political potential. Research methods included semi-structured interviews with government officials, NGO managers, and Kibera residents, as well as ethnographic observations on information culture and communication flows in Kibera. Semi-structured interviews allow for in-depth exploration of issues important to respondents. The interviews on the ground in Kibera were set up with the assistance of a local radio station, PamojaFM.
Interview subjects representative of different age, employment, and tribal groups were selected. Interviews were transcribed by hand. As an information hub for the slum community, PamojaFM also aided in observations at community focal points where people meet to exchange information, such as cafés or community centers. The interviews with managers and officials were audio-recorded, with interview subjects selected on the basis of their influence in the field of ICT. These subjects included the Permanent Secretary of Information and Communication, officials of the Communications Commission of Kenya (CCK), and leaders of NGOs operating in Kibera.

All interview subjects were allowed to shape the conversation and draw on their own experiences, providing a picture of the discourse surrounding ICT and motivations behind decision-making from the perspectives of a variety of actors. This method also moved away from a focus on the transformative capacity of ICT by avoiding predetermined hypotheses. Instead, field research sought to understand how ICT is used in political contexts and how it is used to realize particular goals. This openness resulted in rich, albeit disparate, material that points in many directions. While officials focused their responses on issues like improving access to services, public sector efficiency, and citizen participation, ICT users in Kibera emphasized the autonomy from authority and greater ease of everyday social interaction afforded by ICT. They also noted many Kibera residents depended economically on this new technology. A discrepancy has emerged between the complexity and richness of public and political life in Kibera and the administrative simplicity with which both state institutions and NGOs approach the same reality.

This theoretical and methodological framework provides a way to look at the intersection of mobile phone technology, participation, and governance in a Nairobi slum. It is impossible to understand the politics of ICT in Kibera without first getting a grasp of the existing political landscape and the history that has shaped and maintained it.
Integratory Processes, Political Space: Contextualizing Political Agendas in Kibera

Kenya’s history of political corruption has led to calls for state consolidation from within, a policy that would involve the state pursuing governance reform and participatory policies while adopting a development discourse. Recent developments in ICT have presented new opportunities for this agenda to be realized. The Kenya African National Union (KANU) party, led by Daniel arap Moi, embraced corruption and political repression in its four decades in power, keeping the opposition divided to maintain power. In a country with forty-two ethnic groups, elections became ethno-regional censuses, making mobilization by ethnicity a potent political strategy. In 2002, KANU was defeated. Mwai Kibaki’s National Rainbow Coalition (NARC) won the election on a platform of dialogue, anti-corruption initiatives, and power sharing. This change in regime resulted in high expectations for accountable governance and democratic participation. However, Kibaki abandoned these commitments, marginalizing coalition members and joining with KANU to consolidate power. Ethno-regional politics became the mode of governance once again and anti-corruption efforts fell apart, resulting in widespread political disillusionment with the Kibaki regime.

More recent Kenyan political history builds on a political culture prone to ethno-regional competition and corrupt institutions. After a contested general election in 2007, Kibaki was sworn in for a second term despite opposition from the Orange Democratic Movement (ODM). Violence erupted across Kenya and morphed into aggression between ethnic groups, leaving over one thousand dead and six hundred thousand displaced. This heightened social climate further raised demands for accountable governance and peaceful participation.

Introducing competitive elections before reforming governance institutions, as well as the lack of conviction in implementing these reforms, may have contributed to Kenya’s political instability. Regardless, the current Kibaki government’s agenda is
shaped by aims like democratization and “good governance” and “participation” that are widespread in global development discourse. 51 “Good governance” entails accountability, sound public sector management, and transparency. 52 However, this notion of rule reduces governance to technocratic efficacy and measurable outcomes; it cannot help in assessing how a governance network makes sense of the outside world. In contrast, this paper explores how the construction of meaning permeates a governance network and the ways in which administrative logic shapes how formal governance agents describe the world, as well as how the public good is defined and pursued. 53 In development discourse, “participation” aims to recognize and enhance local and individual realities, becoming key to development practice. 54 Integrating communities creates a political environment where the decisions taken are made with the consent of the governed. Participation is regarded as evidence of a functioning pluralist democracy, and, as such, has become a central goal for both NGOs and the state in Kibera. 55 However, participatory initiatives are often criticized as an external top-down process imposed on communities to legitimize an organization or project. Participation becomes a means to an end rather than an end in itself. 56 This paper approaches participation as a legitimizing project and integrative instrument used by political actors. Nevertheless, it must be conceded that the Kenyan progressive political elite do push for the consolidation of Kenyan democracy with the understanding that this can only occur by integrating Kenyans in political processes and pursuing good governance. 57

With new ICT, the potential to fulfill this goal has increased. The ICT4D agenda has thus merged with the agenda for good governance and participatory democracy adopted by the Kenyan government. 58 Indeed, the official vision is for ICT to “facilitate sustained economic growth and poverty reduction; promote social justice and equity; mainstream gender in national development; empower youth and the disadvantaged groups; stimulate investment and innovation in ICT; and achieve universal access.” 59
ICT Hope

Such hope is not without cause, for the Kenyan ICT sector has greatly expanded over the past decade. As the political climate became more relaxed after 2002, the ICT sector was liberalized by the government, partly through privatization. As prices fell, mobile phone use surged. In 2005 there were 5.3 million mobile phone subscribers in Kenya. By September 2010, that number had grown to twenty-two million subscribers. This gives Kenya a mobile tele-density of 55.9 percent, well above the African average.

In addition to an increase in the sheer number of mobile phone users in Kenya, successful mobile phone applications and businesses have emerged. The Safaricom company M-PESA (short for mobile pesa, the Kiswahili word for money), launched in 2007, has introduced a mobile phone application that enables on-the-go financial management, thereby contributing to financial security. In 2009, a daily average of $1.96 million were transferred; by January 2011, thirteen million customers were using the service. Another example of innovation in the ICT sector is Ushahidi, a company that uses crowdsourcing technology to gather information through short messaging service (SMS) reports. This information is subsequently categorized and mapped online in real time. The platform was developed during the 2007–08 post-election period to file reports on violence and police action and has since been used worldwide. Both services are extensively utilized in the Kibera slum.

Once adopted, these technologies fit into existing social practices. In Kenya, radio is the primary source of information for the public with an 87 percent penetration rate, a number now matched by urban mobile phone use. Next to radio, word of mouth is the most frequent mode of receiving information. Information disseminated through opinion leaders, information hubs, and personal networks tends to be highly trusted. Weekly access to mobile phones is at 94 percent in urban areas and 83 percent in rural areas. Youth, men, and the highly educated are the most frequent users of mobile phone technology, but even in groups with limited access, at
least half are regular users. The most common use of mobile phone technology is sending and receiving SMS messages, primarily for everyday social purposes, but also for managing finances through M-PESA or contacting larger community groups. Thus, the potential for harnessing ICT to development goals has increased with the growth of the sector. The Kibera community stands to benefit greatly from this growth.

The Challenge of Slums

When trying to realize the goals of participatory politics and good governance, urban slums such as Kibera present a particular challenge. A slum may be defined as “a residential area which has developed without legal claims to the land . . . [and] as a result of their illegal or semi-legal status, infrastructure and services are usually inadequate.” Kibera covers a large area southwest of downtown Nairobi. It is densely populated, composed mainly of unregistered, often homemade shelters with poor access to sanitation and water facilities. The majority of the slum’s housing is owned by local landlords, who rent out their property to slum residents.

Data on mobile phone use in Kibera have shown a high monthly migration flux, as almost 50 percent of inhabitants are moving elsewhere or to other parts of the slum. The 2009 official census showed 170,070 slum residents, yet the United Nations Human Settlements Program (UN-HABITAT) estimated a total population of six hundred thousand to one million inhabitants in 2007. Because of these estimates, Kibera has received more attention than other slums such as Mathare and Korogocho. Such fluctuations in migration point to the difficulty of obtaining reliable data about the slum, data necessary to provide a basis for a governance plan.

This dynamic reality is no obstacle for the spread of technology, with mobile communication rising sharply in Kibera. Like in other urban areas, there is relatively easy access to mobile phones and the Internet in Kibera, as well as newspapers, television, and radio. Radio and mobile phones are the preferred modes of com-
munication, partly because of their lower costs and partly because they merge well into existing social practices while avoiding the structural problems posed by other media. Newspapers, television, and Internet surfing are too expensive for many Kibera residents, and must therefore be accessed in central community hubs. In contrast, every resident I met in Kibera either owned a mobile phone or had access to one. A homeless person explained how he occasionally prioritizes mobile communication above shelter and food. Residents cited word of mouth channels as their primary or most trusted source of information. While external sources are trusted less, the local community radio PamojaFM is highly valued.

Kibera has found itself embroiled within Kenya's national political struggles, with Prime Minister Raila Odinga of the ODM the current Member of Parliament (MP) for the area. After the 2007-08 disputed election, violence and plunder spread quickly throughout the slum, with ethno-political support bases as the main targets. A result of these patterns of violence is more distinct spatial separation of ethnic groups in Kibera than before the election. The director of a women's center in the slum told of neighbors turning against each other during the post-election violence. This recent conflict has added to outsiders' perception of the slum as a chaotic social space that must be ordered to improve the lives of slum residents. As the slum is often inaccessible to state institutions, NGOs play an important role in working toward this goal.

Since the 1980s, NGOs have proliferated in Kenya. Although the exact number is uncertain, an estimated six thousand to fifteen thousand NGOs work in Kibera alone. A mixture of local and foreign organizations, NGOs in Kibera have different budgets, goals, and modes of operation. According to a local assistant chief, not all NGOs fulfill their purposes, yet penetration and visibility are high. During the course of my fieldwork, an average of three events were held daily by various NGOs. Despite this, there is a common perception within the community that locals in attendance are paid to participate and NGO projects are externally directed. Still, NGOs are particularly necessary in slum areas as they increasingly represent a means to delegate develop-
Vital to service delivery in Kibera, NGOs still face problems similar to those in the way of efforts to instate legitimate governance structures in Kibera.

Besides NGOs, Kibera has a governance structure that combines traditional and state institutions. The slum is divided into thirteen villages. District officers and village chief officials appointed by the state deal with local disputes and everyday administration, in collaboration with village elders and councils. Village elders traditionally hold authority over specific ethnic groups and deal with community issues when called upon by residents or chiefs. However, interview subjects in Kibera expressed distrust not only of the appointed officials, but also of the elders, who are seen as a tribal anachronism, particularly by young people. Still, formal governance networks are frequently used when the need arises. In sum, Kibera has a dense web of institutions and actors, with multiple agents claiming authority within the space of the slum.

Having explored the political context of ICT in Kenya and how key actors have adopted the merging ICT and development agenda to improve the history of governance, this study now turns to two questions concerning the application of ICT. It examines both how ICT is used to pursue the above actors’ goals and how Kibera—a space that presents a challenge to governance and one that is nonetheless deeply embedded in governance networks—contests these goals through informal governance facilitated by mobile phone use.

Informal Governance

Using mobile phones, the Kibera community is able to tackle issues of security and provide services that might otherwise be considered formal governance obligations through informal networks. Water shortages, fires, public violence, sanitation problems, and theft in the slum are frequently handled or contained by residents before police or other authorities reach the affected area, if they respond at all. Easy participation, the role of micro-contributions, and decentralized group formation enable this process. News
spreads through mobile phone networks and emergencies are dealt with by using mobile phones to contact friends and relatives. Formal governance networks often do handle service and security issues, but slum residents emphasized the importance of the informal networks and how they allowed for residents to support themselves without assistance from “outside.”

Lacking information, the slum is difficult for outsiders to navigate. For slum residents, on the other hand, information spreads quickly by word of mouth and through hubs such as the radio station and cafés that disseminate information. Mobile communication increases the volume of communication and the spatial distance it can bridge, thus extending informal practices. The communication process has become significantly faster, enabling residents to deal with problems and provide for themselves with greater flexibility. What emerges are informal, ad hoc governance networks that, on a regular basis, effectively circumvent formal authority to deal with pressing issues.

These informal practices are defined by the language of the agents operating within them. Agents of Kibera’s social network construct meaning in their world in a way that often seems incomprehensible to those on the outside, allowing communication to flow more securely and freely. Common points of reference and the mixture of tribal slang, English, and Kiswahili used create a localized understanding of the world. This blend is also influenced by the language of development used in formal governance networks, particularly by NGOs, with words such as “empowerment” or “participation” strategically employed to obtain services rather than being integrated into everyday language.

The local radio station, PamojaFM, illustrates how this practice interacts with formal governance and existing ICT. As a community hub and center of information, PamojaFM disseminates information both within and outside of the slum. There is a palpable sense of community ownership of the station, and many slum residents participate in on-air debates and interactions. For instance, on the night of my arrival to the station, a girl was raped in the slum. The news spread through social networks and
reached PamojaFM over mobile phones. PamojaFM reporters then confirmed the story by calling people in the area and contacted a relevant NGO which assisted in caring for the victim. In the following days, debates were held about gender rights and women’s security in the slum, with support from several NGO campaigns. In this way, mobile phone technology enhances the capacity of a local information and communication hub like PamojaFM to address problems in the slum, thus also strengthening existing social networks.

Circumvention of formal governance is more than a practical issue. Interviewing young people on mobile phone use and political participation, I asked them how they would get information about their MP or about election campaigns. The response was either laughter or denial of any interest in such questions. No one I interviewed seemed concerned with political affairs and many expressed distrust of authority. Interest in the local community is far greater because residents exhibit both a greater sense of ownership and agency on decision-making in projects as well as greater participation in local events. Although not representative of the views of every Kibera resident, my interview subjects conveyed a sense of political apathy and passive resistance to authority. Given Kenya’s political history, this is not surprising.

**Efforts at ICT Integration**

When formal governance fails to deliver security and services, it seems the only solution for Kibera residents is to provide for themselves. However, from the point of view of formal governance institutions and civil society actors, using ICT to integrate marginalized and rural communities is essential to a vision of the developmental state’s future. The state seeks to integrate people into the political process in order to improve public perceptions of its governance record. It seeks to do this by producing input legitimacy through increased citizen participation and state consolidation by constructing and gathering administrative knowledge about its subjects, thus enhancing governance capacity, which in turn al-
allows for the provision of services that result in output legitimacy.\textsuperscript{93} Likewise, NGOs working within a liberal development agenda seek to demonstrate community participation in their projects in order to legitimize their work and ensure funding from donors.

Government ICT policies are implemented by the Kenya ICT board and the ministry for ICT. These policies are good examples of the way in which the state envisions Kenya and the need for integration. The Digital Villages Project aims to provide broadband connections to remote areas in Kenya at a reasonable price. According to permanent secretary Ndemo, the project will boost the Kenyan economy, increase foreign investment in Kenya's ICT capacity, and encourage Kenyans to participate in public debate.\textsuperscript{94} This policy may also be an attempt to integrate every Kenyan into a political community with common goals. Access is not unidirectional, but rather connects Kenyans to a political community to ensure access to formal governance.

Other policies are passive in nature. The e-Government policy and digital records strategy aim to improve government accountability and reduce corruption by making all records digital.\textsuperscript{95} The logic is that by putting everything online, important files cannot "disappear" and services are publicly available, which in turn reduces incentives for corruption. This process is underway but has met some resistance within parts of the government elite and bureaucracy.\textsuperscript{96} Both these policies can be viewed as aiming to improve good governance and increase participation.

NGOs use ICT to ensure participation and improve governance, both in regard to the state and their own organizations. An example is the Map Kibera project, which has trained Kibera residents to map the slum using GPS technology and to report on events through SMS messages that use the Ushahidi platform. The data is then uploaded to online street maps or the Voices of Kibera blog.\textsuperscript{97} This project, one of knowledge-building and dissemination, has been aimed primarily at improving the performance of formal governance initiatives in the slum and providing a map to better understand and navigate the slum. According to a former project mapper, "only people outside Kibera and Kenya use services
like Map Kibera. It is not useful for people here."\textsuperscript{98}

Another example of NGO use of ICT is Huduma, an online platform that uses Ushahidi to improve accountability through citizen reporting on public service delivery.\textsuperscript{99} This project was launched by the Social Development Network (SODNET) in January 2011 and targets service delivery and corruption by recording how much money government services receive and then asking people to report on-the-ground results, which are then mapped online. Similarly, SODNET’s budget tracking tool provides constituency spending records online for citizens to access.\textsuperscript{100} The projects are new and their effects remain to be seen. Yet the logic behind them is that citizen integration not only legitimizes formal governance but also improves good governance, as public sector transparency and NGO efficiency increases.

These projects and policies attempt to build the capacity of the Kenyan state and improve its legitimacy and accountability through participatory ICT tools. Yet it seems that such projects are aimed primarily at assisting or enhancing the formal governance network rather than toward the people these networks attempt to integrate. As such, these external participatory projects are trying to make Kenyans "governable" by integrating them into a political community. The history of Kenyan politics, as well as the developmental focus of "good governance" and democratic participation, has led the formal governance network to pursue this agenda. This project is challenged, however, by the presence of informal governance networks in Kibera that are amplified by mobile phone use. In this way, ICT shapes the way governance and participatory politics are contested, resulting in simultaneous processes of integration and marginalization.

These analyses require caution. It is not simply the use of mobile phones that challenges formal governance, but rather the way mobile phones amplify existing practices and power relations. In Kibera, informal networks emerge in, around, and outside formal networks, both complementing and clashing with them.\textsuperscript{101} Most mobile phone use can be classified as everyday social use. Yet it is because of these intensified social networks that informal gover-
nance can take place at the depth and scale with which it operates in Kibera. Mobile phones make informal governance easier and more visible, as networks' value increases exponentially as communicative activity increases.

**Seeing Like a State**

Several questions emerge once we step back for a moment and look broadly at the processes facilitated through ICT. How does formal governance deal with the challenge of a slum? Why is there such resistance to state and NGO authority? These questions are better addressed with conceptual tools theorized by James Scott. Scott’s arguments regarding state optics and ungoverned peoples help in understanding the political rationales behind integration processes, as well as why resistance emerges through informal networks.102

According to Scott, statecraft involves the standardization and rationalization of social and natural reality “into a legible and administratively more convenient format.”103 Social environments that require governing must first be molded and assimilated to the administrative logic of state bureaucracy. This can be done through population surveys; standardization of weights, measures, and written language; and city planning.104 The problem of legibility is intricately connected with the spatial distribution and reproduction of Kenyan state power, which in turn is partially determined by the state’s ability to create and sustain its legitimate authority.105 Urban slums are difficult to work with in this context. They do not correspond to the lines on a city map, and navigating them requires local knowledge. Such information is rarely available to formal government authorities, and the social and physical complexity of the Kibera slum effectively renders its residents "invisible" to formal governance networks, which cannot analyze alternative forms of governance through a standardized technocratic lens.

While Kibera is deeply connected with the network practices of NGO and state governance, it is also, in a sense, invisible and situated “outside” of formal networks. Information on people living
there is difficult to gather, complex to understand, and thus problematic to act upon. Although exercised through local networks, the complexity of the social bonds, local language, and physical organization of the slum cannot be mapped onto the administrative grids used by formal authority. Consequently, the slum is perceived by both NGOs and the Kenyan state as messy and complex. When formal authority tries to operate within and read this space, any “designed or planned social order is necessarily schematic; it always ignores essential features of any real functioning social order.”

Making the slum legible requires tunnel vision that ignores the unwieldy reality by selecting one policy on which to focus energy and through which to exercise authority.

In light of Kenyan history, government and NGOs have focused on strategic positioning to improve the governance record and consolidate democracy, thereby legitimizing power. To pursue this project, formal authority needs crucial information about its subjects, such as social maps and metrics of the slum terrain. Integrative and participatory ICT can assist with these goals and provide otherwise inaccessible information by providing means for citizens to report on and map their own social space. ICT becomes a tool in governing life and exercising authority according to a selective vision in which submission to the formal grid creates legitimacy.

The complexity of the social and natural environment also has to be shaped to an administrative logic. An example of how the realities of the slum are molded to fit this logic is when the Kenyan government, backed by the UN-HABITAT, initiated a re-housing program for residents of Nairobi slums in 2009. Although some slum residents moved to new homes, others chose to rent out these homes and move back to Kibera. Moreover, the Nubian community in Kibera objected to the re-housing program, claiming ownership of the land and arguing that the state’s focus should be on improving living conditions within Kibera. Residents view the slum as anything but chaotic and illegible, often actively resisting attempts by external forces to shape their social space.

While undoubtedly motivated by a desire to improve the hu-
man condition, the 2009 clearance program demonstrates the futility of efforts by formal authority to understand complex realities that are not adjusted to its own logic. Making Kibera’s complexity legible through mapping and clearing the slum is not an effort to depict reality but rather an attempt to present what is interesting to the outside observer. Backed by the power behind state and/or NGO authority, this process reproduces the depicted reality. What is described is created, both in terms of social and natural space.\(^{111}\)

NGOs tend to have greater access to local knowledge than government agencies because their workers are embedded in the slum. However, they operate under similar administrative constraints as state administration and their tasks also require some simplification of the social. In order to report on their performance to funding sources, organizations create a standardized rubric for monitoring and evaluation, attempting to fit reality into a technocratic framework. ICT allows for easier measurement and map creation. Funding applications or reports that do not use the accepted jargon of the development community will rarely receive funding.\(^{112}\) Hence there exists an external incentive to envision social reality in a way that corresponds to standardized technical language. For this reason, legibility is not just a problem of state-craft but applies to other agents of authority as well.

**Ungoverned People**

While legibility is required for formal authority to function and to pursue particular objectives, there is resistance to this process. Few Kibera residents report having positive experiences with government, and political apathy in the slum is high. Residents I interviewed feel that registration, mapping, and ordering only lead to negative outcomes such as taxation from the state, electricity bills from a company, eviction from shelters, or forced movement to “something better,” rarely leading to social benefits.\(^{113}\) Slum clearance is one example of an initiative that has faced resistance from residents. Another example is a project undertaken by a railway company that has attempted to register people living along the
tracks to maintain a security perimeter. These tracks form the main highway through Kibera, leading residents to resist registration and eventual eviction.

When studying ungoverned people, the power dynamics between center and periphery are better understood by viewing the marginalized as resisting state power, rather than viewing them as residents of an “underdeveloped” and “left behind” space that ought to be an object of development. From this perspective, the choice confronting Kibera residents in the face of projects designed to integrate a political community is how to position themselves strategically in relation to the state to ensure the greatest positive outcomes. The incentive to do so is high in an urban slum, which on the one hand develops informal networks to provide for residents, but on the other is constantly reshaped by the exercise of formal authority. Mobile phone use represents passive resistance to authority as it enables residents to secure security and services through informal governance, in a form of strategic positioning. In this way, ICT influences how government actions are contested and challenged.

There are clear limitations to extending Scott’s analysis to Kibera that warrant attention. Kibera is deeply entwined with the political power center, with its history of interaction with the Kenyan state, and thus cannot be considered ungoverned. Kibera residents depend on the outside world, on NGOs, on jobs in Nairobi, and on state institutions to protect their rights and services to some degree. Still, Kibera is located in a socially marginal area that is difficult to access and that is characterized by subsistence routines that maximize mobility and resistance to appropriation. Moreover, as in Scott’s analysis of the “Zomia” region in Southeast Asia, the social structure in Kibera favors dispersion, with a high migration flux that obscures any obvious point of entry for administrative projects.

By providing their own services and security, while also challenging attempts to be integrated into formal governance structures, Kibera residents resist being made legible.

CONCLUSION
The advent of new ICT has created the possibility for change in Kenya. However, as hinted at by the different perspectives of George in Kibera and permanent secretary Ndemo in his office, views of what this possibility signifies differ considerably. To understand how new ICT influences governance and participatory politics, further research must explore how governance and authority are contested by different actors, making clear whose participation is being analyzed, and to what end. Literature on ICT in a development context does not adequately explore such themes, as it tends to build on normative assumptions about the outcome of ICT use, overlooking the politics that determine who decides certain outcomes. The field research included in this study reveals a more complex picture of this underlying dynamic than exists in much of the literature surrounding ICT in Kenya.

Kenya’s history of corrupt governance and ethno-regional division has propelled demands for good governance and participatory democracy. As the ICT sector in Kenya has grown, the agendas supported by, respectively, the state and NGOs have merged with ICT4D. On the ground, these agendas play out in unexpected ways. On the one hand, formal governance uses ICT to integrate people into political processes and improve its governance record to legitimize authority. On the other hand, the Kibera community creates informal governance structures outside of formal control, resulting in communities that are more densely networked, but also marginalized from formal political life to a greater degree.

Urban slums are neither chaotic sites that the language of formal governance makes them out to be, nor the underdeveloped spaces that are represented in development discourse. Rather, they represent a source of resistance to state and NGO attempts at integration. Such resistance circumvents the formal structures in subtle ways that are becoming more visible with the increased use of mobile phones, creating a localized understanding of the world that can be said to render the slum “invisible” to outsiders. This circumvention effectively challenges the ability of the state to provide services that justify its authority, which in turn poses crucial chal-
lenges for a state with a poor record of accountability and whose population experiences high levels of political apathy. While it appears like a potential solution to these problems, aggressively integrating the polity is not necessarily the best course of action. When externally directed, integration may be met with greater resistance, especially when it is not accompanied by a corresponding extension of public services.

The study of urban slums is becoming increasingly important. UN-HABITAT reports that one billion people currently live in urban slums worldwide, a figure that is expected to double by 2030. Understanding ICT and socio-political change in urban social space is vital to facing the challenges of population growth. Looking through the lenses of the relevant social actors helps understand how urban slums function and are manipulated. Formal governance attempts to make slums more legible through administrative simplification and by molding their social and natural environment. Participation in formal processes through ICT creates legibility and thus governability, with ICT serving as a political instrument. Yet as this paper illustrates, ICT is just as much a tool for exercising informal governance, a device for holding the state at arm's length.

Notes

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8 Yochai Benkler, The Wealth of Networks: How Social Production Transform
30 Unwin, ICT4D, p.33.
33 Castells, Network Society, p. 5
37 Garrett, “Information Society,” p. 216
38 Castells et al., Mobile Communication, p. 249.
42 Peter Kagwanja and Roger Southall (eds.), Kenya’s uncertain democracy, the electoral crisis of 2008 (New York: Routledge, 2010), p. 10;
43 For details see Barkan, “Kenya after Moi”, pp. 90–91.
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58 SIDA, ICTs for Democracy, pp. 46–47.
61 SIDA, ICTs for Democracy, p. 44.
66 Bowen, Information at the Grassroots, p. 31.
67 Bowen, Information at the Grassroots, pp. 32–33.
68 Bowen, Information at the Grassroots, pp. 56–59.


71 Author interview, A. Hussein, Director of PamojaFM and Kibera resident, Kibera, Nairobi, December 11, 2010.


74 Author interview, J. Lundine, Program Coordinator at Map Kibera, Nairobi, December 10, 2010.

75 Author interview, James (pseudonym), Kibera resident, Kibera, Nairobi, December 14, 2010.

76 Author interviews, M. Hamza, Director of Women's Centre, Kibera, Nairobi, December 14, 2010;

77 Author interview, Hussein, December 11, 2010.

78 Author interview, Hamza, December 14, 2010.


81 Author interview, George, assistant chief of Sangatore village, Kibera, Nairobi, December 14, 2010.

82 Author interviews, Hussein, Hamza, Jack, Maria, December 2010; George, businessman, December 2010.

83 Amutabi, NGO Factor, p. 194.

84 Author interview, George, assistant chief, December 2010.

85 Author interviews, Ben, Charles, Michael, Sara, and Rachel (pseudonyms), five young Kibera residents (estimated ages between 17 and 20), Kibera, Nairobi, December 13, 2010.

86 Author interviews, Hussein, December 2010; George, businessman, 2010.

87 Author interviews, Hussein, Hamza, Jack, Maria, December 2010; George, businessman, 2010.

88 Author interview, Hamza, December 2010.

89 Author interview, Rob, reporter for PamojaFM, Kibera, Nairobi, December 14, 2010.

90 Author interviews, Hamza, Jack, Maria, December 2010; George, businessman, 2010.

91 Author interview, Hussein, December 2010.

92 Author interviews, Ben, Charles, Michael, Sara, and Rachel, December 2010.


94 Author interview, Ndemo, December 2010.

95 See http://opendata.go.ke/.

96 Author interview, Ndemo, December 2010.
97 Author interview, Lundine, December 2010.
98 Author interview, Jack, December 2010.
100 Author interview, J. Kipchumbah, co-founder of Infonet, program associate at Innovations and Knowledge Management at SODNET, Nairobi, December 15, 2010.
103 Scott, Seeing Like a State, p. 2.
104 Scott, Seeing Like a State, p. 2.
106 Scott, Seeing Like a State, p. 6.
107 Scott, Seeing Like a State, p. 11.
109 Author interview, Rob, December 2010.
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Appendix: Interviews
Some respondents are referenced under pseudonyms as they did not want their name