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The Norman Paterson School of International Affairs

The Paterson Review of International Affairs is a scholarly journal exclusively showcasing the work of graduate students in the field of international affairs. Managed by students of the Norman Paterson School of International Affairs, the Paterson Review is dedicated to publishing articles on a wide range of emerging issues in the theory and practice of international affairs. Copy requests and submissions may be sent electronically to patersonreview@gmail.com.

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Contents

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Letter from the Editor

The 19th volume of the Paterson Review of International Affairs provides another opportunity to showcase excellence in graduate research and highlight emerging topics in the field of international affairs. Upon review of dozens of submissions from programs across the globe, the Paterson Review editorial board selected five high quality submissions to undergo a thorough double-blind peer review process that leveraged both the expertise of the Review's own associate editors and the knowledge of relevant experts. The result is a collection of exceptional articles from graduate students hailing from leading international affairs institutions.

The five articles featured in this volume cover several emerging topics in international affairs and provide indispensable insight into contemporary issues. Nafisa Abdulhamid explores cases in India and Cambodia to demonstrate that microcredit's commercialization has undermined its poverty alleviation objective. Amelia Arsenault examines the potential impact of autonomous weapons on the physical and ontological security of the NATO alliance. By surveying the literature on extremism, Kayleigh Holden analyses the incidence and explains the radicalization of far-right terrorists in the Canadian and US militaries. Roxana-Claudia Tompea describes the reaction to Romania's #Rezist movement in order to explain how the information age has increased the power of public diplomacy. Finally, Patrick Wight outlines how the inclusion and exclusion of armed actors at various stages of the South Sudanese peace process has not fostered effective conflict resolution and state-building. From microfinance in India to extremism in the US, the 19th volume offers an eclectic mix of ideas and reveals unique perspectives on international issues.

I would like to thank the authors whose brilliance is responsible for this volume's strength, the associate editors whose time and dedication made this publication possible, and the expert reviewers who took the time out of their busy schedules to ensure that the 19th volume is of the highest quality. I would especially like to thank my managing editor, Alex Penn, for his tireless work. The Paterson Review is also grateful to the Association of Professional Schools of International Affairs members who circulated our call-for-papers as well as to Princeton University's Journal of Public and International Affairs for their continued collaboration. Finally, I must thank the students and staff of the Norman Paterson School of International Affairs for the support that will bring the Review safely into its second decade of yearly publication.

Nicholas Millot
Editor-in-Chief

Commercialized Microcredit Schemes: How Micro-Borrowing Continues to Betray the Poor

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Commercialized Microcredit Schemes: How Micro-Borrowing Continues to Betray the Poor

The initial idea behind the micro-credit framework of the mid-1970s was to distribute small loans to the "poorest of the poor" to allow for the establishment of income generating micro-enterprises that would bolster gender equality and alleviate poverty. However, beginning in the late 1980s, microfinance programs transitioned from non-profit lending schemes to for-profit commercial banks. This article uses the cases of Andhra Pradesh, India and of Cambodia to highlight that, although microfinance will continue to become a larger part of the financial mainstream, fully commercialized enterprises ultimately betray the poor and undermine microfinance's initial poverty alleviation objective. There is therefore an imminent need for the state to regulate the microfinance industry to ensure borrower protection.

Keywords: Micro-credit, Commercialization, Andhra Pradesh, Cambodia, SKS IPO

Introduction

Microcredit is based on the idea that extending micro-loans to productive low-income individuals, and to women in particular, would encourage them to establish micro-enterprises, which would enable self-employment, generate income, and alleviate poverty. Microfinance is also generally concerned with questions of financial inclusion, meaning the easy access and use of formalized credit and financial services to those on the fringes of the global economy. An inclusive financial system enables the efficient allocation of productive resources, reduces the cost of capital, and can reduce the growth of and dependence on informal and often exploitative sources of credit, such as shark loans.[1] In this context, the primary role of Microfinance Institutions (MFI) to extend micro-loans and financial services to previously unbanked rural populations.[2]

In its purest form, then, microcredit programs are a manifestation of de-commodified, poverty alleviation practices, which include processes that limit the reach of commercialization

by enclosing "non-market spheres from market encroachments… [and] by creating non-commodified economic circuits."[3] However, most microcredit schemes today have abandoned their humble origins to become commercialized enterprises, with non-profit, often non-governmental, MFIs transitioning into for-profit commercial banks. This, I argue, is part and parcel of a broader political economy embedded in both neoliberalism and globalization, and championed by large International Financial Institutions (IFIs) like the World Bank and the International Monetary Fund (IMF). The term "commercialization" refers to practices and techniques that convert particular objects and/or parts of social life, including financial services, into commercialized assets.

This paper does not present a comprehensive analysis of microfinance; instead, it speaks to important issues regarding the commercialization of microcredit, and its effect on the very poor. This paper therefore uses the cases of Andhra Pradesh, India and of Cambodia to highlight that, although microfinance will continue to expand to become part of the larger financial mainstream, embracing commercialization as the future of microfinance ultimately betrays the poor and contradicts microfinance's poverty alleviation objective. This argument is made in four parts. First, the logistics and benefits of the group lending system employed by Grameen Bank and its replicas in the 1970s are described. Second, the microcredit commercialization process is outlined, with an emphasis placed on the shift from non-profit MFIs to for-profit commercial banks, and the transition from solidary group lending schemes to the individualization of risk. Third, the example of SKS Microfinance's initial public offering (IPO) is used to illustrate the effects of bringing non-profit MFIs into mainstream financial markets. Fourth, the cases of microfinance crises in Andhra Pradesh and Cambodia are compared in order to analyze how entirely commercialized microcredit programs not only fail to alleviate poverty and empower

women, but also reinforce existing debt relationships grounded in the traditional gender, caste, and class hierarchy. Finally, recommendations for the future are made.

The Grameen Bank and Solidary Group Lending System

The microfinance model can be attributed to Dr. Muhammad Yunus, a Bangladeshi-born, American-trained economist and Nobel Peace Prize winner. During the 1974 Bangladeshi famine, Yunus gave 42 rural families small loans of USD 27 to be used as capital for investment in items they could sell to make a living. The small loans required no material collateral, nor did they have interest rates, two conditions often linked to formal bank loans. Yunus believed that extending small loans to rural populations would stimulate small businesses and reduce poverty in Bangladesh.[4] Together with the Rural Economic Project at the University of Chittagong, Yunus' vision culminated in the Grameen Bank, a microfinance organization that began providing credit and financial services in the rural village of Jobra in 1974 and then in the Tangail District in 1976.[5] In 1983, the Bangladeshi government issued an ordinance authorizing Yunus' microfinance project and established Grameen as an independent community development bank. Grameen Bank provided collateral-free credit to women and, during its early years of operation, reported an extraordinary repayment rate of 98 percent.[6] By 1998, the Grameen model had been replicated in 54 countries with 94 percent of borrowers being poor women.[7]

In its early years, the Grameen Bank experimented with a couple of different lending methods, ranging from giving out individual loans with daily repayment requests, to weekly meetings with a weekly repayment requirement. Ultimately, Grameen implemented a solidary group lending system that consisted of clients voluntarily forming groups of five people in order

to ensure lending was based on joint liability. Each group had a chairperson from whom members applying for a loan needed a recommendation. The chairperson was also responsible for loan repayments by individual members, ensuring the effective monitoring of loan repayments. For example, a group consisting of individuals living in the same part of a village meant that the group's members all knew of each other's activities and could gently ensure that members did not default on loans. To avoid implicit or explicit social subordination, the Grameen Bank required that groups consist of individuals from similar socioeconomic backgrounds. Groups were also organized into "centers," with a Grameen employee being the "center manager" with whom group members would have regular interaction.[8] In their assessment of group lending schemes, Berenbach and Guzman note:

> The solidarity group, because of its basis in mutual support, frees borrowers from… dependent relationships. Further, the peer group itself, becomes the building block to a broader social network… the social objective of mutual self-help and poverty alleviation, remain fundamental to the broader goals of these peer group lending schemes.[9]

Because the Grameen Bank issued loans to members without formal guarantors or material collateral, it relied heavily on socializing members in order to create a sustainable lending community. For instance, Grameen required new members to take a mandatory seven-day training program, often inviting the women's husbands to attend one of the training days. New members were also expected to commit to weekly group meetings for social and installment payment purposes. As Grameen continued to grow and expand, it gave members the opportunity to become a group chairperson, and possibly even a board member of the bank. Moreover, members with a balance above USD 1.18 became bank shareholders, giving them a sense of

ownership in the program, and further embedding them into the social and economic fabric of the community.[10]

In his book on the origins of the Grameen Bank, Yunus writes extensively about his vision of establishing a community banking model that would truly serve the needs of its unique clientele.[11] Given this goal, Grameen's clients consisted mostly of rural women for two reasons. First, formal banks in Bangladesh discriminated against female clients by requiring a husband's permission and approval before applying for a loan. Second, women were more aware of, and affected by, the family's poverty and welfare. Yunus writes that:

> [R]elatively speaking, hunger and poverty are more women's issues than male issues. Women experience hunger and poverty in much more intense ways than men. If one of the family members has to starve, it is an unwritten law that it has to be the mother. The mother has to go through the traumatic experience of not being able to breastfeed her infant during the days of famine and scarcity.[12]

Providing women with micro-loans to start small businesses without the approval of their husbands, which was the case with formal bank loans, would not only elevate their own economic status, but also boost the family's income and welfare. In 1998, 94 percent of Grameen's borrowers were rural women.[13] This meant that rural women had a new social identity; weekly bank meetings enabled them to collect and discuss loan repayments and speak freely without being policed by men. Grameen also instituted "flexiloans," a system that treated defaults caused by natural disasters, sickness or business collapse differently than defaults that occurred despite the debtor having the means to repay their loans. Grameen borrowers were further instilled with financial discipline by being required to make initial deposits of USD 0.80 and a weekly savings deposit of USD 0.059.[14] Over time, the bank also offered borrowers an

array of financial services, including insurance policies and pension schemes.[15] Grameen created an environment so conducive to financial sustainability that it boasted a loan repayment rate of 98 percent.[16] Even more remarkable is the fact that this rate was achieved despite an informal credit lending structure, characterized by the absence of either collateral or a formal contract between the borrower and the bank.

Microfinance and the International Financial Institutions

In the early 1980s, due to the debt crisis in the global south, major Western states led by the United States decided that the World Bank and the IMF should play a fundamental role in managing debt and coordinating development policies around the world. Economic policy changes under the 'Washington Consensus' were aimed at regulating domestic policies through structural adjustment programs (SAPs) that aligned with the free market economic policies promoted by the World Bank and IMF. Structural adjustment included privatization, reducing domestic budgets by cutting government funding of expenditures, and opening up domestic markets to global trade by lifting restrictions on imports and exports. However, by the late 1990s, global protests against SAPs and overall neoliberal restructuring called for structural reforms and adjustments with a human face. It is in this context that IFIs began coordinating and unifying policies for global poverty reduction, including efforts by World Bank and IMF boards to connect international debt relief to poverty reduction policies. These efforts were driven by the Heavily Indebted Poor Country Initiative (HIPC2), the Poverty Reduction Strategy Papers (PRSP), and the Consultative Group to Assist the Poor (CGAP).[17]

In 1998, the World Bank formally institutionalized microfinance as a poverty reduction strategy. Microcredit programs within the IFIs, as well as their institutionalization at the global

and local level, is indicative of how the everyday lives of individuals are deeply entwined with global governance goals.[18] What made microfinance appealing to IFIs was the fact that it is a financially driven enterprise. This means that "as a strategy, [MFIs] have the potential to facilitate a core objective of neoliberal restructuring in the form of financial liberalization and the establishment of a market for financial services."[19] Since the 1990s, the development of a financial services market has been a crucial goal of the World Bank, the IMF, and the World Trade Organization (WTO). Microfinance as an official poverty reduction strategy of the IFIs has real policy implications, including the establishment of macro-level policies for financial intermediary lending, which allows for the readjustment of "financial policy in accordance with the emerging trend to consolidate legislation for the trade of financial services."[20] The idea that there is a positive correlation between microfinance and poverty reduction led to the 1997 Microcredit Summit, which instituted a transnational microfinance campaign aimed at targeting 100 million poor families by 2005. In addition, 2005 was proclaimed the "Year of Microcredit." Microfinance was also recognized as an important tool for the achievement of the Millennium Development Goals (MDGs). IFIs also supported microcredit research, development, and oversight, and began scaling the initial Grameen model, transforming it into commercial models of micro-lending.[21]

Commercialized Microcredit: The Shift from Non-Profit MFIs to For-Profit Commercial Banks

Neoliberalism is grounded on the need to center all economic activities through individual, private practices.[22] According to neoliberalism, poverty alleviation efforts need to stem from a financially liberalized, profit-oriented market-based financial system where the

individual is an "entrepreneur of the self," who is also an agent able to manage him/herself as form of "human capital."[23] Microfinance processes usually entail legal and policy obligations that tend to mirror those of neoliberalism. In effect, microfinance:

> [C]an be conductive to efforts to advance financial sector liberalization… a 'micro-level' strategy… [that] mirrors at the 'local' level the wider trend of neoliberal restructuring… and seeks to establish on a global scale the [legal] political framework for the trade in financial services agenda more specifically.[24]

Although initially administered by non-profit NGOs, microcredit programs are increasingly framed as commercial enterprises that can, through processes of financial liberalization, make use of, and profit from, private capital markets.[25]

Through financialization, borrowers are perceived as private capital and as objects that can be converted into investable assets. Aitken argues that this conversion has been made possible through three technical practices: practices of valuation, techniques of intermediation, and processes of securitization.[26] First, techniques of valuation calculate and assign financial value to certain objects. Giving microcredit programs financial value enables investors to determine credit and investment quality, evaluate investment risk, and compare MFIs with other investment options.[27] Second, practices of intermediation ensure that microcredit investments can be accessed by global markets. Traditionally, IFIs provided the largest funding pool for MFIs through loans and donations. However, beginning in the 2000s, Microfinance Investment Vehicles (MIV) became crucial in connecting private investors with microfinance investment opportunities. The MIV industry has exhibited tremendous growth over the years. Between 2004 and 2007, the number of MIVs grew from 37 to 70. During the same period, MIV assets in the United States grew from USD 908 million to USD 3.9 billion.[28] Both IFIs and private investors

provide MIVs with funding; this funding is then either invested directly into individual MFIs or to other MIVs. More importantly, MIVs also channel funding to third parties, meaning that its policies are solely guided by the interests of its investors. Third, processes of securitization distance receivables from MFIs so that they are transferred to a MIV, thereby connecting securities to future profits associated with receivables. Securitization enables MFIs to funnel micro-loan risk into the global economy. These three techniques therefore transform microfinance into a commercial enterprise.

Rather than exposing themselves to the entirety of the risk associated with lending to thousands of micro-borrowers, MFIs transfer this risk to a third party in the form of standardized securities.[29] The securities are supported by microloans and can take various forms with different maturities and risk-return rates. A securitized loan, then, is not held as a single asset by an MFI but is divided into assets held my multiple investors.[30] This means that the loan servicer must follow systematic procedures that usually make it difficult to change the terms of the micro-loans. Micro-lenders are therefore less flexible on loan repayment requirements, causing heightened difficulties for those borrowers who are unable to repay their loans due to unpredictable or unavoidable circumstances. Securitized micro-loans and the individualization of risk contradict the former solidary group lending system implemented by early micro-lenders, including the Grameen Bank. As previously mentioned, the group lending system consisted of groups with members who were *jointly liable* for their loans, thus providing an alternative to collateral loan requirements.

Credit is also debt that can easily expose poor borrowers to various economic, social, mental and physical vulnerabilities. For example, some micro-lenders use means of intimidation, including fines, physical violence and/or public shaming, to get borrowers to repay their loans.[31]

Augsburg and Fouillet quote a Bangladeshi loan officer's confession of how he sent "recovery teams" to harass defaulters: "if someone is unable to pay the [loan] installment, we come in the village and be rude to him. […] We try to intimidate him and it is only a warning to other clients."[32] Overdue loan repayments can cause additional stress on poor households especially if they accompany other emergencies. Small weekly loan repayments can also cause a strain on the poor if they come from households without steady cash flow.

The SKS Microfinance IPO

Founded in 1997 by Vikram Akula, SKS Microfinance (now known as Bharat Financial Inclusion Limited) implemented a solidary group lending system inspired by the Grameen Bank. It also replicated other community-oriented practices associated with microfinance, including weekly group meetings and relationship-building between the MFI's employees and the micro-borrowers. However, in the late 2000s, Akula developed a lending scheme that would be applied universally regardless of a client's specific socio-economic conditions. SKS Microfinance attempted to establish a scalable version of microfinance and based its business plan on values from fast-scaling consumer business. It therefore "standardized its products and front-line processes and adopted factory-style trading models that have helped corporate giants scale up rapidly," thus enabling its growth.[33] In July 2010, SKS Microfinance launched its IPO, which was thirteen times over-subscribed thereby valuing the company at USD 1.5 billion. The IPO was significant because it allowed private investors through MIVs to purchase shares of an MFI. Some of the early investors included Vinod Khosla and Unitus, both connected to the American venture capital industry, and Sequoia Capital, a private equity form with no previous investment in microfinance.[34] The IPO also increased the stake of investors in an influential MFI who were

primarily driven by commercial interests. Profit-driven credit lending, which is often answerable to shareholders trying to increase their profit margin and attract investors, again proved to be counterintuitive with the principles of community-building and group solidarity as exhibited by the original Grameen model.

It is therefore important to understand what the transition of non-profit MFIs into for-profit enterprises via financialization means for the poorest of the poor. MFIs that launched IPOs have proven that their high interest rates deposit excessive profits into the pockets of private shareholders. This means that shareholders benefit immensely from high interest rates charged to poor borrowers who have little to no bargaining power because they do not have access to other credit options. Nevertheless, an argument can be made for MFIs charging higher-than-average interest rates in order to cover their administrative costs. For example, as Rosenberg et al. note, "lending USD 100,000 in 1000 loans of USD 100 each will obviously require a lot more staff salaries than making a single loan of USD 100,000."[35] While the SKS Microfinance IPO illustrated the massive scale potential of MFIs and how profitable their credit lending scheme can be, it also highlighted that private shareholders can net high profits by selling their shares to international investors.

Microfinance in Andhra Pradesh

Financial inclusion has been a key priority for the Indian government and international organizations. In 2010, CGAP noted that, out of the 1.2 billion people worldwide who did not have access to formal financial services, three hundred million were Indians.[36] Financial inclusion initiatives in India have taken several forms over the years. After India's independence in 1947, the government nationalized most financial institutions in order to ensure that a larger

sector of the population had access to financial services. In the 1970s, the government set up specialized banks that specifically targeted the rural population. In the 1980s, social entrepreneurs established self-help groups (SHGs), a banking program that encouraged commercial banks to give micro-loans to small groups of 10-20 women from the same village or community. These women were encouraged to make small savings, which in turn became small interest loans that were rotated amongst other group members according to self-generated social values and norms.[37]

Informal financial arrangements were also made on the basis of mutual policy support from the National Bank for Agricultural and Rural Development (NABARD), which pushed commercial banks to lend to SHGs. Beginning in the 1990s, SHGs grew in size and ability to reach the poor population, albeit with varying levels of sustainability and efficiency. SHGs were particularly deeply embedded in the lending system of Andhra Pradesh, where 1.7 million SHGs reached 17.1 million clients in 2010.[38] The SHG-bank lending program was further supported by the Society to Eliminate Rural Poverty (SERP) as part of a financial inclusion campaign by the Andhra Pradesh government in 2007. Before this campaign, SHGs were grounded in the savings of the group members; bank loans extended to a group would cap at 3-4 times the value of their savings, with a maximum loan amount of Rs. 100,000. However, under SERP, banks started lending SHGs up to Rs. 500,000.[39] Some of these loans had 5-year repayment periods and, if a SHG paid over three percent interest on a loan, the government of Andhra Pradesh would reimburse the SHG, especially if the group did not default on its loan.

In the 1990s, the Indian government introduced economic reforms that allowed the private sector to engage more directly in the banking system. These reforms also ushered in MFIs, which initially operated as non-profit organizations but later transformed into for-profit

non-bank finance companies (NBFC).[40] NBFC MFIs received support from government policies and direct investment, including from the state-owned Small Industries Development Bank of India (SIDBI). MFIs also benefitted from MIV equity investments and mainstream private equity funds.[41] By 2010, MFIs in India had expanded at a rate of 80 percent and had reach about 27 million people.[42] Above all, government regulations prohibited MFIs from taking deposits from borrowers and instead encouraged them to rely on funding from commercial banks in order to run their operations. Major NBFCs, like SKS Microfinance, were especially active in Andhra Pradesh, especially after banks began lending to them as a channel for lending to the poor.[43] Banks soon discovered that lending to MFIs was easier than creating SHGs and catering to their specialized credit needs. As a result, banks incorporated MFI-NBFC loans into their credit platform and began lending more to MFIs than to SHGs. The development of a one-size-fits all microfinance model, coupled with the shift to for-profit lending and the intense market competition between 400-600 MFIs in Andhra Pradesh completely changed the traditional relationship between the lender and the borrower, converting it into a commercial transaction.[44] In addition, the success of SKS Microfinance's IPO, which generated USD 358 million on its first day, created intense competition between different MFIs, introduced high interest rates on microloans, and led to over-indebtedness among micro-borrowers.[45]

Andhra Pradesh saw the parallel growth in micro-lending of both state-supported SHGs and India's five largest private MFIs. In 2010, 17.1 million SHGs provided 117 million people with micro-loans. In the same year, MFIs had reached 9.7 million borrowers with loans totalling Rs. 72 billion.[46] Although SHG loans have longer and flexible repayment conditions, "the combined outreach and continued growth [meant] that the borrower accounts of SHGs and MFIs together on a per capita basis is over four times the median of Indian states."[47] In their analysis of

the microfinance crisis in Andhra Pradesh, Johnson and Meka demonstrate that more than 83 percent of the households in the province had taken loans from both SHGs and MFIs, as well as managing four or more loans at a time.[48] As a result, the average debt per household in Andhra Pradesh was estimated to be Rs. 65,000 compared to the national debt average of Rs. 7700.[49]

Rather than alleviate poverty, the increased volume and availability of micro-loans from SHGs and MFIs worked to exacerbate it. Microfinance, in this context, worked as a poverty trap; while micro-loans gave low-income borrowers capital to develop micro-enterprises and become self-employed, they also caused the saturation of small businesses due to the inability of the government of Andhra Pradesh to provide economies of scale and create markets where micro-enterprises could flourish and generate revenue. Amsden argues that this is a form of Say's Law, where supply is expected to create its own demand.[50] However, rural communities in Andhra Pradesh did not have the natural elasticity to absorb unlimited amounts of supply through the increase of local enterprises. This, together with the lack of regulation of the microfinance sector by the national and provincial governments, not only allowed for the rapid proliferation of MFIs, SHGs, and their lending schemes, it also allowed for aggressive and coercive approaches to the collection of loan repayments. Consequently, the pressure to repay loans and the growth of easily available credit from a plethora of lenders led to "overlapping," with borrowers taking loans from one lender to pay back another, thus creating a large concentration of debt from which borrowers could not escape.

The 2010 microfinance crisis in Andhra Pradesh was sustained by increasing debt cycles among micro-borrowers and high interest rates charged by both SHG-bank lending programs and MFIs. Women borrowers in Andhra Pradesh reported that MFIs in particular charged very high interest rates of between 24 percent and 50 percent.[51] Alarmingly, this enormous accumulation of

debt become associated with an increased suicide rate among borrowers who could not keep up with loan repayments and high interest rates. The suicides are, arguably, related to the fact that borrowers tended to acquire multiple loans from several SHGs and MFIs, thereby accumulating an unsustainably high level of personal debt. In November 2005, for example, a couple who had initially borrowed USD 500 from an MFI to help grow their family business, and then acquired other loans of the same amount from two different MFIs, committed suicide by drinking cyanide.[52] In total, the government of Andhra Pradesh reported the suicides of fifty micro-borrowers who were unable to repay their loans in 2010. More importantly, the suicides highlighted that the uneven access to resources also means that some farmers and laborers are exposed to greater vulnerabilities and are, in turn, unable to meet the needs of their household.

It is equally important to situate the microcredit crisis in Andhra Pradesh within the greater crisis of social reproduction in Indian's agrarian sector, where debt relations are deeply entwined in rural livelihoods.[53] Even before the introduction of microcredit schemes, the power of the debt cycle in rural India continued to be "integral to hierarchically structured patterns of production, consumption and social reproduction."[54] Microcredit did not merely provide rural Indians with loans to establish micro-enterprises, it actually bolstered existing power relations of debt built upon structures of class, gender relations, and the caste system. As such, micro-finance became embedded within prevalent traditional power relations pertaining to social production. The process of liberalizing the agrarian sector exacerbates social differentiation, which is then furthered by the expansion of for-profit commercial micro-lending schemes.

The microfinance crisis in Andhra Pradesh raised questions about whether MFIs and NBFCs are predatory moneylenders, and if so, should they be allowed to receive direct funding from public banks. In response to the crisis, the Chief Minister of Andhra Pradesh passed "[a]n

Ordinance to protect the women Self Help Groups from exploitation by the Microfinance Institutions in the State of Andhra Pradesh," which instituted regulations on MFIs including "district-by-district registration, requirements to make collections near government premises [and] a shift from monthly payments."[55] In addition, the Reserve Bank of India (RBI) formed the Malegam Committee that recommended further guidelines for the operations of MFIs in the state, including limiting competition, a cap on loan interests, and a cap on per-household lending.[56] In addition, the government regulation of the microfinance sector led to an operating freeze of SKS Microfinance. The government of Andhra Pradesh also asked MFIs to forgive approximately USD 2 billion in repayments, which they did, in November 2010.

Microfinance in Cambodia

The microfinance industry in Cambodia began in the early 1990s as small, internationally funded initiatives that sought to generate employment for demobilized soldiers and refugees after the Cambodian-Vietnamese War (1978-1989). Similar to initiatives elsewhere, microfinance began as non-governmental organizations reliant on international donor funding. Donor-funded MFIs were aimed at women's empowerment, job creation, and poverty reduction. The Association of Cambodian Local Economic and Development Agencies (ACLEDA), a pioneer in the microfinance sector, was established in 1993 as part of an International Labor Organization (ILO) and United Nations Development Program (UNDP) initiative and was remodeled into a specialized bank in October 2000 and a fully-fledged commercial bank in December 2003.[57] The transformation of ACLEDA into a for-profit commercial enterprise ushered in more commercial models of microfinance in the 2000s that continue to be prevalent today.

In 2000, five major MFIs dominated the sector, providing 1.4 percent of a population of 12.5 million borrowers microloans averaging USD 137.[58] By 2009, MFIs had 557 branches across the country and were extending credit to 10 percent of the Cambodian population at an average loan size of USD 774.[59] As of 2013, 1.4 million households in Cambodia were borrowing from MFIs, meaning that about half of the population was using microcredit.[60] However, as Bylander notes, the commercialization of the microfinance industry did not alter the traditional perception of credit as a mode of establishing micro-enterprises that enable self-employment and thereby contribute to securing rural livelihoods.[61] The mission statements of some of the largest MFIs in Cambodia illustrate this. For example, Hattha Kaksekar Limited's (HKL) mission is "to provide a wide range of financial services for low income people as well as micro, small and medium enterprises – while at the same time achieving a high level of financial and social performance." Prasac's vision is "to provide sustainable access to financial services for rural communities and micro-enterprises."[62]

Despite this, the microfinance industry in Cambodia is managed by the National Bank of Cambodia (NBC), which requires MFIs to register in order to acquire an operating license.[63] The NBC regulations differentiate between two different kinds of MFIs: non-deposit taking MFIs and deposit-taking MFIs, each kind operating under distinct regulations. While non-deposit taking MFIs are expected to have a minimum of USD 62,500 in capital, deposit-taking MFIs are required to first operate as a non-deposit taking MFI for three years, display sustainable profitability for two consecutive years, and have a minimum paid-up capital of USD 2.5 million.[64] NBC requirements for MFIs are aimed at keeping the financial market healthy and profitable. Nevertheless, the growing number of both types of MFIs, as well as the easy access to credit, creates competition as organizations attempt to attract and reach rural clients. The growth

in the number of MFIs in Cambodia illustrates this. The plethora of MFI offices at the district level means that clients can easily access the institution and credit. Generally, MFI officers go out into the villages to disburse loans and collect payments, thereby bringing the MFI's services even closer to their clients. In her study of microfinance in Chanleas Dai, a region plagued by natural disasters and poor infrastructure, Bylander notes that, although perceived as a useful enterprise, microcredit is often used to cope with rural insecurities and 'saving down,' wherein individuals borrow money to spend on urgently-needed objects and services, before finding ways to repay the loans.[65] Because borrowers use micro-loans to cope with their economic situation rather than to invest in micro-enterprises, loan repayment usually tends to stem from remittances and further borrowing from other (informal) sources. As such, loan repayment is often highly dependent on the regular flow of remittances. In 2014, the connection between microcredit and remittances became even clearer when 220,000 Cambodian workers were expelled from Thailand as a result of a crackdown on undocumented workers. MFIs, well aware of the link, were concerned about the possibility of defaults due to this migration's negative impact on remittances.[66]

In her study on the causes of over-indebtedness among micro-borrowers in Cambodia, Liv notes that a majority of borrowers did not earn enough from entrepreneurial activities to repay loans.[67] As a result, indebtedness in Cambodia occurred primarily in villages with a high concentration of MFIs, often causing borrowers to take out even more loans. Multiple borrowing is a pervasive phenomenon in Cambodia due to the easy accessibility of MFI services in rural villages and the low levels of financial literacy among the rural population. This has led to loan repayment issues and over-indebtedness. High interest rates on loans also contribute to the debt-per-household crisis. In the case of a loan default, as was also the case in Andhra Pradesh, MFIs

would cooperate with police authorities to seize the borrower's assets. However, in 2017, Prime Minister Hun Sen ordered local authorities to not get involved with MFIs repossessing borrower assets over defaulting loans.[68] Despite this order being issued, anecdotal evidence suggest that, on average, between 10 and 15 percent of land has been repossessed by MFIs with help from the authorities.[69] The microfinance industry in Cambodia, like in Andhra Pradesh, has transformed from non-profit, donor-assisted NGOs to for-profit commercial. This mirrors a transformation of development and poverty reduction into a market-led, profit-oriented activity. Importantly, the rise in loan disbursement does not necessarily equate to borrowers choosing to use their loans to establish or expand their businesses; most times, the increase in borrowing is attributable to a lack of state-provided welfare, which pushes the most vulnerable segments of the population to seek multiple loans in order to sustain themselves and their families.

Analysis

The transition of microfinance from the non-profit model to for-profit enterprises results in poor women in particular paying higher-than-average interest rates on loans. The SKS Microfinance IPO demonstrates how private shareholders can net sizeable profits by selling company shares while implementing high interest rates on poor borrowers. High interest rates are a key tool in the poverty trap, wherein poor borrowers take more loans from multiple sources in order to pay off their debt. This transition also suggests that the way for-profit commercial banks extend microfinance to low-income households is significantly different from microcredit schemes operated by non-profit NGOs. Unlike financial literacy administered by the Grameen Bank, the microfinance industries in Andhra Pradesh and Cambodia lack programs aimed at

educating poor borrowers about the dangerous of multiple borrowing and loan defaulting. Micro-borrowers are there both unaware about, and unprotected from, high interest loans.

In addition, Amsden's analysis of poverty reduction strategies in the global south illustrated that policymakers are mistaken to assume that domestic markets can naturally absorb an unlimited number of unemployed people through the growth of local entrepreneurship.[70] Say's Law is the belief that supply creates its own demand, and is a convenient way for policymakers to create employment through supply-side measures. In reality, micro-enterprises do not necessarily increase the total amount of business and demand in a given economy. The volume of commercial MFI loans often tends to increase the number of micro-enterprises without also increasing the demand of goods and services. This creates a hyper-competitive system at the local level and depresses the prices of local goods and services. As such, wages, incomes and profits plummeted for those households struggling with both the management of their businesses and with loan repayments. In both the Andhra Pradesh and Cambodia case studies, Say's Law was combatted by increased government regulations, including implementing a cap of per-household lending.

Conclusion: Policy Recommendations for the Future

While microfinance will continue to become a larger part of the financial mainstream, embracing a completely commercialized approach ultimately betrays the poor and is contrary to microfinance's poverty alleviation objective. The state cannot withdraw completely, leaving the market to supply the credit necessary for the poor to become self-employed via micro-entrepreneurial enterprises. The state should therefore implement greater regulation mechanisms

to require transparency on loan terms, including the disclosure of an annual percentage rate (APR), impose a limit on interest rates, and policies against abusive debt collection practices.

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Physical Insecurity, Uncertainty, and Strategic Miscalculation: An Analysis of the Risks Posed by Artificial Intelligence to the NATO Alliance

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Physical Insecurity, Uncertainty, and Strategic Miscalculation: An Analysis of the Risks Posed by Artificial Intelligence to the NATO Alliance

In light of continued advancements in the field of artificial intelligence (AI), NATO officials have begun articulating the importance of a comprehensive AI strategy as a critical tool for 21st century military engagement. Although AI may offer tactical advantages, the proliferation of autonomous weapons and AI in warfare will also pose significant challenges to the physical security, strategic direction, and cohesion of the NATO alliance. Military AI poses a dual threat to the alliance. Firstly, when used by adversarial actors, weapons automation and AI may undermine the physical security, strategic calculus, and cohesion of NATO member states. Secondly, the ways in which NATO implements AI into its own arsenal will affect the alliance's credibility, ontology, and ability to formulate a coherent, effective military strategy that reflects the contemporary security environment. The ways in which NATO adopts tactical AI into its own arsenal may undermine the alliance's ability to formulate a coherent military strategy that does not become subordinate to military technology.

Keywords: autonomous weapons; artificial intelligence; NATO; alliance cohesion; strategic overreach.

Introduction

Security scholars and military strategists regularly debate the legal, ethical, and strategic ramifications of emerging or "revolutionary" military technologies. These debates continue in the contemporary security environment, as both state and non-state actors explore the role that artificial intelligence (AI) may play in emerging weapons systems. Importantly, the term "AI" does not describe one specific technology but represents an "integrated system that incorporates information acquisition objectives, logical reasoning principles, and self-correction capacities".[1] AI is being incorporated into many aspects of the contemporary military apparatus, including surveillance, cyber infrastructure, and target identification. Machine learning, a subfield of AI, involves training AI to identify patterns in large datasets such that it can then detect, predict, and

infer trends in new data.[2] For example, an AI equipped with machine learning could be used to efficiently and rapidly infiltrate an adversary's cyber system, maliciously targeting cyber infrastructure without detection.[3] The link between machine learning and warfare became a subject of contention when United States Deputy Secretary of Defense Bob Work announced in April 2017 that the Department of Defense (DoD) was creating an Algorithmic Warfare Cross-Functional Team, with the aim of integrating AI, big data, and deep learning into DoD efforts.[4] The project, known as "Project Maven", involved exposing AI to thousands of hours of drone surveillance footage, thereby training the AI and machine vision to identify objects and individuals of interest within live surveillance imagery. The AI's findings would then be communicated to a human operator in order to improve the decision-making process, reduce the burden on human analysts, and enhance intelligence gathering.[5] Project Maven became marked by public controversy when it was revealed by Google employees that the company had been contracted to supply the necessary technology, prompting several employees to resign and thousands more to sign a petition condemning the company's involvement with military AI.[6]

In response to widespread technological development and investment in the field of military AI, international relations scholars have begun analyzing the role in which autonomous weapons may soon play in contemporary warfare.[7] Recognizing that "autonomy" is a spectrum, and that the emergence of military AI represents a logical progression in technological advancement, it is important to differentiate between weapons systems that can navigate with some degree of autonomy, such as military drones, from those systems that are capable of selecting and engaging a target independently. When considering the future roles that these technologies will play in warfare and international relations, it is important to recognize that those systems that can be defined as "autonomous" demonstrate significant variance regarding

the involvement of humans in the development and enactment of military decisions. Often, scholars debating the shift towards increased weapons automation refer to the degree to which humans remain "in" or "on" the decision-making loop. Systems where humans remain "in" the loop allow humans to retain "manual control" of all military decisions.[8] Systems where humans remain "on" the loop, however, reduce the human role to one of oversight; the system uses machine learning and AI to analyze its environment and formulate a response, with humans only retaining the ability to over-ride the system's decision, should they deem it to be inappropriate, dangerous, or illegal. Importantly, scholars such as Noel Sharkey, who chairs the International Committee for Robots Arms Control and has published extensively on AI ethics, have noted that even when humans are capable of overriding the system, there remains an "automation bias", whereby the "promise" of algorithmic certainty, precision, and calculation reduces the likelihood that human operators will defy the system's decision, or search for "contradictory information".[9]

Highest on the spectrum of military autonomy are autonomous weapons systems, defined by the United States Department of Defense as:

> [A] weapon system that, once activated, can select and engage targets without further intervention by a human operator. This includes human-supervised autonomous weapon systems that are designed to allow human operators to override operation of the weapon system but can select and engage targets without further human input after activation.[10]

Such a weapon utilizes AI and machine learning in order to adapt to changing circumstances, analyze dynamic environments, and orient itself accordingly. Importantly, militaries have yet to implement fully autonomous weapons systems, capable of striking independently; all current weapons systems keep humans "in" the loop. However, significant investment by countries such as the United States, China, Israel, Russia, and the United Kingdom suggests that contemporary

warfare will feature weapons systems increasingly capable of autonomous decision-making and engagement.[11] While the current landscape does not represent the dystopian "robot wars" of science fiction, the introduction of AI into military capabilities has created significant political, ethical, security, and strategic challenges for state actors and international institutions.

Central to an analysis of military AI is the recognition that, if deployed effectively, this technology may offer significant tactical advantages, such as independent precision targeting, swarm communication, and instantaneous data collection and analysis.[12] The North Atlantic Treaty Organization (NATO) is a multilateral alliance that emphasizes the values of collective defense and security for member-states. In light of the continued advancements in the field of AI and "smart weapons", NATO officials have begun articulating the importance of a comprehensive AI strategy as a critical tool for 21st century military engagement. Although AI may offer tactical advantages, the proliferation of AI in warfare will pose significant challenges to the physical security, strategic calculus, and cohesion of the NATO alliance. When used by NATO's adversaries, AI may undermine the political security of member states by intensifying targeted attacks that utilize cyber warfare, espionage, and misinformation campaigns. The proliferation of AI will also challenge NATO's ability to attribute acts of aggression, hindering the alliance's ability to respond appropriately. Most importantly, the ways in which NATO adopts tactical AI into its own arsenal may undermine the alliance's ability to formulate a coherent military strategy that does not become subordinate to military technology.

The NATO Alliance

Established in 1949, NATO is a military and security alliance comprised of 29 member states. While NATO's original mandate was dedicated to defending member states from the

emerging Soviet threat, the alliance has maintained relevance following the dissolution of the Union in the early 1990s, and continues to be an important international actor. Since the end of the Cold War, NATO's credibility as a security alliance has largely become reliant on signaling its ability and willingness to collectively defend member states against a wider variety of external acts of aggression.[13] This commitment is most clearly articulated in Article 5 of the NATO Charter, which outlines the concept of collective security and defense. While Article 5 has only been invoked once, following the 9/11 attacks against the United States, the article represents the key tenet and primary binding principle of the alliance.[14] Furthermore, NATO's contemporary identity as a multilateral institution has been shaped by its commitment to the promotion and protection of liberal democratic values.[15] The promotion of certain values, including liberal democratic governance and the protection of civil liberties, has widely been considered a precondition for contemporary NATO membership following the end of the Cold War, as these shared values and interests form the basis of the alliance's collectivity.

Since the end of the Cold War, NATO has conducted operations in regions that extend beyond the territories of its member states, including military and humanitarian engagements in response to international crises and conflicts in Kosovo, Afghanistan, Iraq, Somalia, Libya, and Ukraine.[16] Ivo Daalder sees the geographical broadening of NATO's sphere of engagement as a necessary requirement for effective contemporary action, writing, "NATO would have to abandon its narrow geographical focus and the primacy of territorial defense...its fundamental purpose would be to provide for allied collective defense-not only of allied territory, but also of allied interests."[17] Thus, NATO's contemporary mandate also aims to promote stability and security internationally, particularly in circumstances where regional insecurity threatens the collective values or interests of member states.[18]

Tactical Benefits of AI

An examination of the challenges that the proliferation of tactical AI poses to the NATO alliance must begin by considering the tactical advantages associated with the technological development of AI. As previously mentioned, weapons automation is not a novel concept; from landmines and guided missiles, to cyber warfare and drones, states and non-state actors have long strived to operate partially automated weapons systems.[19] However, recent advancements in the field of AI have allowed for the creation of extremely sophisticated systems, capable of mass surveillance, collective communication, rapid decision-making, and precision targeting, further minimizing the role of the human operator.[20]

The degree of autonomy exhibited by weapons that employ AI varies significantly based on the particular weapon design and software. Some weapons systems are limited to a form of machine learning which only executes predefined behaviors that have been specifically programmed by humans. For example, in Iraq and Afghanistan, the U.S. military deployed over 2,000 iRobot 510 PackBots, which employ "semi-autonomous functionality and enhanced situational awareness" in order to detect and neutralize IEDs.[21] Alternatively, autonomous systems may integrate active data processing-capabilities, similar to those used by Project Maven, in order to make independent decisions in rapidly-changing environments.

International relations scholars and military officials have taken notice of the numerous tactical benefits associated with military AI. Kenneth Payne, author of, *Strategy, Evolution, and War: From Apes to Artificial Intelligence*, argues that AI-equipped weapons engage in, "pattern recognition, memory, and speed, which translate well into military power."[22] The tactical benefits of AI can be examined by applying the framework developed by former military strategist John Boyd in his theory of the OODA loop, which considers the length of time military

commanders require to observe, orient, decide, and act in response to a dynamic battle environment. Boyd argues that human intelligence and military decision-making depend upon the process of perception, identification, and action where a human actor must first observe their environment, orient themselves to react, decide upon an appropriate response, and then finally, act.[23] However, weapons equipped with AI complete the OODA loop using algorithms and predictive data analysis in order to complete the decision-making cycle in a fraction of the time required by a human operator. These weapons may also utilize and incorporate additional technologies such as GPS, LIDAR (light detection ranging sensors), infrared technology, and radar, further increasing the speed at which military decisions can be made.[24]

Autonomous weapons are also being developed with "swarm" capabilities, which allow several small weapons to act as a collective, employing synchronized communication and targeting in order to overwhelm an identified target. Paul Scharre, author of *Robotics on the Battlefield Part II: The Coming Swarm* examines the tactical benefits of swarm capabilities, writing that "swarms of robotic systems can bring greater mass, coordination, intelligence and speed to the battle field, enhancing the ability of warfighters to gain a decisive advantage over their adversaries".[25]According to Scharre, a key tactical advantage of swarm warfare is the ability to have small, covert weapons systems perform coordinated, "collective intelligence", engaging a target at multiple angles simultaneously and applying AI to the process of reconnaissance and tracking, thereby improving the target identification process as well as the targeting itself.[26] Given their small size, weapons built to engage in swarm warfare are also, "cheaper, easier to transport, and can be deployed in a shorter time than larger hardware".[27] Importantly, militaries have already begun exploring the feasibility of robotic swarm warfare. As of March 2019, the UK Government has pledged to invest £2.5 million towards the creation of

unmanned aerial machines specializing in swarm technology.[28] British Minister of Defence Procurement, Stuart Andrew, spoke to the logic behind this significant investment, stating that "Drone swarm technology can revolutionize how we conduct intelligence gathering, humanitarian aid, disposal of explosives and supply our troops on the battlefield".[29] Furthermore, the director of Blue Bear Systems, the firm contracted to supply this technology, outlined the tactical benefits of swarm warfare, explaining that:

> [T]he ability to deploy a swarm of low cost autonomous systems delivers a new paradigm for battlefield operations…we will deploy next generation autonomy, machine learning, and AI to reduce the number of operators required, the time it takes to train them, and the cognitive burden on any operator during active operations. This allows very complex swarm-based missions to be performed simultaneously against single or multiple targets in a time sensitive and highly effective manner.[30]

Similarly, in the US, the American Office of Naval Research has been investing in the Low-Cost UAV Swarming Technology (LOCUST) project since 2015, and pledged another $29.7 million towards the project in 2018.[31] This investment aims to enhance "information-sharing between UAVs, enabling autonomous collaborative behavior in either defensive or offensive missions".[32]

Scholars, military analysts, and representatives from the defense industry are also considering the advantages of using AI for defensive purposes. For example, defensive cyber AI, used to prevent malevolent cyber intrusions, could identify anomalies, disruptions, and "malicious code" faster than human operators. While AI can be used to hack an adversary's cyber infrastructure in increasingly effective and clandestine ways, this technology may also "improve network monitoring and threat identification at speed", thereby offering important defensive advantages for those military, civilian, and governmental departments that can

implement AI into their cyber defense systems.[33] It is important to note, however, that defensive cyber AI does suffer from limitations, including the possibility that malicious actors with access to sophisticated technology could manipulate the AI, undermining its defensive capabilities.[34] Nonetheless, significant technological advancements have allowed for the implementation of automation in defense systems, as exemplified by both the American Phalanx Close-in Weapon System (CIWS), used by the US Navy, and the Israeli 'Iron Dome' missile defense system. Manufactured by Raytheon and operated by the navies of 24 US allies, the Phalanx CIWS has been described as "the only deployed CIWS capable of autonomous search, detection, evaluation, tracking, engagement and kill-assessment functions".[35] Using infrared sensors and radar, The Phalanx CIWS automatically detects, tracks, and engages anti-ship missiles and aircraft.[36] In response to the persistent threat of missile strikes on its territory, Israel has also developed and deployed autonomous missile defense systems, namely the Israeli Iron Dome system. The Iron Dome uses radar to independently and automatically identify an incoming rocket, predict its trajectory and the "level of threat it poses", and subsequently intercept the rocket with a responding missile.[37] Advocates for autonomous weapons often note that the Iron Dome has an estimated to have an effectiveness rate of between 75-95 percent, having intercepted thousands of missiles since its first deployment in 2011.[38] Although some critics have questioned the accuracy of the Iron Dome system, and have expressed concerns that its example may promote the proliferation of automated weapons systems, proponents of autonomous defensive military systems note that such systems are capable of responding to incoming missiles faster than human cognition would allow, thereby providing militaries and governments with the most efficient, rapid response to imminent security threats.[39]

The growing investment into automated weapons may also allow militaries to engage in dangerous situations without directly endangering live troops.[40] Consequently, autonomous weapons systems may present democracies with a favorable option for military deployment by reducing both the risk of death and the resulting political repercussions. Analysts have also suggested that automated weapons will also reduce the financial costs typically associated with the deployment of regular troops and have praised robotic weaponry for its ability to exceed the physiological human limitations of fatigue, fear, uncertainty, and self-interest.[41] Given the potential for reduced financial burden, protection of military personnel from direct harm, defense capabilities, and the ability to overcome the human characteristics of exhaustion, fear, and self-interest, it is possible that the proliferation of tactical, military AI will reduce the cost of war overall, thereby lowering barriers to violent conflict and increasing the potential for warfare.[42] While these arguments are relevant to the contemporary policy debates that aim to assess the global threat posed by AI-equipped weapons, it is important to note that the potential for a reduced "cost" of warfare is itself a strategic advantage that must be weighed against the potential for more frequent warfare. Indeed, states will engage in a cost-benefit analysis wherein the "cost-exchange" ratio of developing and deploying autonomous weapons will be weighed against their tactical benefits. Furthermore, as other states begin to field these technologies into their own military arsenals, the costs associated with not adopting tactical AI will increase. Although the proliferation of autonomous weapons may spark a global arms race, it is highly likely that NATO member states and their adversaries will consider the immediate tactical advantages of military AI as offering a vital edge in 21st century military engagement.[43]

Physical Threats to NATO Member States

Given the tactical benefits of AI, adversarial actors are likely to implement AI into their efforts to target other actors, including NATO states. Thus, the proliferation of AI in warfare is likely to pose a threat to the physical and political integrity of NATO member states. In recent years, security scholarship has consistently emphasized the threat posed by "hybrid warfare". While the exact definition of hybrid warfare remains ambiguous and fluid, hybrid efforts tend to involve the exploitation of political, physical, and infrastructural vulnerabilities through the synchronized deployment of covert or asymmetric tactics.[44] Importantly, "hybrid" tactics, which may include the deliberate dissemination of misinformation, cyber aggression, and propaganda, can be used in conjunction with traditional military force, or as a standalone tactic. Analysts often classify instances of cyber aggression and espionage against the NATO member states of Estonia in 2007, and Lithuania in 2015 and 2017, as examples of the continued hybrid threat to the NATO alliance.[45] It is important to note, however, that the aforementioned use of cyber aggression against NATO member states did not utilize AI.

As is the case with weapons automation, the use of asymmetric tactics against an identified target is not unique to the contemporary era. Although the cyber-attacks against NATO states did not use AI, these examples provide important insight into the future challenges posed by this emerging technology. Brundage et al., authors of *The Malicious Use of Artificial Intelligence: Forecasting, Prevention, and Mitigation*, outline several ways in which AI may allow for greater acceleration and intensification of cyber aggression, including AI's ability to adapt to changing circumstances and adjust attacks accordingly, thereby allowing for the rapid analysis of system data in order to identify exploitable vulnerabilities.[46] The proliferation and advancement of AI will therefore allow for the intensification of both the "scope and scale" of

cyber tactics involving espionage, the dissemination of misinformation, and infrastructural damage, making these automated attacks increasingly destabilizing.[47] Further, Brundage et. al note that AI, capable of mimicking the ways in which humans operate online, would be able to "automatically generate command and control domains that are indistinguishable from legitimate domains by human and machine observers […] used by malware to 'call home' and allow malicious actors to communicate with the host machines", thereby allowing attacks to rapidly and covertly infiltrate an adversary's cyber infrastructure without detection.[48] As AI facilitates precision targeting and vulnerability assessment beyond the reach of human cognition, this form of hybrid warfare will make the process of vulnerability-detection more rigorous, effective, and destabilizing. Hostile actors that deploy AI effectively would therefore be able to engage in mass digital surveillance, infrastructural degradation, and hacking campaigns while simultaneously using AI to disguise attacks as standardized software.[49]

Cyber campaigns could even use AI in order to target another AI system and "take control or manipulate the behaviour of an autonomous system".[50] As civilian technologies in transportation, energy, and the finance sectors become increasingly automated, the algorithms and software that sustain these systems may also become targets for malware and manipulation by adversarial actors; the complex, interconnected nature of automated systems renders them vulnerable to targeted exploitation aiming to cripple or critically damage information systems and domestic infrastructure in order to promote chaos, uncertainty, and panic.[51]

While the proliferation of AI will intensify hybrid attacks, which employ asymmetric tactics that may be deployed alongside conventional warfare in pursuit of a strategic advantage, emerging AI technology will also create novel forms of cyber aggression that may pose an unprecedented threat to the political integrity of NATO member states. Scholars are already

expressing concern over the concept of "deep fake" technology, wherein AI manipulates images and speech in order to produce video and audio forgeries that appear genuine.[52] Greg Allen and Taniel Chan, authors of the Belfer Centre's *Artificial Intelligence and National Security* report, examine the dangers of AI forgery, writing that "these forgeries might compromise a large part of the information ecosystem. The growth in this technology will transform the meaning of evidence and truth in domains across journalism, government communications, testimony in criminal justice, and of course, national security."[53] AI may therefore be used to disseminate misinformation on a scale which would render the average citizen incapable of discerning the truth from artificially-produced propaganda, thereby stoking fear and panic, eroding political discourse, and promoting internal dissent within the citizenries of NATO member states. Ultimately, this deliberately created uncertainty and polarization aims to undermine the liberal democratic structures that uphold the NATO alliance, including state credibility, free democratic elections, and multilateral relationships of trust between member states. Tomáš Valášek, a member of the Carnegie Europe think tank, argues that deep fake technology would be especially devastating to military alliances that share intelligence writing that "when a country uses an intercepted radio communication as evidence, an adversary could release a doctored version looking so credible and realistic that it undermines faith in the original intelligence".[54] At the moment, "deep fake" technology is relatively new, and has therefore not yet been used against NATO member states. Although this technology is not yet a credible threat to the NATO alliance, it offers significant opportunities for adversarial actors that aim to promote panic, exploit internal dissent, and erode multilateral alliances. Furthermore, NATO member states may not be fully capable of predicting, and appropriately preparing for the many ways in which AI-created forgeries might be used against them.

Uncertainty Regarding Attribution and Intentionality

In addition to posing a threat to the physical, political, and infrastructural integrity of NATO members, the use of AI in warfare also raises practical challenges for a multilateral institution that is tasked with first identifying, and then confronting acts of aggression against member states. As previously mentioned, NATO's credibility as an alliance relies upon its commitment to collective defense and security; in particular, Article 5 of the NATO Charter constitutes the core tenet that binds member states together and provides the alliance with its ontological purpose of collective defense and security against external aggression.[55] As autonomous systems become increasingly capable of accumulating and analyzing data in order to formulate responses independently from the programming of their human operators, NATO's ability attribute aggression will become undermined.

The first set of challenges relating to attribution pertains to NATO's ability to determine which acts of AI-perpetrated aggression cross the threshold that triggers a collective response, and to determine which actors are responsible for such aggression. For example, autonomous weapons are expected to become smaller and more sophisticated as technology improves, creating the possibility that AI could perform discreet assassinations wherein identifying actor responsibility would be difficult, if not impossible.[56] Should NATO find itself unable to confidently identify the actors responsible for discreet, destabilizing acts of AI aggression, the alliance will be fundamentally unable to formulate a coherent, collective response.

Furthermore, international law regarding weapons automation and military AI remains scarce and incomplete, thereby undermining NATO's ability to formulate guidelines for collective response. To some extent, such challenges are inherent to contemporary military engagement in the age of intensified hybrid warfare. For example, the alliance's response to

cyber-attacks against the Estonian state in 2007, which entailed dispatching a team of cyber specialists to the region, drew significant criticisms for being a weak, and inadequate response to such an act of aggression.[57] Recall that the use of cyber aggression against the Estonian state did not utilize AI. However, the Estonian example provides important insight into the future challenges posed by acts of cyber aggression that do utilize AI technology. Further, the use of AI may, "raise the threat that an adversary could achieve strategic effects without undertaking overt military aggression"; indeed, adversary states may exploit the uncertainty regarding attribution by using AI to manipulate their strategic environment, rather than engaging in explicit acts of aggression.[58] The development of AI raises the possibility of cyber-attacks that are more clandestine and disruptive, yet do not constitute "warfare" since they are not captured by existing legal regimes.

The second set of challenges pertains to NATO's ability to attribute acts of aggression perpetrated by systems that exercise a degree of autonomy. Even if the NATO alliance were capable of determining which states, or non-state groups, were responsible for AI-equipped aggression, there remain significant challenges associated with concretely proving intentionality. Since autonomous systems by definition operate with a degree of autonomy, their actions cannot easily be attributed to human operators. In *Robot Wars: US Empire and Geopolitics in the Robotic Age,* Ian Shaw explains that "artificial intelligence erodes human intentionality as the sole arbitrator of state power, replacing it with the machine learning of robotics".[59] Autonomous weapons operate within a "grey zone" where they are not full moral agents yet remain capable of enacting aggression independently. Consequently, acts of aggression perpetrated by AI may provide aggressors with an opportunity for deniability, whereby abuses or misuse can be blamed upon the system's autonomy. According to some scholars, the legitimacy of such claims may

depend on the level of autonomy possessed by the offending system, whereby systems that operate with minimal levels of autonomy, and allow humans to retain significant oversight, would allow for human commanders to be held to account for their misuse.[60] The concern about deniability does not suggest that it will always be impossible to determine which state or non-state actors deployed autonomous weapons or AI. Should highly autonomous weapons with considerable capacity for autonomous decision-making and targeting be deployed in the future, however, efforts towards measuring intentionality, accountability, and moral responsibility for their misuse will prove problematic.[61]

Indeed, there exists significant disagreement amongst scholars and within the international community regarding which actors can, and should, be held accountable for potential misuses of weapons equipped with varying degrees of autonomy. Some scholars have questioned whether or not the programmer who coded the weapon, or perhaps the military commander who ordered the act of aggression should be held accountable for the wrongful act of an autonomous weapon. Robert Sparrow, philosopher and co-founding member of the International Committee for Robot Arms Control, considers the challenges associated with accountability and responsibility by arguing that neither weapons developers, military commanders, nor the weapons themselves can be held responsible for acts of violence perpetrated by autonomous weapons, precisely because these systems exercise a degree of autonomy.[62] From a philosophical perspective, Sparrow notes that efforts to "punish" an offending robot, incapable of understanding consequences or feeling emotion, do not satisfy the requirements of moral responsibility in warfare.[63] Consequently, these systems undermine the principle laws of war requiring that warring parties be held responsible for violence and civilian death.[64] Conversely, Marcus Schulzke, author of "Autonomous Weapons and Distributed

Responsibility" argues that the existing military framework of shared responsibility ensures that civilian and military commanders, as well as weapons developers, can be held responsible for abuses perpetrated by AI. Schulzke explains that:

> "[T]hese two classes of decision makers are responsible for constraining the autonomy of AWS (autonomous weapons systems) by providing them with basic programming, ROE, appropriate objectives, and weaponry that can be used justly…because these actors are responsible for determining how the AWS will be able to express their autonomy.[65]

In order to address the aforementioned challenges, the international community should formulate effective guidelines regarding intentionality for the use of force perpetuated by systems that operate with a degree of autonomy and thereby challenge traditional conceptions of wartime responsibility and accountability.

Strategic Challenges

In recognition of both the physical threats posed by the proliferation of tactical AI, as well as the practical challenges associated with attributing the acts of an autonomous weapon, academics and government officials have attempted to incorporate emerging AI technology into the international legal nexus. As of 2019, the 'Campaign to Stop Killer Robots' has received widespread support from over 100 non-governmental organizations in 54 countries for its efforts towards a complete prohibition on the use of fully autonomous weapons.[66] UN Secretary General Antonio Guterres has also called upon experts, academics, and states to draft a legal ban on autonomous weapons systems, stating that, "machines with the power and discretion to take lives without human involvement are politically unacceptable, morally repugnant, and should be prohibited by international law".[67] Government officials, the International Committee for Robot

Arms Control, and NGOs such as Amnesty International and Human Rights Watch have called for autonomous weapons to be included in the 1983 Convention on Certain Conventional Weapons (CCW).[68] As a result, in March 2019, the UN held a meeting of the CCW Group of Governmental Experts on Laws, with the aim of discussing the potential implementation of restrictions on the use of autonomous weapons. However, these efforts were thwarted by opposition from the Australian, Israeli, Russian, British, and American representatives. Since the CCW operates on the basis of voter consensus, restrictions were effectively vetoed.[69] Attempts towards integration into international law have generally been undermined by the international community's inability to precisely capture the subset of emerging technologies within the definition of a "lethal autonomous weapon". Those states most likely to benefit from implementing increased levels of weapons autonomy into their military arsenals are therefore unwilling to support a ban that cannot clearly describe what is included in the term "autonomous weapon".

Further, international actors have already begun investing heavily in military AI. The United States' Defense Advanced Research Projects Agency (DARPA) announced in September 2018 that it would invest $2 billion into the innovation of autonomous weapons systems with "human-like communication and reasoning capabilities, with the ability to recognize new situations and environments and adapt to them".[70] In addition to the aforementioned investment into automated weapons with swarm capabilities, the UK Ministry of Defense launched an 'AI Lab' in 2018, which aims to "engage in high-level research on areas from autonomous vehicles to intelligent systems; from countering fake news to using information to deter and de-escalate conflicts; and from enhanced computer network defences to improved decision aids for commanders."[71] While Russian officials have not publicly announced national research and

investment commitments into autonomous weapons, President Vladimir Putin's statement, "Artificial intelligence is the future, not only for Russia, but for all humankind...Whoever becomes the leader in this sphere will become the ruler of the world", suggests that Russia has also recognized the tactical advantages associated with the development of a military AI program.[72] The European Commission also announced that it is committed to a €1.5 billion investment into AI research and development throughout 2018-2020.[73] Globally, international investment into AI technology is estimated to reach $16.5 billion dollars by 2025.[74]

Given the difficulty of imposing restrictions on the development and use of weapons that utilize AI as well as the vast global research investment towards AI, the NATO alliance is examining ways to incorporate these technologies into its military capabilities. Speaking at a public event in February 2019, NATO Secretary General Jens Stoltenberg stated that NATO has historically incorporated the most innovative and advanced technologies into its arsenal.[75] Stoltenberg argued that the alliance must invest in innovative AI in order to maintain its technological superiority in the contemporary security environment, stating, "there is enormous potential when it comes to artificial intelligence...we need to maintain the technological edge."[76] Stoltenberg also noted that the alliance must consider the ways in which the proliferation of AI may prompt a global arms race towards warfare automation.[77] NATO must therefore balance the pursuit of contemporary military technologies against a thorough consideration of the ways in which the implementation of these technologies may exacerbate international tensions. Stoltenberg's comments reveal that NATO member states are likely to continue pursuing military AI, despite the threat of an automation arms race.

Assumption of Military Dominance

In addition to the physical threats posed by AI and the practical challenges of identifying attribution in cases where the human role in warfare is limited, NATO's implementation of AI may challenge its ability to achieve its long-term strategic aims. Most importantly, the alliance will face considerable strategic challenges if it assumes that tactical AI will grant it absolute military dominance over its adversaries. As outlined by H.R. McMaster, retired lieutenant general in the United States Army and author of *Learning from Contemporary Conflicts to Prepare for Future War*, NATO member states, and particularly the US, have at times assumed that advancements in information technology would ensure easy, low-cost, and decisive victories by eliminating what Carl von Clausewitz famously referred to as the "fog and friction of war."[78] McMaster argues that the recent wars in Iraq and Afghanistan illustrate that technological supremacy does not always ensure a decisive military victory. Indeed, insurgents were often able to evade detection, despite the Coalition's vastly superior military capabilities.[79] For example, McMaster explains that al Qaeda operatives in Iraq avoided Coalition drone strikes using rudimentary, asymmetric tactics that the Coalition neither predicted nor prepared for in the formulation of its military strategy. In the case of the 2002 'Operation Anaconda' in the Shah-i-Kot valley of Afghanistan, McMaster notes that the Coalition assumed that victory could easily be won through "surveillance and target acquisition capability, including satellite imagery, unmanned aerial vehicles, and communications and signals intelligence assets".[80] The Coalition had expected that insurgents would immediately retreat after their initial interaction with the "superior allied force". This assumption of tactical invulnerability meant that the Coalition planned an aerial attack without preparing any artillery. Thus, when insurgents (who had largely

gone undetected due to countermeasures to Coalition sensors) responded to UAV attacks with defensive fire, the Coalition troops were left without fire support.[81]

While the assumption of military supremacy in Iraq and Afghanistan did not involve autonomous weaponry or AI, the danger of strategic failure due to a systemic overestimation of "revolutionary" tactics and emerging military technology is applicable to the case of AI proliferation. The challenges associated with NATO's ability to formulate an effective military strategy in light of emerging technology are not new. Indeed, these issues are not radical, revolutionary, or limited to autonomous weapons systems, but rather represent a continued challenge posed by new technologies that promise to 'eliminate the limitations of time and space' or 'revolutionize warfare'. However, should NATO adopt and implement tactical AI, the assumption that this technology will improve the speed, coordination, and efficiency of armed attack so as to ensure decisive, certain victory, may pose a strategic challenge for the alliance. Put simply, AI will not eliminate the inherent uncertainty or "fog" of war, and NATO member states will fall victim to strategic hubris and failure should they allow an overestimation of tactical AI to result in unrealistically ambitious military or political strategy.

It is important to note that the strategic concern regarding the proliferation of AI in warfare and its effect on NATO's military strategy is not that the human role will be completely eliminated, nor that autonomous systems will be exclusively responsible for conducting warfare. The proliferation of autonomous weaponry will not render military strategy obsolete, and the use of tactical AI has not replaced existing military decision-making processes.[82] Instead, the challenges associated with the proliferation of AI, and NATO's implementation of these technologies stem from the assumption that AI will allow for low-cost, rapid, and ensured military victories. Such an assumption, if left unchecked, will inevitably influence and distort the

development of sound political strategy, since policymakers will under-emphasize the difficulties inherent to military tactics, even those facilitated by AI. In order to use AI effectively, NATO military engagement will have to first focus on the identification of realistic political, national, or strategic objectives that can then inform tactics and weaponry.

Autonomous Weapons, Collateral Damage, and the NATO Identity

As previously mentioned, the unity and cohesion of the NATO identity relies on the liberal democratic values shared by its member states and enshrined in the rules-based international order. NATO's credibility is largely dependent on the perception of its continued commitment to this rules-based order, and the alliance must therefore consider key liberal values in the formulation of its military strategy. Since autonomous weapons use machine-learning and AI to collect and analyze data in order to identify and engage targets, contemporary military discourse has often argued that such weapons will ensure that military strikes are increasingly discriminate. Some military analysts have suggested that that autonomous weapons will reduce collateral damage in warfare.[83] Ronald Arkin, a leading roboethicist, argues that since autonomous weapons do not have a human sense of self-preservation, are equipped with highly-sophisticated robotic sensors and radars, and do not suffer from the human emotions of "fear and hysteria," they can correct humanity's "dismal record in ethical behaviour in the battlefield".[84] Following Arkin's logic, NATO member states may be incentivized to deploy autonomous weaponry in order to minimize criticism stemming from the accidental harm or unlawful killings of civilians. The alliance may assume that the precision-targeting capabilities of autonomous weapons will allow it to expand its engagement in international conflicts without creating a corresponding and politically intolerable increase in collateral damage.

Despite their precision targeting capabilities, however, machine-learning and advanced coding do not offer any guarantee that NATO will eliminate the risk of collateral damage. Arguments in support of autonomous weapons often assume that AI can correct the flaws inherent to human intelligence through computer processing, machine learning, and precision calculation.[85] However, military and legal ethicists have noted that robotic weapons systems are not yet able to discriminate between military targets and civilians as successfully as human cognition allows.[86] Thus, autonomous weapons may inadvertently violate international humanitarian law's 'Principle of Distinction', which maintains that military forces must differentiate between enemy combatants, who can be legally targeted, and non-combatants who should not be the explicit target of military engagement.[87] Further, supporters of autonomous weapons often fail to note that AI cannot understand the social, political, and historical contexts in which it operates; as such, autonomous weapons do not yet have the ability to interpret social context in ways that would enable them to differentiate legitimate from illegitimate targets.[88] For example, autonomous weapons do not yet have the sensory and visual processing systems, nor the relevant social background necessary to only target active combatants, and not those combatants who are wounded, captured, or have surrendered.[89] Even if the development of AI technology augments the autonomous system's visual processing and introduces increasingly efficient analysis and targeting, these developments do not equate to an ability to understand the complex operational context within which the principle of distinction applies. Noel Sharkey, ethicist and author of *The Evitability of Autonomous Robot Warfare* explains the issue of AI and discrimination succinctly, writing that "we may move towards having some limited sensory and visual discrimination in certain narrowly constrained circumstances within the next fifty years. However, […] human-level discrimination with adequate common-sense reasoning and

battlefield awareness may be computationally intractable".[90] AI also cannot address situations in which targets deliberately mix with civilian populations in order to avoid detection and thwart targeting, nor can it evaluate the military value of a target against the potential humanitarian cost of eliminating it, thereby undermining the Principle of Proportionality.

Importantly, the risk of collateral damage may hinder the furtherance of the alliance's wider political goals. Such weapons cannot fully weigh the potential political ramifications of targeted strikes against the short term benefit of a "successful" strike.[91] For example, where autonomous weapons are deployed to strike against local insurgents or terrorist groups, the risk of collateral damage against innocents may inadvertently bolster the very ideology and support structures of the groups that the tactical AI is aiming to destabilize. Counterarguments note that human troops have persistently and deliberately failed to respect this Principle of Proportionality despite their ability to understand and ascribe meaning to complex social circumstances.[92] However, autonomous weapons pose an additional set of strategic risks, since it is by definition impossible to predict every way that externally-derived intelligence might react to complex military engagement.

As AI technology continues to improve, and autonomous weapons systems begin to engage in dynamic environments, human operators may be restricted in their ability to thwart inappropriate or unlawful targeting. These weapons will weigh the risks, benefits, and consequences of military engagement differently than humans, and will engage much more rapidly than human cognition can follow. Consequently, as targeting decisions are made, military operators may no longer be "in the loop", or even "on the loop", as defined in Boyd's theory of the military decision-making process.[93] When military engagements occur at speeds that human cognition cannot follow, the ability of operators to influence targeting may become increasingly

difficult, or impossible. It is important to recall, however, that in certain defensive circumstances, the efficiency of the AI system is derived from its ability to operate faster than humans. For example, Israel's Iron Dome missile defence system relies upon the ability of the AI to identify, track, and engage an incoming missile faster than a human operator; in this case, the AI's ability to act at an accelerated pace is perceived as its key strategic advantage.[94] However, the extent to which a human operator can predict, control, and govern the actions of an autonomous weapon during a rapid, dynamic military exchange is fundamentally uncertain, and therefore raises important questions about the ramifications of allowing autonomous weapons to implement complex military strategy.

The Challenge to Interoperability and Cohesion

The challenges involved in the formulation of NATO policy regarding autonomous weapons and AI more generally are not only limited to the strategic implications of these emerging technologies. Should NATO fail to adopt AI technology, or choose to eschew autonomous weaponry, the alliance's military strategy may become undermined by a loss of interoperability. As outlined in the NATO Defense College Policy Brief, *Will Artificial Intelligence Challenge NATO Interoperability?*, interoperability refers to NATO's ability to act as a collective, "allowing allies to effectively exchange intelligence and information, cooperatively plan complex military operations, and conduct integrated missions."[95] As some NATO partners, such as the United States and the United Kingdom, can and are currently investing far more into AI than their allies, significant technological discrepancies between member states are likely to appear, and may undermine the alliance's collectivity. Nicholas Burns and Douglas Lute, authors of the Belfer Centre for Science and International Affairs

Report, *NATO at Seventy: An Alliance in Crisis*, note that a significant change in technological capabilities could exacerbate existing tensions within the alliance, writing that:

> [E]ven if some NATO allies master these technologies, not all allies will do so at the same pace, eroding decades of work to build interoperability. The Alliance may soon face an even greater separation between its most capable allies and the others, a divide between the haves and the have-nots.[96]

As AI becomes an increasingly prominent element of modern warfare, there will be a widening gap between the military capabilities of richer NATO member states, particularly the US, and those of member states with smaller defence budgets. This situation will increase internal dissent amongst NATO members regarding burden sharing and undermine internal cohesion.[97]

It is important to note that the issue of NATO cohesion is not new. For example, American President Donald Trump's "America First" policy has sparked debate about the true strength of the alliance. President Trump has persistently expressed his discontent regarding America's "unfair" and disproportionate financial commitment to defense spending, where the U.S. dedicates over 4% of GDP to its military, whilst the majority of member states fail to meet the 2% GDP commitment.[98] Furthermore, President Trump has seemingly questioned the value of the collective defense clause, Article 5 of the NATO Charter; when asked why Americans should have to go to war to defend a small NATO state such as Montenegro, Trump stated that he "understood", and had "asked the same question."[99] The threat to NATO interoperability must also be read within the context of inconsistency and internal division regarding NATO's purpose and ontology. In particular, certain member states of the alliance have recently faced criticism for faltering, or insufficient commitment to liberal democratic values. In its 2017 and 2018 reports, Freedom House, an NGO which examines global trends regarding the protection of political

rights and civil liberties, marked declining rates of democracy in Poland, Hungary, and Turkey, with Poland close to leaving the "consolidated democracy" category, Hungary no longer a "consolidated democracy", and Turkey rated as being "not free."[100] A widening gap between the military technologies of certain states such as the US and the UK, who are investing heavily in tactical AI, and the rest of the NATO alliance, may intensify these issues at a time when cohesion is being constrained, and the identity of the alliance thrown into question.

Policy Recommendations

Given the significant international investment into military AI as well as the tactical benefits of mass data accumulation and analysis, rapid processing, swarm communication, and precision targeting, AI is very likely to play a prominent role in contemporary warfare. NATO is therefore likely to implement AI into their military arsenal in order to remain an innovative leader in international military engagement and global security. However, the alliance must recognize that, tactical advantages aside, the potential proliferation of AI and autonomous weapons will require a reconceptualization of both the contemporary threat environment, and of effective strategy.

Firstly, the alliance should support global efforts towards creating a comprehensive definition of autonomous weapons that recognizes their varying levels of autonomy and lethality.[101] By pursuing such a definition and expressing explicit support for the integration of autonomous weaponry and military AI into international law, NATO can reduce the current ethical uncertainty surrounding these technologies, address the definitional ambiguity surrounding terminology, and promote communication between state actors. Andrea Gilli, author of the NATO Defense College Policy Brief, *Preparing for 'NATO-mation': the Atlantic Alliance*

toward the age of artificial intelligence outlines the interests that the alliance has in promoting constructive discourse regarding these emerging technologies, writing, "by engaging with these issues, the Atlantic Alliance can ensure that its values, ethical stances as well as moral commitments will inform this new age."[102] Thus, NATO can use its reputation as a multilateral alliance that represents liberal values and relies upon a commitment to a rules-based international order to play a leading role in these discussions, with the aim of integrating AI and autonomous weapons into international law.[103]

Secondly, NATO should create a research center that focuses on the distinct threats posed by the proliferation of AI and autonomous weapons. Importantly, NATO has previously founded similar research centers to address emerging technologies that transform the security environment, such as the NATO Strategic Communications Centre of Excellence (STRATCOM), founded in 2014 to analyze the rise of hybrid threats and misinformation.[104] Through the creation of a similar research center, NATO allies will have a clear platform for discussing the ways in which AI might pose threats to the political and physical integrity of the alliance, and will be able to formulate policy recommendations in light of the aforementioned challenges. Further, the creation of a research center will allow the allies to consider the ways in which AI can be effectively and appropriately integrated into military operations in order to promote a cohesive, unified policy amongst member states. As previously mentioned, the formulation of NATO's policy vis-a-vis AI must recognize that this technology will not guarantee military victory, nor provide algorithmic certainty.[105] The creation of a research center will provide the alliance with an opportunity to discuss the risks associated with the presumption of military dominance, and then put forward recommendations that prioritize placing political ramifications, humanitarianism, and long-term political strategy ahead of military tactics. In

order to address emerging security challenges, NATO's military strategy must consider the political, individual, and ideological ramifications of contemporary warfare; the creation of a research center that considers the distinct threats posed by AI will promote resilience and cohesion amongst member states, allow alliance members to explore the strategic, legal, and ethical challenges associated with AI, and provide an opportunity to propose policy solutions to these cogent policy questions.

Thirdly, NATO must formulate a proactive internal policy regarding AI and autonomous weaponry in order to address the legal and ethical risks posed by these technologies. Autonomous weapons that utilize AI to independently strike targets have not yet been used on the battlefield; however, it is paramount that the alliance begin considering the most effective ways to confront these challenges prior to their global proliferation.[106] Importantly, this policy should include the integration of AI into the alliance's military apparatus without including weapons with independent lethal capabilities.[107] The ways in which highly-sophisticated and independent autonomous weapons will respond to rapidly-changing environments remains fundamentally unpredictable and uncertain.[108] Further, autonomous weapons are incapable of understanding the social and political consequences associated with their use. Considering the challenges posed by allowing weapons to independently select and engage a target, Sharkey notes that "humans understand one another in a way that machines cannot. Cues can be very subtle and there are an infinite number of circumstances where lethal force is inappropriate".[109] By refusing to incorporate autonomous weapons with lethal capacity, NATO can avoid some of the ethical and legal challenges pertaining to accountability, moral responsibility, and proportionality that have not yet been fully addressed by the international community.[110] Further, the NATO alliance has an interest in ensuring that all final military decisions pertaining to

targeting are relegated to human operators; for example, the integration of lethal autonomous weapons into NATO's military arsenal could accelerate a global arms race towards increased weapons automation.[111]

NATO should, however, consider incorporating AI into their military arsenal in ways that do not allow for the lethal use of autonomous weapons, but recognize some of the tactical benefits of military AI. For example, the alliance should incorporate AI into their defensive cyber apparatus, thereby allowing for accelerated vulnerability-detection and protection from foreign cyber intrusions.[112] Jay Paxton, writer for the *NATO Review* considers the ways in which AI systems, excluding lethal autonomous weaponry, could benefit the alliance, including improving the response to biological outbreaks, promoting shared intelligence, surveillance, and reconnaissance, and improving medical responses and rescue operations.[113] By integrating nonlethal forms of AI into the alliance's military apparatus, NATO will be able to utilize the rapid data analysis, accelerated decision-making, and defensive capabilities of AI whilst avoiding some of the aforementioned challenges inherent to systems that are capable of independently selecting and engaging a target. Further, by setting a preemptive policy that recognizes the tactical advantages associated with certain forms of AI, NATO can set an ethical and strategic standard that outlines which uses of AI are acceptable, and which are not.

Lastly, the alliance should incorporate AI-facilitated systems into their response and preparation exercises. The NATO *Key NATO and Allied exercises in 2019* factsheet notes that the alliance regularly conducts exercises "to test procedures and tactics, develop best practices and identify areas for improvement", with 102 planned exercises in 2019 alone.[114] If NATO's military strategy and response capabilities remain limited to traditional models of warfare, they are bound to fail; in order to be effective, the alliance's response mechanisms require a new

understanding of the realm, limits, and possibilities of post-human warfare.[115] NATO should therefore incorporate AI and autonomous weapons into their military exercises in order to be fully prepared for acts of aggression that utilize AI, and to ensure that the alliance is capable of defending member states against threats to their political and physical integrity. Importantly, effective preparation requires that the alliance engage in varied simulations that represent the wide spectrum of military AI, including autonomous weaponry, cyber intrusions, and misinformation campaigns.

Conclusion

It is likely that military AI will proliferate as actors recognize the tactical advantages it provides. However, the threats posed by these technologies are derived not only from their potentially widespread use of adversary actors targeting NATO states, but also from the alliance's strategic implementation of AI into its own military capabilities. AI will intensify hybrid or covert methods, such as espionage, infrastructural damage, cyber warfare, and disinformation campaigns, any of which may undermine the political and territorial integrity of the alliance. Ambiguity regarding the attribution of acts of AI aggression against member states will hinder efforts towards the formulation of a collective response, threatening NATO's credibility as a multilateral collective. NATO's implementation of AI may also undermine the alliance's ability to formulate a coherent military strategy that both rejects the idea that AI will ensure decisive military victory, while still appreciating the ways in which AI may provide the alliance with tactical benefits.

In response, NATO should pursue and support efforts towards the creation of an international legal definition of autonomous weapons. By working with the international

community to define autonomous weapons and create legal guidelines for military AI, NATO can negotiate a potential integration of these technologies into existing international legal frameworks, thereby reducing ambiguity regarding their legal and illegal use, and addressing the ethical issues of collateral damage and accidental harm. International consensus will also set a precedent for dealing with the challenge of attributing strikes facilitated by AI. Furthermore, integration into the legal nexus will constrain other actors who wish to use this technology to undermine NATO forces, and will provide the alliance with a clear framework within which they can formulate their own AI policy.

Autonomous weapons have not yet been incorporated into wide-scale contemporary warfare. However, the tactical advantages of these weapons, coupled with significant international investment into weapons development and military AI demonstrates that the international community will continue pursuing weapons automation. In recognition of those advantages, and in order to maintain its leading status within international defense and security NATO must begin to recognize, and address, both the benefits and challenges associated with autonomous weaponry. NATO should formulate a coherent, transparent, and pre-emptive AI policy that outlines the alliance's stance towards the ethical, legal, and tactical uses of these weapons. This policy will allow NATO to address the challenges posed by the potential use of autonomous weapons against NATO states, as well as the challenges associated with ensuring that the incorporation of AI into NATO's own arsenal will not compromise the formulation of a military strategy that is ethical, effective, and respects the collective values of the alliance. Most importantly, this policy must address the risks associated with assuming that these technologies will guarantee military dominance; NATO engagements that utilize tactical AI must ensure that

the humanitarian, political, and long-term strategic advantages are clear, without assuming that they can be achieved via technical supremacy.

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Right-Wing Extremism in the Canadian and US Militaries

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Right-Wing Extremism in the Canadian and US Militaries

All members of the U.S. and Canadian armed forces receive basic training on weapons handling, tactical skills, and physical fitness, in addition to courses featuring classified or protected information. These skills and knowledge are assets to groups espousing extreme right-wing views. The Global Terrorism Database characterizes right-wing extremist (RWE) groups as advocating or perpetrating "violence in support of the belief that personal [or] national way of life is under attack, and is either already lost or that the threat is imminent". It follows that individuals with the weapons and tactical experience to defend a "way of life" are valuable to organizations which foresee a "race war" or similar conflict. Indeed, the number of incidents involving RWEs has been rising since 2007; notably, the six lethal terrorist attacks in the U.S. in 2018 were all perpetrated by adherents to right-wing ideologies. In Canada, nineteen individuals were killed in three incidents involving RWEs between 2014 and 2017. This article serves as both a general introduction to right-wing extremism in Canada and the U.S., and as a review of the RWE phenomenon in the context of the armed forces of both states. Given their access to sensitive data and specialized training, members of the armed forces who adhere to extreme right-wing ideologies pose a unique threat to public safety and national security. It is imperative that these individuals and groups are identified and assessed, and the threat they pose mitigated.

Keywords: Right-Wing, Extremism, Military, Violence, National Security

"*We need people on our side with [military] experience […] If we sit around drinking beer and talking about who we hate while only our enemies train, what do you think will happen when that day comes to do something? They bring the rain and we get swept up. Go in, have fun, learn some great skills and great discipline, and bring that back to strengthen your people*."

-PerturbedCitizen, member of *Stormfront.org*, a self-described "community of racial realists and idealists".

Introduction

While there exists a substantial body of literature on extremism, radicalization and far-right ideologies in general, very little research has been devoted to analyzing these subjects in the context of either the Canadian or U.S. militaries. This may be for several reasons; Ross (1992) posits that – in the Canadian context – researchers themselves are disinterested in the topic, as is

the general public: "This is due to two major reasons: they [the radical-right] are not prominent in Canada, and Canadians believe racism is not prevalent nor has it ever been."[1] In a 2017 interview, Barbara Perry, a Professor at the University of Ontario Institute of Technology, further stated that "You're not going to get access to the military to do interviews or surveys to find out, and people aren't necessarily going to admit it either, so there is some methodological difficulty in exploring that any further."[2]

This is highly problematic for a number of reasons. First, violent incidents involving right-wing extremists are on the rise; thirty-one attacks in the U.S. in 2017 alone were perpetrated by individuals claiming to be adherents to various RWE ideologies.[3] In the Canadian context, nineteen individuals were killed in three separate incidents involving right-wing extremists between 2014 and 2017.[4] Second, the participation of current and former military and police personnel in right-wing groups poses a threat not only to public safety, but also to intelligence operations and national security given their access to sensitive data and specialized training.[5] Third, a recent quantitative study has shown that "military service among right-wing extremists is correlated with an increase in rates of violent incidents compared to those [right-wing extremists] without military service".[6] The same dataset also demonstrated that, when compared to military-trained Islamic extremists, military-trained right-wing extremists were responsible for almost double the number of incidents between 2001 and 2013.[7] Lastly, a report released by the Canadian Armed Forces (CAF) Military Police Criminal Intelligence Section (MPCIS) in November 2018 stated that there have been

> A total of fifty-three persons and forty incidents whereby CAF members were linked to either hate groups or made statements/took actions deemed to be discriminatory in nature [...] Of the forty incidents, nine linked sixteen of the fifty-three CAF members to six

> different hate groups. Of these sixteen members, nine remain in the CAF…All of the groups identified fall under the far-right spectrum of political discourse and beliefs; specifically anti-Islam or white supremacy.[8]

In addition to the MPCIS report, in October of 2018 the independent journalism group *Ricochet* revealed that three active-duty members of the CAF owned a military surplus outlet – Fireforce Ventures – which specialized in products related to the white-minority rule of Rhodesia.[9] The article notes that the owners regularly used racial slurs on their company's social media accounts, participated in white-nationalist podcasts, and employed the use of "memes" in their marketing tactics which are known to have been appropriated by white-supremacist groups.[10] Following the publication of the article, Lt-Col. Andre Sullivan of the CAF confirmed to Postmedia that the "Canadian Armed Forces members involved in the online business called Fireforce Ventures have been relieved from the performance of their duties (suspended) pending the conduct of a summary investigation […] This decisive action is necessary due to the severity of the allegations and potential impact on unit morale and cohesiveness".[11]

While it would be inappropriate to characterize the issue of RWE in the Canadian military as an 'epidemic' – given that the total number of individuals identified in the report totals to less than 0.056% of the CAF's forces – it is, however, very likely that the true number of right-wing extremists or supporters of the associated ideologies in the military is much higher.[12] Indeed, the MPCIS report notes that "CAF members involved with such groups would most likely try to hide their association and take steps to prevent their Chain of Command or co-workers from becoming aware of any such affiliation."[13] Regardless of their quantitative presence, the participation of right-wing extremists in the military has the potential to expose the CAF and the general public to security, intelligence, and safety breaches should they choose to

use their positions in the CAF to the benefit of their respective extremist organization. This article should therefore serve as an introduction to both right-wing extremism and its presence in the Canadian and U.S. militaries; policy recommendations are additionally provided from a holistic perspective, which – while accounting for the statistical relevance of the phenomenon – nevertheless recognizes the potent danger that these individuals and groups pose to both our national security apparatus and public safety.

This article firstly provides definitional clarity with regards to frequently used terms, and secondly presents an overview of recent incidents involving right-wing extremists with military backgrounds. These examples are drawn from both the Canadian and U.S. contexts – however, it is acknowledged that membership, participation, and subscription to far-right ideologies and groups differ substantially among the populations of the two states. Thirdly, existing quantitative and qualitative research (scarce as it may be) is reviewed, with the goal of clarifying previously noted 'unknowns'. This literature review focuses on correlates of military personnel participation in extremist groups (e.g. violence); estimates regarding rates of participation; possible explanations for participation in such groups, such as identity discrepancies and culture; and explanations regarding why such groups actively seek out current and former military personnel. Fourthly, a discussion regarding a comprehensive 2008 report from the Federal Bureau of Investigation (FBI) is undertaken in order to address pre-2008 intelligence gaps and identify post-2008 gaps. Fifthly, recommendations for further research are provided.

Definitional Clarity, "right-wing" & "extremism"

In this article, the term "right-wing extremism" is used to denote a broad set of groups and several different ideologies. Individuals and groups are considered to be "extremists" only if

they advocate for the *use of violence* as a means of achieving their goals. Given this, Parent & Ellis (2014) offer perhaps the most comprehensive definition of the types of ideologies which may be considered to be "right-wing":

> Right-wing extremism encompasses a large, loose, heterogeneous collection of groups and individuals espousing a wide range of grievances and positions, including: anti-government/individual sovereignty, racism, fascism, white supremacy/white nationalism, anti-Semitism, nativism/anti-immigration, anti-globalization/anti-free trade, anti-abortion, homophobia, anti-taxation, and pro-militia/pro-gun rights stances.[14]

Thus, those individuals and groups who both adhere to such ideologies and additionally advocate for violence are considered to be "extremists". Thus, rather than focusing specifically on neo-Nazis or Skinheads, this article instead uses a definition that allows for the broadest possible examination of the issue of right-wing extremism in the military. Worth including, as well, are the adherents of the 'incel' movement, which is a highly misogynistic, violent collection of (mostly) men who promote the enslavement of women and the legalization of rape, among other abhorrent goals.[15] Alek Minassian – the perpetrator of the 2018 'Toronto Van Attack' – was a self-professed incel, and posted a Facebook status to that effect almost immediately prior to the incident.[16] This case is discussed further in the section focusing on theoretical foundations.

It is worth noting that many far-right groups have overlapping and dynamic grievances; however, "extremism" is qualified here as advocating some form of violence, with the single exception of *La Meute*, a Québec-based, non-violent anti-immigration group. Given that available literature comprehensively catalogues right-wing groups in Canada, providing a laundry-list in this article would be redundant.[17] Instead, this analysis will focus on those individuals involved in notable contemporary cases as well as their associated groups. The terms

"right-wing" and "far-right" are used interchangeably, but only ever in the context of extremism. It must further be noted – in order to dispel any political inclinations – that the terms "right-wing" and "left- wing" do not in any way refer to political parties (e.g. Republican, Conservative, Democrat or Liberal). In the following section, the analysis begins with an examination of recent incidents involving members of the CAF or U.S. military who either subscribed to far-right ideologies or who were members of far-right groups.

The Somalia Affair

On March 16, 1993, CAF members deployed in Somalia spent several hours torturing Shidane Arone, a sixteen-year-old boy whom they had discovered trespassing on the base in Belet Huen.[18] Taken to a bunker, bound and blindfolded, Arone was "water boarded, punched in the jaw, hit by a metal bar, repeatedly kicked, and the soles of his feet burned by a cigarillo."[19] Arone subsequently died in the early hours of March 17.[20] Shortly thereafter, a series of "trophy photos" surfaced which depicted CAF members humiliating and torturing several Somali nationals, including Arone.[21] However, documentation of the incident didn't end with photos: in January, 1995, a video was released featuring some of the same CAF members, in which one of whom can be heard stating that the mission in Somalia had been renamed to "Operation Snatch N*ggers".[22] The personnel involved in the incident had all been part of the elite *Canadian Airborne Regiment* (CAR); following the publication of a second, equally-disturbing video depicting the soldiers participating in vile hazing rituals involving feces and Ku-Klux-Klan paraphernalia, Defence Minister David Collenette quickly disbanded the Regiment.[23] Shortly thereafter, a public inquiry was held but quickly shut-down after less than a year in 1996; allegations of cover-ups flourished, and an arguably incomplete report was released in 1997.[24]

Ultimately, only one CAF member – Private Kyle Brown – was convicted in Arone's death. Corporal Clayton Matchee, also initially charged, was found hanging in his prison cell on the day of his arrest.[25] Seven other CAF members received acquittals or mild reprimands after being court-martialed.[26]

The Petawawa-based Regiment had been the subject of concern even prior to its deployment; the CAF "had been investigating the presence of racist skinhead organizations and neo-Nazi activities within the Canadian Forces, and had identified the entire CFB Petawawa (home of the Airborne Regiment) as 'one of the areas where right-wing activities are centered'".[27] As Sandra Whitworth aptly points out in her 2004 book:

> Military officials, in other words, had allowed members of the Airborne regiment who were either known members of racist skinhead organizations or who were under investigation for suspected skinhead and neo-Nazi activity to be deployed to Somalia…whether or not the racism exhibited by the Airborne soldiers was "organized" through neo-Nazi or skinhead activity, much of the evidence…reveals the ways racism pervaded the Airborne.[28]

This example, the first of three regarding the involvement of Canadian soldiers in far-right extremism, is perhaps the most gruesome. At the time, the incident received international attention and came to be known as "Canada's National Shame".[29]

The Atomwaffen Division

As shall shortly be examined in the context of the U.S. military, the neo-Nazi *Atomwaffen Division* has recently been actively recruiting members of the military. The CAF characterizes the group as a "white supremac[ist], anti-Semitic, neo-Nazi group [and a] revolutionary national

socialist organization". [30] Members of *Atomwaffen* believe that a "race war" is imminent, and have also been tied to several murders and plots to attack major infrastructure and religious institutions.[31]

A 2018 investigation by *Vice News* in conjunction with the *Canadian Anti-Hate Network* and the *Southern Poverty Law Center* alleged that one of the most active online Canadian *Atomwaffen* members is twenty-five- year-old CAF reservist Brandon Cameron. Although Cameron denied any involvement in the organization during an interview with *Vice*, the newsgroup alleged that they were able to tie him to an online persona, "Alba Nuadh", through former members of the organization; online footprints; the persona's extensive comments related to their military experience and youth in various forums; and secretly-obtained military records.[32] The account holder had repeatedly called for the slaughter of journalists, minorities, LGBT groups, and had also written fantasy pieces involving the rape and assault of Jewish women.[33]

Vice stated that their conclusion was based on evidence dating back to 2009, five years before Cameron joined the CAF. While *Vice* additionally asserted that "government sources tell VICE the military police have eyes on the matter",[34] no other organizations have obtained evidence conclusively linking Cameron to the Alba Nuadh persona. The CAF has, however, confirmed certain details regarding Cameron's military experience, including his weapons training.[35] Nothing further has been publicly reported regarding Cameron and his employment in the CAF to date, and government agencies – including the CAF – have refused to comment further on the allegations. Cameron remained a member of the *Supplemental Reserve Force* as of May 2018, according to *Vice.*[36]

Similarly to the *Vice* article and Cameron's alleged involvement in *Atomwaffen*, a 2018 *ProPublica* investigation identified three active-duty and three former U.S. military personnel as participants in the hate group. The first of these three individuals, Vasillios Pistolis, a soldier in the U.S. Marines, bragged on an *Atomwaffen* forum following the "Unite the Right" rally in Charlottesville, NC, that he had "drop-kicked a tranny" [37] (referring to trans-woman Emily Gorcensky) and "cracked three skulls open"; [38] Pistolis also encouraged sodomizing counter-protesters with a knife.[39] Similarly, Brandon Russell – the founder of *Atomwaffen* – was a member of the U.S. National Guard when he was arrested following the discovery of explosives, weapons, and radioactive isotopes in his home.[40] During his trial, prosecutors submitted photos of Russell's car, which displayed flyers bearing the message "Don't prepare for exams, prepare for a race war".[41] Finally, former U.S. Army combat engineer Joshua Beckett repeatedly offered on various *Atomwaffen* forums to "[build] assault rifles" and "construct weapons for his fellow members".[42] Beckett was also alleged to have trained other *Atomwaffen* members in hand-to-hand combat.[43] The *ProPublica* investigation further stated that:

> In online discussions, Beckett encouraged Atomwaffen members to enlist in the military, so as to become proficient in the use of weaponry, and then turn their expertise against the U.S. government, which he believed to be controlled by a secret cabal of Jews. 'The army itself woke me up to race and the war woke me up to the Jews,' Beckett wrote, adding, 'the US military gives great training…you learn how to fight, and survive'.[44]

Vasillios Pistolis was convicted in June 2018 on charges of disobeying orders and making false statements. Although Pistolis was treated as a "low-level offender" by a summary court- martial, Major Brian Block publicly confirmed that he was later formally dismissed from the Marine Corps in August 2018.[45] Brandon Russell, the hate group's founder, was sentenced to

five years in prison in January of 2018 for possessing an unregistered destructive device and unlawfully possessing explosive materials.[46] Similarly, in February, 2019, active-duty U.S. Coast Guard Lt. Christopher Hasson was arrested after the FBI "uncovered a cache of weapons and ammunition in his Maryland home that authorities say he stockpiled to launch a widespread domestic terrorist attack targeting politicians and journalists".[47] Hasson had self-identified as a white supremacist, and had "called for 'focused violence' to 'establish a white homeland'."[48] Most concerning was the fact that Hasson was stationed at the Coast Guard's national headquarters until the time of his arrest, meaning that both his online activities and efforts to obtain materials for an attack went unnoticed. In fact, the U.S. government confirmed upon his arrest that Hasson "had been amassing supplies and weapons since at least 2017".[49] As such, an individual with access to highly sensitive locations and information had over two years to quietly plan a mass-casualty incident. While both Brandon Russell and Hasson were arrested prior to carrying out an attack, the fact that both individuals went undetected for a significant period of time raises questions regarding the military's effectiveness in monitoring its personnel.

La Meute

In the same style as the *Vice News* and *ProPublica* reports, a 2017 *Radio-Canada* investigation identified over seventy-five former and active-duty CAF members as members of *La Meute*, a Québec-based, xenophobic, anti-immigration, and anti-Islam group.[50] La Meute is a unique case, given that the group does not advocate for the use of violence; however, they are nonetheless of importance here as that the group's founders, Eric Venne and Patrick Beaudry, are former CAF members.[51] Created as a "hierarchical organization modeled on [Venne and Beaudry's] military background", *La Meute* began as an organization geared towards protesting

the illegal immigration of migrants over the Canada/U.S. border.[52] According to the group's spokesperson Sylvain Brouillette, "there's no such thing as a moderate Muslim. There's only one Islam and it's radical."[53] The organization is now "Québec's largest far-right group" and has been repeatedly condemned by Prime Minister Justin Trudeau.[54] Contrary to Atomwaffen, *La Meute* "claims to defend those minority groups, such as women and homosexuals, who may also feel threatened by Islamic fundamentalists."[55]

Despite these seeming differences, Martin Geoffroy, director of the *Centre d'Expertise et de Formation sur les Intégrismes Religieux, Idéologies Politiques et la Radicalisation* has asserted that *La Meute* possesses all of the same characteristics as a far-right extremist group, as identified by an analysis of the group's Facebook posts, which are contained in various private online communities and pages.[56] CAF spokespersons have repeatedly stated that membership in *La Meute* is not sufficient cause for disciplinary action unless the offending information is supplied directly to managers; shortly following the publication of the *Radio-Canada* investigation, Colonel Stéphane Boivin asserted that "collecting intelligence is illegal from an open-source domain [in reference to the *La Meute* Facebook group] for the Canadian Armed Forces, according to a regulation established in 2014."[57] To date, *La Meute* has not been involved in any violent, public incidents.

Right-Wing Extremism by the Numbers

A 2017 poll conducted by the *Military Times* concluded that over a quarter of U.S. military respondents saw white-supremacist personnel in the ranks.[58] These figures differed between personnel of color and Caucasians – forty-two percent versus eighteen percent, respectively.[59] Of course, this study cannot be generalized to the CAF given the significant

cultural, ideological, and organizational differences between the two militaries. Nevertheless, it is an excellent starting point for this review of quantitative literature dealing with far-right ideologies in the military.

In their 2011 study, Chermak et al. found that right-wing extremist groups are "significantly more likely to have members with military experience".[60] The same study also found that the presence of military members, whether active-duty or former, is positively correlated with a group's propensity towards violence.[61] Technical, strategic, leadership, and combat skills, in addition to a higher likelihood that military veterans "may have specific grievances directed at the government" all contribute to this propensity towards violent acts.[62] Thus, while Chermak's study draws no conclusions regarding the volume of far-right military personnel, it does outline the dangers associated with their participation in right-wing groups.

Cooley (2002) found that military service has the potential to increase the participation of Islamic extremists in terrorist groups.[63] Additionally, Mendelsohn (2011) demonstrated that there is a direct correlation between military service and an individual's desirability to the recruiters of extremist groups; the same study also found that such groups often actively seek out current and former military members, as their specialized and extensive skill sets, knowledge of combat operations, and training are seen as invaluable assets.[64] Daryl Johnson, a former senior domestic terrorism analyst at the Department of Homeland Security, notes in his 2012 book *Right Wing Resurgence* that:

> [In] March 1996, the U.S. Army released the results of a confidential written survey of 17,080 soldiers. The survey results found that 3.5 percent […] had been approached to join an extremist organization since joining the Army, while another 7.1 percent reported that they knew another soldier who was probably a member of an extremist group.[65]

A 2008 FBI report – which will be analyzed in-depth shortly – further stated that between October 2001 and May 2008, two hundred and three individuals with military backgrounds had been identified as members of white supremacist groups.[66] The FBI was quick to note, however, that this number pales in comparison to the U.S.'s twenty-four million veterans and 1.5 million active-duty personnel as of May 2008.[67] In contrast, Simi et al. (2013) note that, since 1953, the founding members of at least nine far-right extremist organizations were active-duty military members; furthermore, "many of these individuals have been high-ranking officers, including generals, rear admirals, commanders, lieutenant generals, and lieutenant colonels".[68] The same study also found that, from a sample of one hundred and eighteen far-right terrorists (FRT) who were indicted in the United States:

> [W]e found 17 percent of the FRTs with military experience were founders of their FRT organization, 22 percent were leaders in their FRT organization, and the remaining 43 percent were core members […] [taken] together, 80 percent of FRTs with prior military experience were not merely rank-and-file members of their organization, but instead played a significant role in their respective groups.[69]

In summation, it would be inappropriate to characterize the issue of far-right extremists in the military as an 'epidemic'. However, quantitative data has consistently shown that they are indeed present, and that they furthermore pose an increased risk of violent tendencies. As mentioned previously, military members of far-right extremist groups pose a threat to both public and national security given their specialized training; these realities introduce the possibility that violent, high-impact incidents may be perpetrated by skilled and knowledgeable terrorists with military backgrounds. Indeed, one of the most famous terrorist attacks in U.S. history was perpetrated by a former military member, Timothy McVeigh, who had exited the military after

failing to complete *Special Forces* training. McVeigh killed one hundred and sixty-eight people and injured five hundred and nine in the Oklahoma City Bombing on April 19, 1995.[70] Moving ahead now to an analysis of existing qualitative literature on our topic, we will again revisit McVeigh and his "involuntary exit" from the military when examining the concept of identity discrepancies and how they contribute to terrorism.

Theoretical Foundations

This section focuses primarily on factors which contribute to the willingness of recruits and of recruiters to participate in far-right extremist groups. Again, it must be noted that research on the topic is scarce. However, we will draw heavily from Simi et al. (2013), as their analysis is perhaps the most comprehensive with regards to qualitative literature on the topic, and begin by analyzing willingness to participate in such groups from the perspective of the (active-duty or former military) recruit. Simi argue that identity discrepancies are one of the major contributing factors in an individual's willingness to participate in right-wing groups; identity discrepancies occur when military members experience an involuntary exit from the armed forces, or when they "perceive that personal achievements earned while enlisted are unrecognized or unappreciated."[71] These events act as catalysts towards radicalization; the previous identities of "war hero" or "veteran" are challenged through one of the two ways described above, thereby leaving the individual seeking both confirmation of identity and emotional stability.[72]

Identity discrepancies may arise firstly from involuntary exits, which consist of either discharges (whether dishonorable or otherwise) or the inability to advance to more elite units or positions.[73] Uncertainty regarding the future, coupled with the perception that such an event constitutes a "personal failure", may lead the individual to redirect their anger towards the entity

or group they feel has wronged them.[74] To mitigate the differences between the "war-hero" sense-of-self and the reality of a discharge or demotion, individuals may seek membership in extremist groups in order to achieve the notoriety, authority, and recognition they feel they are deserving of; "this is particularly true if the individual blames minorities or the government for their failure to meet identity expectations in the military."[75] In the second scenario, social stress instead occurs when they feel that their military-related sacrifices are unappreciated or unnoticed upon the individual's return to civilian life.[76] In either case, the individual sees membership in an extremist group as a means of validating their identity, which has been threatened by their failures (whether perceived or legitimate) in the armed forces. Michael Kimmel, Director of the Stony Brook University's Center for the Study of Men and Masculinities, further corroborates the arguments advanced by Simi's analysis: "study after study suggests [the white supremacy outburst] springs principally from a sense of aggrievement and humiliation…in my interviews with extremists, both 'actives' and 'formers', I have found time and time again that they have experienced that sense of humiliation and shame".[77]

The perpetrator of the Toronto Van Attack, Alek Minassian, is an illustrative case, given that less than a year prior to the attack – which killed ten individuals and injured thirteen others – he was a CAF recruit attending the *Basic Military Qualifications* (BMQ) course at the training center in Saint-Jean-sur-Richelieu, Québec.[78] While it would be inappropriate to speculate as to the reasons for which he joined the CAF, Minassian referenced his short time as a recruit in a Facebook post immediately prior to the incident, stating:

> Private (Recruit) Minassian Infantry 00010, wishing to speak to Sgt 4chan please. C23249161. The Incel Rebellion has already begun! We will overthrow all the Chads and Stacys! All hail the Supreme Gentleman Elliot Rodger![79]

While Minassian was not an active member of the CAF at the time of the attack, the incident provides support theories positing that an attraction to right-wing ideologies may arise from a sense of aggrievement, shame, and/or humiliation.[80] In Minassian's case, such humiliation may have sprung from his inability to complete the CAF's BMQ training or from his romantic failures, the latter of which may have his membership in the 'incel' movement.[81] Questions remain regarding whether or not his interest in the incel movement preceded or followed his interest in joining the CAF, and—if the former is true—whether his participation in or viewing of online incel forums should have been flagged by those responsible for processing both his CAF and security-clearance applications.

Revisiting the case of Timothy McVeigh and involuntary exits, we see an excellent example of such an event potentially creating an identity crisis which later resulted in violence. Prior to perpetrating the Oklahoma City Bombing, McVeigh had failed to complete Special Forces training and was returned to his infantry unit.[82] Although his exit from the U.S. military was—on paper—voluntary, it largely stemmed from his failure to advance within the armed forces.[83] Although McVeigh was never proven to be a member of a far-right group, he proclaimed in a twelve-hundred-word essay that his motivations for the bombings largely stemmed from anti-government sentiments.[84] Furthermore, upon his arrest, McVeigh was found to be in possession of several pages from the *Turner Diaries*, a novel depicting a genocidal race war. Written by William Luther Pierce, the founder of the neo-Nazi group National Alliance, the *Turner Diaries* are solidly considered to be one of the most influential pieces of white supremacist literature in existence.[85]

From the perspective of recruiters, active-duty and former military members are highly sought-after. Tactical, operational, and logistical training is useful for far-right groups seeking to

either perpetrate violence or defend themselves against opposing groups or law enforcement.[86] Interpersonal characteristics furthermore make military members susceptible to recruitment by far-right groups: Simi et al. (2013) assert that relative youthfulness in combination with recent separation from family members may leave potential recruits seeking both companionship and comradery, which may be provided through participation in far-right extremist groups.[87] With regards to making initial contact with potential recruits, such efforts have been known to take place online, at gun-shows, preparedness expositions, and public shooting ranges.[88] Furthermore, according to Johnson (2012):

> White supremacists have gone to great lengths to publicize their message to U.S. military members. In 1995, the National Alliance, a prominent neo-Nazi group, purchased a billboard advertisement outside of Fort Bragg in an effort to attract active-duty service members and their dependents to the white supremacist movement. In other instances, white supremacists targeted bars and nightclubs where off-duty military personnel often gathered.[89]

Simi et al. (2013) also examine why right-wing extremism, specifically, may act as a source of validation for individuals experiencing an identity crisis. They suggest that certain overlaps between military culture (e.g. hyper-masculinity and rigid hierarchies) and far-right ideologies may be comforting to those experiencing an identity crisis.[90] These overlaps are important, given that military membership need not precede adherence to far-right ideologies.[91] In fact, it may be that those individuals have already been radicalized, and as such may see participation in the armed forces as a strategic opportunity;[92] strategy, in this case, may refer to the training received, the possibility of further recruitment, or the further validation of a challenged identity. Thus, cultural overlaps may assuage feelings of distress in both future and

ex-military personnel who are either already radicalized or who are susceptible to radicalization. In the case of potential military recruits, the knowledge that they are to be met with a "macho" environment which will validate some of their extremist beliefs – in addition to training which will provide them with tactical and weapons skills – may be sufficient to convince them to participate. In the latter case, the military-esque hyper-masculinity of far-right groups may solidify the adherence of veterans to the extremist ideology, while simultaneously validating their "war-hero" identity.

2008 FBI Report

Focusing on white-supremacist (rather than the broader "far-right") recruitment of military personnel post-9/11, the 2008 Federal Bureau of Investigation (FBI) report titled *White Supremacist Recruitment of Military Personnel since 9/11* outlines the wars in Iraq and Afghanistan as aggravating factors contributing to recruitment.[93] The FBI is quick to note, however, that despite veterans joining these organizations upon their return from deployment, "they have not done so in numbers sufficient to stem declines among major national extremist organizations, nor has their participation resulted in a more violent extremist movement."[94] This conclusion, however, is now a decade old. Violent incidents perpetrated by right-wing extremists have "been on the rise since Barack Obama's presidency [and have] surged since President Trump took office" in 2016.[95] A comparative, quantitative study is therefore needed in order to determine whether participation in far-right organizations has continued its decline.

The FBI's report goes on to explain the link between white supremacy and the wars in Iraq and Afghanistan: these ideologies "tend to view the wars […] as an opportunity to recruit new members by depicting the war in Iraq in particular as fought in service of Israel, or as a

distraction from domestic concerns, such as immigration."[96] These depictions, coupled with anti-government and anti-war sentiments, are used to lure veterans into the movement.[97] The FBI further confirmed that military personnel who join extremist groups are often held in high regard, frequently occupying leadership or founding-member positions.[98] The report also notes the declining rates of membership in such organizations: the incarceration and deaths of members, the splintering of groups, and in-fighting have each contributed to a loss of both personnel and legitimacy at the time the report was written.[99] Military personnel, therefore, may have potentially offered a two-fold benefit to white-supremacist groups and their ideology. First, an influx of veterans from Iraq and Afghanistan may have reinvigorated the number of participants, which may have assisted in improving perceptions of legitimacy.[100] Second, "given the leadership ambitions of many of the military veterans within the movement, it is likely that some will choose to form new groups rather than continue to associate with well-established, but ineffective organizations", which may have contributed to the maintenance of the white supremacist ideology as a whole.[101] The report additionally confirms the earlier statement regarding the benefits of military personnel participation in such groups: tactical, operational, and weapons training each offer invaluable benefits to organizations looking to mobilize or commit violent acts.[102]

Although the linkages between white supremacist groups and military recruitment (i.e. benefits derived from their membership, leadership ambitions, and propaganda) remain unchanged in the present day, there are now serious concerns regarding the possibility of a relatively higher rate of military member participation in white-supremacist or other far-right groups. Previously identified intelligence gaps in the report also included which venues are being used by right-wing groups for recruitment (e.g. online, in-person), which specific skill sets (e.g.

weapons, explosives, technological) military members of such groups possess or desire of new recruits, and whether veterans of the wars in Iraq and Afghanistan attribute their wartime trauma to Middle-Eastern or Asian ethnic groups.[103]

This analysis attempts to resolve some of these gaps. The most common method of contemporary recruitment is the internet. A 2011 study authored by Chermak et al. consisted of a quantitative analysis of over two-hundred and seventy-five hate groups in the U.S.; in their study, the authors defined a "hate-group" as those which "have beliefs or practices that attack or malign an entire class of people, typically for their immutable characteristics".[104] The study found that "forty-five percent of the groups recruited using the internet, thirty-one percent recruited at protests, five percent recruited using personal visits, and five percent specifically targeted youths."[105] A report produced by the Centre for Strategic & International Studies (CSIS) further stipulated that the internet has proved to be an invaluable asset to right- wing groups:

> [R]ight-wing extremists are increasingly using the internet and social media to issue propaganda statements, coordinate training (including combat training), organize travel to attend protests and other events, raise funds, recruit members, and communicate with others. The internet and social media provide an unparalleled opportunity to reach a broader audience […] Right-wing networks have used Twitter (with hashtags like #nationalist and #ultraright in Twitter posts), posted videos on YouTube, established Facebook pages, created Instagram accounts, and communicated on social media sites like Gab and through Voice over Internet Protocol applications like Discord […] In addition, websites like the Daily Stormer remain influential among many neo-Nazi and white supremacy activists.[106]

Mendelsohn (2011) found evidence of similar online recruitment tactics among Islamic extremists, noting that:

> [T]he Internet has become the instrument of choice (or necessity) for recruitment. Its role in recruitment begins early, as the Internet offers sympathizers a means of gaining information and access to propaganda tapes, potentially motivating them to get physically involved.[107]

With regards to the specific skill sets desired by right-wing groups, the answer is highly dependent on the individual group's goals, ideology and aims – as well as on whether the group advocates in favor of violence as a means of achieving its desired ends. For example, the neo-Nazi group *Atomwaffen* is perhaps one of the most violent and dangerous far-right groups contemporarily; the skill sets this organization may seek from its recruits may therefore be vastly different from those sought by *La Meute*, which has steadfastly opposed violence as a means of achieving its goals. While *Atomwaffen* likely desires members with tactical and weapons training, *La Meute* may instead seek veterans with organizational, leadership, and charismatic qualities in order to solidify its legitimacy and attract new members.

The question of whether veterans of the wars in Iraq and Afghanistan attribute their trauma to Middle-Eastern or Asian ethnic groups is one which can only be answered with further qualitative research. This research may be proactive, meaning surveys such as that conducted by the Military Times – which on the white supremacist personnel in the ranks – or reactive, meaning interviews of perpetrators conducted after an incident. This specific intelligence gap therefore remains, and inquiries should be made by both Canadian and U.S. researchers, given that both states participated in the conflict in Afghanistan.

Policy Recommendations

While the intelligence gaps regarding venues for recruitment and desired skill sets have been resolved, the gap relating to the attribution of wartime trauma remains. Furthermore, far-right movements have arguably been reinvigorated in both the U.S. and Canada. It is no longer a question of whether far-right extremists are present within the military, but rather to what extent. While this issues was addressed in the 2018 MPCIS report, it must be noted once more that the true number of right-wing extremists or ideologues in the CAF is likely much higher than the fifty-three that were identified in the report.[108] Disturbingly, since the publication of the MPCIS report, thirty of those fifty-three individuals are still actively serving in the CAF. Furthermore, the report also characterized hate groups as "not pos[ing] any significant threat to the CAF/DND".[109] This particular statement was highly controversial, with some commentators accusing the government of "ignoring extremism in their ranks";[110] Defence Minister Harjit Sajjan – faced with the growing backlash – subsequently promised to "look at further action to address the serious nature of this report" in May 2019.[111]

Possible topics for further research are both quantitative and qualitative; most pressing is that of determining the actual number of adherents to right-wing ideologies in the military. Of course, this is easier said than done; recalling Barbara Perry's statement, "you're not going to get access to the military to do interviews or surveys to find out, and people aren't necessarily going to admit it either." [112] This paper argues, therefore, that the Canadian Security Intelligence Service (CSIS) – which is responsible for conducting security-clearance screenings for Government of Canada (GC) personnel – should further (publicly) strengthen those policies intended to prevent RWE individuals from obtaining or maintaining security clearances.[113] Indeed, preventing those who are already radicalized from joining the CAF is a goal worthy of

further investment; the GC has at its disposal an enormous intelligence apparatus, and actively and continuously screening employees for radical or extremist beliefs – *especially* those expressed online – should therefore be a stated priority. This is particularly important, given that another *Vice News* report found that neo-Nazi groups have, as recently as October 2018, been "planning military infiltration to learn combat skills via the reserves."[114] *Vice* notes that this is by no means a difficult endeavor; reservists need only commit to "one evening a week, one weekend a month" of service.[115] As per the CAF recruitment website, "as a reservist, you will typically serve with the Army between 30 and 45 days a year."[116] While a criminal history or associations known to law enforcement may be a barrier to entering the reserves, the CAF has recently announced plans to reduce the recruitment process "to a matter of weeks".[117] Questions must therefore be posed regarding the cost this reduction in wait-time may entail; the CAF's goal of increasing the number of reservists from 18,500 to 21,000 by 2020 will also require that CSIS perform over 2,500 in-depth background checks within a very short two years.[118] While not impossible, further questions pertaining to the thoroughness of such checks must also be posed and answered. In an interview with the *Toronto Star*, the CAF's Chief of Defence Staff Jonathan Vance stated frankly:

> [T]here's no question about it that I cannot guarantee they don't get in […] people have online personas; they associate privately and it's unknown to the chain of command. When it is known, we act […] It is entirely possible that we are not sufficiently aware of the indicators or the insidious, corrosive effect of having extremism in our ranks. I think we're academically aware, like technically aware. But from a practical basis, how do you know for sure?[119]

While resistance to implementing the above recommendations is intuitive – given that it would require the government to acknowledge that there is, indeed, a problem (however quantitatively small) – should Canada await another Somalia Incident before we independently investigate? Or should Canada wait for its own version of the Charlottesville rally? Clearly, research must be proactive. While the overall rates of participation of military personnel in far-right groups may be small, research has consistently demonstrated that they occupy a large number of leadership positions within right-wing extremist organizations. This trend is particularly problematic if obtaining such a leadership role is the central motivation of some recruits in joining the CAF.[120] An additional recommendation is, therefore, that inquiries into possible triggers for right-wing radicalization in the CAF be undertaken. While Simi et al.'s 2013 study identified both identity discrepancies and involuntary exists as potentially triggering events, it must again be noted that membership in a right-wing organization need not *follow* military service.[121] It is entirely possible that individuals may become radicalized prior to or while actively serving. As such, the CAF should therefore develop and strengthen policies for identifying and providing assistance to those who are at risk.

Finally, research and inquiries into the effectiveness of current background-check practices are necessary, in addition to severe penalties (up to and including discharge) for CAF members associated with RWE groups. Research should also seek to identify CAF-specific triggers for radicalization, which—in the American contact—are already known to include identity discrepancies and involuntary exits. Far-right military scandals are both numerous and recent, and there has been an indisputable rise in right-wing extremism in recent years. A failure to investigate the prevalence of such extremism in the CAF will surely be at the top of any

inquiry's agenda should a tragedy occur, and Canada will face the same shame it faced after the Somalia Incident once more.

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Civil Activism in the Age of Information: Can soft-power influence public diplomacy?

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Civil Activism in the Age of Information: Can soft-power influence public diplomacy?

Public diplomacy is a young, prominent field of study, with its practice long preceding the conceptualisation of its terminology within the scope and endeavours of diplomatic practice. Today more than ever, new non-state actors are entering the international arena, challenging traditional diplomacy, and playing an amplified role as quasi-diplomats. As such, this paper considers the emerging trend of non-state participation in public diplomacy by focusing on the civil movements that arose in Romania in 2017. The paper begins by exploring the core notions of public diplomacy, soft-power, and activism, shifting then towards the birth of the #Rezist movement. The main findings suggest that soft-power of activism steadily increased over the course of #Rezist. This phenomenon has had a polylateral response (larger flows of knowledge and resources initiated by the activists) to the increased competition between state officials and protesting non-state actors over the use of information, as well as the government's decision-making. The #Rezist activists expressed their outrage via collective action that won them notable victories, namely the repeal of OUG13 and the dismissal of the justice minister. To a certain extent, the cumulative experience of cognitive liberation, clicktivism, and protest marches has led Romania to a state of civic awakening (with no true leader or single-defined goals, but an overall revival for collective civil action and participation).

Keywords: soft-power, public diplomacy, civic movement, social media, Romania

Introduction

What are the implications of civil movements for public diplomacy? Can such movements enact a new form of soft-power? If so, how is the #Rezist movement in Romania different from others across the world? To answer these questions empirically, one must first define the concepts of public diplomacy, soft-power, and civil activism. From this foundation, this paper analyses the role of soft-power in challenging traditional public diplomacy as well as the development of civil movements. The following sections establish the paper's theoretical framework, before assessing the case of #Rezist with the use of Nye's theory of soft-power. The paper finds that soft-power can have a catalytic role in accelerating civil activism and suggests

that future research is required in order to better evaluate current trends and measure the impact of persuasion approached by non-state actors.[1]

Theoretical framework

The literature on public diplomacy (PD) is vast and versatile, mainly because it can be studied across various disciplinary and conceptual areas. This, in turn, makes it difficult to condense the practices of public diplomatic into one exhaustive overview. According to Huijgh, public diplomacy is a multidisciplinary field of study, with a myriad of diverging descriptions and no one-size-fits-all definition.[2] Its roots trace back to traditional diplomacy, meaning the activity of representing a polity to the outside world. However, instead of focusing on inter-state practice, PD is an interactive branch of diplomacy designed to engage multiple non-state actors and stakeholders at once.[3] As such, governments direct their attention to the domestic and foreign publics, creating strategies that increase their credibility and export their national agenda. This is why most policy-makers regard PD as a form of soft-power, with the capacity to persuade actors via attraction rather than coercion. Indeed, PD is about influencing others' attitudes and perceptions in a positive way; this, in turn, has a multiplier effect on shaping public opinion and mentality.[4]

By communicating policy information to their own domestic publics, the goal of public diplomacy, as practiced by states, is to reduce the *estrangement* between parties.[5] From Cardinal Richelieu's *politique d'influence* during the 17th century to Kemal Atatürk's grasp of power after the fall of the Ottoman Empire, all the way to the German *Politische Öffentlichkeitsarbeit*, the use of PD has been synonymous with nation-building and national-mythos building.[6] In its simplest form, PD, or the people's diplomacy, comprises any form of government-led

endeavours aimed at connecting with publics. These official efforts target foreign opinion and promote governmental decision across various spectres, mainly via campaigns, statements, and the persuasion of media. Such tactics were employed by the United States during the Cold War to convince the citizens of European states of the gains of democratic capitalism.[7] This so-called branding communication (long-term promotion of government endeavours) helped deploy capitalist aspirations to a recovering Europe. For non-state actors, on the other hand, designing such complex strategies is currently beyond reach. Usually emerging as a reaction to political events or decisions, non-state activities are by definition limited in resources, participation, and legitimacy. Therefore, to achieve their interests, non-state parties mostly adopt political advocacy techniques, that is, short-term strategies aimed at rapid results.[8] In this sense, advocacy is employed to gather domestic and foreign support to achieve policy objectives at a local level. A relevant case would be the Soviet Union's endeavours during the Cold War. The USSR engaged in large campaigns to attract transitioning states into embracing the communist system, while renouncing the European imperialism.[9] It also invested heavily into PD programmes to promote its culture, disseminate information on the West, and sponsor propaganda movements focusing on the youth. Nevertheless, its closed system and the lack of popular culture made it unsuccessful in the soft-power rivalry against the United States.[10]

In his thesis on public diplomacy, Nye argues that to better measure the implications of PD, its characteristics can be divided into the means of power, behavioural outcomes, and resources.[11] The American political scientist, co-founder of the international relations theory of neoliberalism, in which he developed the concept of asymmetrical interdependence, researched at length the transnational engagements of soft-power and hard-power. The terms were later on coined in his book, *Bound to Lead: The Changing Nature of American Power*. By

pioneering the theory of soft-power, he argued that once a state wants to influence others to want what it wants, the best propaganda is actually to use no direct propaganda.[12]

As such, soft power can be interpreted as a reaction to the decreasing strength of hard power, and is directly proportional to the development of culture, policy, and citizenry's sense of value.[13] Together, hard-power and soft-power constitute what is known in international politics as *power*, that is, the ability to convince actors to behave in ways they otherwise would not choose to. From a neorealist perspective, power can be exerted coercively via military means, economic punishments, or strategies of compelling diplomacy, or in a liberalist manner, via the 'soft' means of persuasion, mediation, and negotiation.[14] According to Nye, soft power refers to the ability to obtain a desired outcome, via influence, attraction, and compliance, rather than via coercion or punishment. At the state level, soft-power depends on a country's resources, namely its culture, consisting of palpable attractions; political values (whether acclaimed nationally or internationally); and foreign policies, if these are accepted as legitimate forms of authority and credibility. For day-to-day politics, it relies instead on a capacity to shape preferences and connect with immaterial assets such as identity, political affiliations, or traditions.[15] Nye further insists on systemically aligning resources in order to increase the efficiency of national soft-power. Culture, for instance, is not only evoked by government endeavours, but also by the media and the entertainment industry, academia, and overall, the general public.[16]

More than an instrument of change, in Nye's view, PD is a versatile tool of great importance to the arsenal of *smart power* (the ability to combine hard and soft power means into a successful strategy). It fosters the governmental distribution of resources to attract and inform publics both domestically and internationally. Rather than focusing on policies with short-term,

political aim, PD revolves around promoting cultural and individual values that are longer-lasting and more effective at creating enduring brands.[17]

On the other hand, scholars like Bátora conceptualize public diplomacy as the promotion of soft-power, and not *vice-versa*, meaning that PD is a means of creating soft-power, rather being its result.[18] Melissen also considers PD an imperative tool in creating soft-power, as it instrumentalises this power in a format recognised by statesmen in the international arena. In this context, the ambiguity regarding whether soft-power establishes PD or the latter enforces soft-power raises important concerns, since it prevents a determination of causality and thereby hinders the understanding of soft-power's effect on the way governments conduct public diplomacy.[19] Szondi further widens the disconnected causality between soft-power and PD by using the examples of various European democracies in order to place the source of soft-power entirely on national culture and history. According to Szondi, German PD is centred on blending its foreign and domestic politics to gain support for its decisions, while the British conceptualise PD as informing and engaging publics in the long-term branding of the United Kingdom. In this sense, the analysis of PD and soft-power becomes dependent on national chronology and cultural appropriateness.[20]

For this reason, civil forms of activism too pivot around national history and social norms. They make use of organisations, institutions, and practices to foster greater public involvement in decision-making. Compelled by extreme forms of deprivation, violence, and unrest, social movements started materialising in the 18th century, primarily during the French Revolution.[21] As upheavals continued with anomies (with the society providing no moral guidance to individuals, while the mismatch between group standards and social standards increased) these movements gave birth to a potent radicalism in France, only to sharply react

against it afterwards.[22] As core functions, social movements then challenge the status-quo by disrupting the action of authorities, be they elites or other leading groups. Usually public, the disruptions aim to hinder, interrupt, or even provoke the activities of well-established communities and systems.[23]

From petitions and local campaigns to non-violent demonstrations and media coverage of events, peaceful activism is a central tool in fostering the accountability and transparency of public institutions. Hence, citizens associate in local, regional, or international bodies, and make use of broadcasters and social networks to make their voice heard. The relevance of such actions rests in the response of the government. A strong culture of political and social engagement will champion effective policy delivery and is related to reduced corruption, increased transparency, and higher economic growth.[24] However, to be successful in the current age of interconnectivity, activism also requires a certain degree of strategic artfulness. This artfulness arises precisely from the *repeated public displays* of alternate political and cultural values. Depending on their level of repetition, acts of protest can be divided into single events, which seek social change regarding specific causes, and into sustained events or campaigns which then transcend into social movements.[25] From Baudelaire to Leontidou and van Leeuwen, the so-called *flâneur activists* form the core of any sustained protest movement, acting as "adjectival cosmopolitans",[26] expressing their right to the place they live and to the lifestyle they desire. [27] Defined as restless wanderers, drifting between spaces and masses, these activists bridge the elites and non-elites, the local with national, and the individual with the collective. They can be seen as responsible for the sustained aspect of ongoing protests. [28] As the analysis of the #Rezist movement will demonstrate, the flâneur activists were the stirring force that changed the spontaneous protests into a long-lasting social campaign against governmental corruption.

The upswing of the #Rezist movement

The case of the #Rezist movement in Romania is particularly interesting since the 2017 protests that occurred in the country's biggest cities were the largest and most disruptive since the Post-Decembrist Revolution of 1989. They were caused by a governmental decree (an official order that possesses the force of law) intended to modify the Penal Code and Penal Procedure Code by decriminalising certain offences, namely misconduct done during office tenure. One contemporary feature of the protests was the *flâneur activists*' use of social networks to streamline both online and offline communication, as well as to organise groups and create slogans.[29]

The anti-government protests of 2017 also revealed the significant impact of citizenry activism on public diplomacy and governance. At first, the protests only targeted the repeal of emergency decree (labelled OUG13/2017) that was pushed by the government to relax anti-corruption laws; however, within days, a new movement, #Rezist, was established, and within weeks its aim became the dismissal of the Sorin Grindeanu Cabinet. The civil action stems from the night of 31 January 2017, when the government adopted the OUG13/2017 to modify the Penal Code and the Penal Procedure Code.[30] Within hours, thousands of people gathered in the Victory Square to protest the adoption of OUG13. Indeed, this decree directly caused what the international press would later describe as Romania's largest civil movement since the post-Decembrist revolutions of 1989.[31] The protests peaked on 5 February, when between 500,000-600,000 Romanians protested throughout the country, with additional thousands rallying abroad, namely in Europe and in major cities across the globe.[32]

After this surge, the protests continued on a smaller scale almost daily, until mass movements erupted again on 10 August 2018, when tens of thousands of diaspora members

staged protests in Bucharest. Compared to the protests of early 2017 where all demonstrations progressed and ended peacefully, on this occasion, more than 400 people were injured due to the police's disproportionate use of force.[33] Mentioning the involved of the diaspora community in this context is important as more than 9.7 million Romanians are estimated to be living abroad, mostly in OECD countries. The most frequently given reasons for the mass migration are the daily material shortages, small revenues, and poor quality of the political class over time. During the last decades, the diaspora became increasingly important as the communities abroad got very much involved into voting for national elections (during presidential voting in 2014, and again in 2019). Currently, the Romanians from abroad are the largest source of capital investment in the country, contributing to approximately 2% to the GDP.[34]

In the context of the #Rezist demonstrations, the protestors had succeeded in compelling the government to withdraw the contested decree, and in dismissing Florin Iordache, the Justice Minister formally responsible for putting forward the decree.[35] Due to internal power struggles, Sorin Grindeanu was also removed from the office of Prime Minister by his own party (the Social Democratic Party, PSD) less than six months later. He was succeeded by the PSD's vice-president, Mihai Tudose, who also tried to implement several emergency decrees during his tenure, stirring new waves of protests. Again, after an internal power struggle, he too resigned in January 2018.[36] Viorica Dăncilă replaced him until 10 October 2019, when a no-confidence motion tabled by the opposition parties in parliament passed with 238 votes, five more than needed in the 465 house.[37] During her time as prime minister, small-scale protests against the executive and the PSD continued, notably in May 2019, when the PSD's ruling head, Liviu Dragnea, was jailed for acts of corruption.[38]

As such, all forms of activism share a common nodal point, the temporary association of individuals in social solidarity against political authorities.[39] In the information age, wherein citizens have access to knowledge concerning political actors and actions, as well as social events, media consumers can become information producers. This democratising feature of the internet in relation to political regimes makes social media interactivity all the more versatile. From online expression to group debates and collective organisation, social media activities end up generating potent civic empowerment. The recent development of so-called *soft-activism* or *clicktivism* further expanded the reach of social media campaigns to the online masses, who then advocated for new means to contest public authorities and launched compelling anti-establishment labels.[40]

In this sense, digital tools such as social media platform Facebook proved to be important democratic instruments in the mobilisation of citizens, enabling them to connect globally and share social experiences. As people learned about the evolution and direction of the protests through interpersonal communication on Facebook, information became influential to them. The motivation for #Rezist was the desire to democratise and change the state of Romanian society; as such, Facebook, due to its interactivity, connectivity, and accessibility, stood out as an efficient instrument of online democracy against political censorship.[41] This is because around 9.8 million Romanians use Facebook daily, making the social network the most popular means of communication and information sharing in the country.[42]

What made OUG13 emblematic? Returning to Nye's approach, the Romanian Government's adoption of OUG13 posed more than an issue of corruption, it posed an issue of *power*. The decree itself was designed to pardon all corruption crimes that incurred damages under 200,000 RON (around €42,000), including all such ongoing cases. As a form of collective

reaction, from January 2017 until February 2018, hundreds of thousands of citizens gathered in Bucharest and other large cities to protest against the adoption of OUG13 and against the government. The leitmotif of the movement was captured by one word, #Rezist, i.e. I resist.[43] The protestors sought a competent, transparent leadership, and made use of their momentum to push their outcry onto the international stage. As it will be depicted further in the paper, this was one of the key moments of the civil soft-power influencing Romania's public diplomacy. To facilitate communication and grouping, people made use of social networks such as Facebook and Twitter in order to organise *without any official organiser*.[44]

Some radical groups assembled to promote specific claims, while others remained faithful to solely protesting against the emergency decree. In the end, there was no emblematic leader, nor official organiser of the movement. The social realm, highly technologized, created thus new opportunities for all of these non-violent, non-state actors. Hence, the power of #Rezist activism flourished online and, simultaneously, in the streets. By significantly reducing the cost of communication in a manner directly proportional to the expansion of reach, the internet became the panacea for the shortcoming of the Romanian public diplomacy, with the internet correcting the communication gaps of the protesters.[45] Thanks to it, the *flâneur activists* and Facebook revolutionaries alike were able to create messages that transcended geographical boundaries, informing the diaspora, gathering the attention of national and international media outlets, and even stirring embassies (such as those of Belgium, Canada, France, Germany, Netherlands and the United States) not to reverse the fight against corruption.[46]

Similarly to the case of the Arab Spring, people live-streaming on Facebook and YouTube reached out to global press agencies, who in turn sent reporters and analysts to investigate the story. Among the first channels to broadcast the message of the #Rezist

movement was the BBC, which praised the people's resilience in advocating for democracy following the decree's repeal, stating that there was no calm after the storm for Romanian citizens, as the protesters were unconvinced that the government would scrap the emergency decree.[47] On the sixth night of protests, France 24 portrayed the situation as an assembly of civic forces[48], while Der Spiegel called it the 'smartphone revolution', wherein young, well-organised, and pro-European Romanians took on the corruption of their political elites.[49] With regards to the use of technology, the case of Romania's social movements can also resemble the protests for civil liberties which took place in Egypt and Tunisia, as the activists on both ends pushed for social change in society and for an improved, more democratic executive. Even though participation in #Rezist was mostly organized within the country's major cities and was non-violent, due to the popularity and widespread use of social networks, diaspora communities were able to coordinate their activities with protesters in Romania, lobbying at embassies (in Bruxelles, Paris, London, Rome and Copenhagen), and thereby increasing the awareness of #Rezist abroad.[50]

In the Information Age, soft-power is augmented by greater access to technology. And social media was the paramount tool in connecting protesting Romanians across the country and the world. Within hours of the adoption of the decree, sailors working in Antarctica, on boats in the Persian Gulf, and across the Atlantic all shared their solidarity online, inviting others to do the same.[51] The online platforms had a strong multiplier effect upon the civil movement. Hundreds of Romanians clustered in major European cities, showing off their indignation and resilience, and thereby increasing the estrangement between the public and the government. Rather than relying on the political representatives to speak on their behalf, activists sought to use the internet as leverage to make their voice heard.[52] Social networks, thus, provided

individuals with the perfect platform to set agendas, to coordinate themselves, and to establish a concrete form of self-representation. Without being located in one place, citizens sharing similar concerns connected with each other without the need for a centralised party or leader.[53] Instead of remaining at the level of spectators, people formed bodies of *connective action, organising themselves without a standing organisation*. As a form of quasi-PD, this connective act assembled crowds that stretched outside Romania's borders, turning the attention of international actors (such as the aforementioned embassies) towards the political situation of the country.[54]

Protesters were also creative in using the language, historical events, and humour to construct their unified message, with slogans and mottos playing a vital role in the creation of the #Rezist movement.[55] Slogans like "PSD, the red plague" (PSD, ciuma roșie), "I am strong enough, I resist" (Sunt destul de puternic, Rezist) and "In the night like thieves" (Noaptea ca hoţii) acted as leitmotifs and brand-labels. Taken together, technology, civil participation, and civic resilience turned the citizens' soft-power credibility into a well-established example of PD. This resulted in the annulment of OUG13/2017 and the toppling of the justice minister on the 8 February 2017.[56] The provision of online content to the international press and governments also affected Romania's public diplomatic performance. With embassies such as that of the United States, France, and Germany applauding the democratic movement and seeking a reaction from the national authorities, estrangement grew stronger between the government and the protesting non-state actors.

Estrangement also developed between the officials in Bucharest and those protestors from the four biggest cities of Transylvania, which announced the formation of a new interregional body, the West Alliance. Indeed, the wealthiest provinces of Cluj, Timișoara, Arad, and Oradea made use of the classical idiom, *divide et impera*, and allied to increase their

autonomy against the federal monopoly imposed from Bucharest. Apart form the capital, these four cities witnessed the highest civic engagements during the 2017 protests. This determined the four mayors to boost the regional economy, transparency, and distribution of resources, and to increase the absorption of EU investments, while tying decision-making more closely to the citizens.[57] Hitherto, the members of the West Alliance decided to have their headquarters in Timișoara, with a rotative leadership and an opt-in option for other interested cities in the region.[58]

Post-#Rezist prospects

Olteanu and Beyerle argue that the #Rezist protests have been successful in achieving their articulated demands due to the collective sense of being driving those affronted by corrupt government officials. As the movement's overall structure was based on collective action, coupled with patriotism and a sense European identity, important Romanian elites and institutions also paired up with the activists. This particular context was possible because elites also perceived the emergency decree as highly problematic and decided to use their public stance to raise awareness, attract, and co-opt (precisely the elements of soft-power) bystanders to join the demonstrations. President Klaus Iohannis, the Council of Magistrates (which proposes to the President the judges and prosecutors, and ensures that their professional activity is carried out properly), as well as leading officials from the National Anticorruption Directorate (the agency tasked with preventing, investigating, and prosecuting offenses related to corruption), all objected to OUG13/2017 via various channels. As such, the interplay between citizens and elites has proven dynamic and impactful, as the efforts of the protesters coincided with those of state institutions and officials.[59]

This interplay constitutes the element of quasi smart-power, which plays a fundamental role in public diplomacy. In the case of #Rezist, even national personalities such as actor Dan Puric, writer Mircea Cărtărescu, and essayist Mihai Șora acted as agents of change, feeding the crowds with personal statements of empathy or disdain.[60] A considerable amount of endorsement stemmed from Romanian writers, leaders of opinion, philosophers, and musicians. Both on the streets as well as online, these individuals helped intensify the demonstrations to the level of national civil activism. By means of analogy, writers Dan Puric and Mircea Cărtărescu expressed that citizens needed to listen to their conscience, rather than their desire for comfort, if they wanted to defend their civic and human rights. As a result of their engagement, more citizens formed networks of personal connections seeking common interests under the label #Rezist. Thus, what began as a reaction to a single emergency decree was suddenly transformed into a robust social movement, with an impressive burst of visual materials gathered from the Romanian protesters across the world.[61]

On the same note, this interactions between individuals, institutions, and the media still holds the potential for strong and open-ended reactions. Civil activism can arise without the presence of organised groups, and individuals themselves can become initiators of movements, encouraging others to join demonstrations and promote liberal thinking.[62] As Adler-Nissen puts it, this so-called *relationalism* (where situations of particular events depend on the going relations between actors), championed by technology, led to high democratic claims such as the resignation of the executive Cabinet, and the formation of an enduring #Rezist movement.[63] Pátrut and Stoica further explain that this new form of protest also transformed the virtual networks into an enhanced public space of objection, where the rupture between distressed citizens and politicians expanded across social media. The dichotomy of *us versus them* furthered

the estrangement between the two sides, with collective activism linking online support with offline mobilisation. It is to this phenomenon that the two scholars ascribe the rediscovery of the Romanian civic activism.[64]

It is evident that the soft-power of activism steadily increased over the course of #Rezist. The phenomenon was a multifaceted response to the increased competition between state officials and protesting non-state actors over the use of information and the government's decision-making. The #Rezist activists expressed their outrage via nonviolent collective action that won them notable victories, namely the repeal of OUG13 and the dismissal of the justice minister. To a certain extent, the cumulative experience of cognitive liberation, clicktivism, and protest marches has led Romania to a state of civic national awakening (with hundreds of thousands of people engaging in the biggest non-violent demonstrations since the fall of communism in 1989).[65]

Conclusion

The triumph of these protests proved that online rallying can be paired with offline activity, and that the political elites can be receptive to street messages and civic actions of challenge. However, for the movement to stand the test of time, asserting a collective voice for the Romanian citizenry remains imperative. More than ever before, civic consciousness appears to be reinventing itself, with social networks playing an active role in how the social realm communicates with the political.[66] The findings pinpoint to an invigoration of civil activism on the basis of social movement, technology and discourse techniques. This, in turn, can accelerate cross-border connections and lead to the establishment of long-term public associations. Nevertheless, the examples remain single-case studies, particular and non-replicable (such as the

case of the Arab Spring, or the mass protests taking place in Hong Kong). In the case of #Rezist, it appears that the public's soft-power did influence the status-quo of executive decision-making, but with no clearly defined long-term developments. This creates engaging research puzzles regarding how civil activism can be part of a more holistic modern diplomacy. When decisions affect a plurality of agents, finding the legitimate tools to respond to new demands can be confusing, if not problematic.[67]

Although this paper adopted a descriptive approach, its analysis of the events in Romania aimed to generate insight into the opportunities and constraints stemming from technology's increasingly large role in steering social movements, and boosting national PD. It proposed a case-oriented approach, as it took into account contextual specifics for the 2017 movements in Romania, developing contingent comparative generalisations via a qualitative method of inquiry. As such, it underlines that digital tools continue to make a significant contribution to the mobilisation of citizens and the creation of national movements. In the case of #Rezist, the internet and social networks helped protesters overcome socio-economic and geographical disparities, and contributed to the creation of a collective national identity defined by its opposition to undemocratic and non-transparent political decisions. Moreover, civil soft-power also had a meaningful impact in stirring activism and creating brands reflective of the contemporary issues and trends.

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Sudan/South Sudan and the Dilemma of Peace Process Inclusion of Armed Actors

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Sudan/South Sudan and the Dilemma of Peace Process Inclusion of Armed Actors

Conflict resolution literature commonly assumes that peace process inclusivity is the key to addressing the root causes of civil war and producing lasting peace. However, the cases of Sudan and South Sudan, demonstrate that *both* peace process inclusivity and exclusivity are in fact associated with heightened instability and undemocratic outcomes. Sudan's 2005 Comprehensive Peace Agreement (CPA) and the 2015 Agreement on the Resolution of the Conflict in South Sudan (ARCSS) each only recognized the existence of the two most powerful military actors, causing a proliferation of spoiler groups to emerge. South Sudan's "revitalized" peace deal (R-ARCSS), signed in 2018, was much more inclusive of military actors, but was also marred by inside and outside spoilers. Rather than being causally related to the level of peace process inclusivity/exclusivity, the many breakdowns in the peace processes in the region reflect the fact that the regimes in Khartoum and Juba have never successfully monopolized force over the entirety of their respective territories. Given the difficulties in managing inclusion from outside, it may be necessary to pursue a "Tillyan" (i.e. realist) model.

Keywords: Comprehensive Peace Agreement (CPA); Agreement on the Resolution of the Conflict in South Sudan (ARCSS); Peacebuilding; Statebuilding; Conflict Resolution

Introduction

An important aspect of peace- and state-building policy involves determining which armed actors should be included at the mediating table. Much of the literature on conflict resolution operates from the assumption that peace process exclusivity, that is, negotiations between only some of the parties to a conflict, "is more likely to breed violence than inclusive peace negotiations where all relevant groups have a seat at the bargaining table."[1] The push for inclusion is part of the broader liberal peace model that emphasizes the need to incorporate rebel groups and their leaders into the state, while simultaneously demobilizing excess troops, demilitarizing society more generally and pursuing democratic reforms within the security sector.[2] In opposition to the liberal model, realist approaches focus on the role of

violence/coercion in resolving conflict, overcoming the fragmentation of power and spurring processes of institutional change.[3]

Many scholars argue that peace process exclusivity has bred political violence in Sudan and South Sudan, by encouraging the creation of a litany of "spoiler" groups that use violence to force their interests onto the bargaining table.[4] Stephen John Stedman defines spoilers as leaders and parties who use violence to undermine a peace process that they believe threatens their power, worldview and/or interests. 'Inside spoilers' include splinter groups that disagree with the terms of a peace deal signed by the original leadership, while 'outside spoilers' are fueled by excluded groups that were previously peaceful and turn to employing insurgency tactics. By signing a peace deal, Stedman writes, "leaders put themselves at risk from adversaries who may take advantage of a settlement, from disgruntled followers who see peace as a betrayal of key values and from excluded parties who seek either to alter the process or to destroy it."[5]

In practice, mediators face a trade-off between their ability to reach an agreement and its sustainability. A settlement negotiated by a narrow set of actors will allow the negotiating parties to maximize their joint share of power, but is unlikely to address larger societal grievances. The dilemma of state formation in the modern era is that, while state-building activities must be implemented against the vested interests of dissident armed groups, liberal interventionists assume that security is only possible if the most powerful of dissidents are included in the political process.[6] Though inclusion may be desirable in theory, "the politics of inclusion can also be a source of divisiveness and conflict."[7] As Denis Tull and Andreas Mehler argue, inclusion, if applied indiscriminately, sends a message to would-be insurrectionists that violence is the only legitimate means to effectuate change and obtain political power. In this way, the push for an inclusive peace process risks leading to a proliferation of actors using armed

rebellion as a strategy to force their interests onto the negotiating table.[8]

In Sudan and South Sudan, owing to the weakness of the formal state, efforts to both include and exclude the interests of belligerent actors risk heightening conflict. Within the 2005 Comprehensive Peace Agreement (CPA), designed to resolve Sudan's north-south civil war, and, the 2015 Agreement on the Resolution of the Conflict in South Sudan (ARCSS), regionally-led mediation efforts recognized the existence of only the two most powerful military actors. This exclusive approach to mediation has been blamed for the many breakdowns in security that followed each of these peace deals. Conversely, South Sudan's revitalized 2018 peace agreement, or R-ARCSS, included a much wider array of armed groups at the negotiating table, yet has faced similar issues of implementation and interference from inside/outside spoiler groups.

This outcome calls into question the ability of external actors to engineer processes of inclusion, particularly in contexts where state power is contested (i.e. no single entity holds a monopoly of force). In practice, there is no pure dichotomy between "state" and "non-state," while non-state actors differ in their state-building potential. These realities have caused a recent shift in policy discourse on international peace- and state-building from liberal (focused on peacefully integrating/demobilizing rebel groups) and Weberian (focused on external and government actors building an empirical state) to Tillyan models of state formation (looking towards indigenous state and non-state actors to attain stability and build institutions, often through force/violence).[9] In a similar vein, Roger Mac Ginty and others advocate in favor of hybrid models of securitization that recognize the overlapping forms of authority and wartime governance that gain popular support.[10]

The rest of this paper, which is structured around the 2005 CPA, 2015 ARCSS and 2018 R-ARCSS peace deals, will demonstrate the existence of the inclusion dilemma in Sudan and South Sudan. In light of this critique of the prevailing liberal and Weberian model of conflict resolution, an alternate path is presented that would rely more closely on the efforts of indigenous actors, rather than being driven by international prescriptions. Regrettably, from the perspective of liberal interventionists, such an internal process of peace-making and state-making requires that the state elite bargain with non-state armed groups (NSAGs), including by striking patron-client deals and seeking to eliminate rival authorities by force. Given the longstanding inability of the ruling Sudan People's Liberation Movement/Army (SPLM/A) to secure a monopoly of force in South Sudan, there may be no choice but to work within the framework of hybrid authority structures.[11]

Fig. 1: Geopolitical Map of South Sudan. Created by DeFeo, Michael (2017). From http://www.inquiriesjournal.com/a?id=1692.[12]

The 2005 CPA and the Inclusion/Exclusion of Armed Actors

Sudan's 2005 CPA was negotiated exclusively between the SPLM in Juba and the NCP in Khartoum. The peace talks that produced the CPA were headed by Kenya, operating through the institutions of the Intergovernmental Authority on Development (IGAD) and largely at the direction of the United States. To simplify matters at the negotiating table, the mediation team, led by Kenyan General Lazerus Sumbeiywo, chose to focus strictly on the macro-political divisions between the National Congress Party (NCP) in Khartoum and the SPLM/A in Juba.[13] The peace deal's security arrangements erroneously stated that there were only two military forces operating on the ground in Southern Sudan. This assertion was contradicted the agreement's statement that all Other Armed Groups (OAG) needed to be absorbed into the security forces of either the Sudan Armed Forces (SAF) or the SPLA within a year of the CPA's signing.[14]

By overlooking grievances beyond the north-south axis of the conflict, Khaled Mustafa Medani writes, the exclusive mediation that produced the CPA in 2005 exacerbated conflicts in the region, namely to the west in Darfur; in the eastern states of Kassala and the Red Sea Hills; and in the "Three Areas" of Blue Nile, South Kordofan and Abyei. In the south, the CPA did not recognize the existence of powerful OAGs like the South Sudan Defense Forces (SSDF).[15] Lisa Blaydes and Jennifer De Maio argue that the mediators' exclusive approach created incentives for rebel groups to fight harder and encouraged previously uninvolved regions to engage in violence as a means of being included at the bargaining table. Local conflicts were part of a complex inter-connected system that included the north-south struggle, fighting between Khartoum and Darfuri rebels, and conflict between competing southern factions. The challenge,

the authors write, was for the mediators to take these multi-layered conflict dynamics into account as more than mere manifestations of macro-political cleavages.[16]

In Darfur, the loosely aligned Sudan Liberation Army (SLA) and Justice and Equality Movement (JEM) initiated an armed rebellion in February 2003 that was justified primarily by their exclusion from the north-south peace process.[17] The insurgents acted in response to the chronic political and economic marginalization of their region, which included deadly raids on their communities by Arab militiamen. Although the conflicts in Darfur were connected to the broader war, they were not dealt with or even mentioned in the CPA. The Darfur Peace Agreement (DPA), signed in 2006, ultimately failed to stem the fighting or to address the region's grievances because access to state resources had already effectively been divided between the NCP and SPLM.[18] The Bashir regime continued to employ the Janjaweed militias to quell the Darfuri rebellions as part of a brutal attempt by an embattled regime to consolidate its power.

In eastern Sudan, the CPA mediation prompted the Beja Congress and other groups to seek redress similar to that gained by the SPLM/A in the south. The Beja were among many groups excluded from the peace process on the basis that issues in the rest of the country could only be addressed once the north-south war had resolved. The Beja rebelled, "in large part because they were frustrated at their exclusion from the CPA negotiation process."[19] Their armed struggle reflected feelings of political exclusion and economic marginalization at the hands of Khartoum.[20] In 2004, a number of smaller rebel groups came together to form a coalition known as the Eastern Front. By the time the Eastern Sudan Peace Agreement (ESPA) was signed in October 2006, the Eastern Front was suffering from weak leadership and a lack of broad-based

ethnic support within the region. As a result, it became increasingly difficult to implement the ESPA.[21]

The CPA also exacerbated conflict by failing to satisfy the demands of political forces in Sudan's "Three Areas." Rebel groups in South Kordofan and Blue Nile fought alongside the SPLM/A during the war but were left out of the negotiations. The CPA separated these two states from the south based on the promise of receiving a special administrative status within Sudan. SPLM-North insurgents have since entered into an alliance with Darfuri rebels, creating the Sudan Revolutionary Front (SRF) in 2011. Conflict has also persisted in Abyei, where a referendum mandated by the CPA to determine whether the region would remain in the north or secede with the south was never held. The tensions in Abyei are linked to lingering post-secession disputes over armed groups, oil, debt, and the final determination of the north-south border.[22]

By exclusively emphasizing the north-south dynamic of the conflict, the CPA also lacked explicit provisions for peace within Southern Sudan. Khartoum formed and supported tribal militias during the north-south conflict as part of its strategy to fight the SPLA by proxy. The SSDF, for instance, was an umbrella group of anti-SPLA forces sponsored by Khartoum that controlled a large amount of territory in the three northern states that comprised the Greater Upper Nile region.[23] The same was true of the SPLM/A, which created its own militias in response to southern resistance groups fighting against its agenda.[24] These included the ethnically Nuer White Army militias, as well as their Dinka counterparts, the Gelweng youth cattle defense groups. It was assumed that the estimated 30 OAGs operating in Southern Sudan were indirectly included in the negotiations through their nominal affiliation to either the NCP or

the SPLM/A.[25] The chief mediator, General Sumbeiywo, argued that it would have been "impossible to negotiate with all of Sudan's different armed groups at the same time."[26]

During the CPA years (2005-2011), owing to the fragmented security environment and the regime's weak grip on power, President Kiir used the south's newfound oil money to outspend other entrepreneurs of violence, including Khartoum and the SPLA's southern rivals. This model of inclusion through patron-client bargaining came to be known as Kiir's "Big Tent" approach and was typified by his 2006 Juba Declaration, which sought to integrate the SSDF into the SPLA. As Alex de Waal writes, this patron-client approach to inclusion has been punctuated by cycles of rent seeking rebellions. Incorporating an estimated 50,000 OAG troops into the SPLA produced a bloated security sector, the fragmented allegiances of which broke apart along ethnic lines at the onset of South Sudan's civil war in December 2013.[27]

The 2015 ARCSS and the Inclusion/Exclusion of Armed Actors

The mediation that produced the 2015 Agreement on the Resolution of the Conflict in South Sudan (ARCSS) again operated under the false pretense that only two unified forces were fighting: President Kiir's SPLA-in-Government (SPLM-IG) and his former Vice President Riek Machar's SPLA-in-Opposition (SPLA-IO) rebel group. Given the complexity of pursuing absolute inclusivity, the regional mediation team comprised of diplomats from Ethiopia, Kenya and Sudan, and coordinated by IGAD, did not engage with the majority of military actors in South Sudan. As such, the IGAD forum did not reflect the diversity of generals and militias on the ground. Since many of these groups were only ever nominally allied to either Kiir or Machar, a simple government versus rebel narrative was grossly inaccurate. In reality, more than two-dozen armed entities were operating in South Sudan during the initial stages of the civil war.[28]

Although an estimated 70% of the SPLA defected to the SPLA-IO in December 2013, the fractured rebel forces included a number of generals that were only nominally aligned to Machar's SPLM/A-IO movement.[29] Most notably, Peter Gadet was a warlord who switched sides on multiple occasions during the 1983-2005 north-south war. While Gadet was on this occasion fighting against the government in Juba, he was not part of a unified rebel chain of command and was always "basically a free agent."[30] This led to a series of defections by Gadet and other SPLA-IO generals after the peace deal was signed in August 2015. These generals denounced Machar as their leader after he inked a deal that did not address their primary objectives, which included unseating Kiir and pursuing criminal accountability.[31] Another split in the SPLM/A-IO took place between factions loyal to Machar and those that switched allegiances to Taban Deng Gai when he was named First Vice President after the transitional government broke down in July 2016.

The peace process was also undermined by a multitude of community-based militias that were important actors in the conflict, but were not explicitly part of the ARCSS peace deal.[32] Government aligned militias included the ethnically Dinka Gelweng pastoralist youth cattle guards. Rebel groups from Sudan, including the JEM and SPLA-North, also fought alongside the SPLA. On the rebel's side, the White Army was a combination of defense groups representing Nuer communities in Greater Upper Nile. Machar never fully controlled the many communal factions of the White Army, including the Lou Nuer, Jikany Nuer and Gawaar Nuer.[33] Their motivations for fighting lay in avenging the death of their kinsmen, removing Kiir from power and protecting their communities, rather than securing Machar's political future.[34] The delicate balance between factions of the White Army, SPLA-IO commanders, and Nuer political leaders has at times fallen apart, with various opposition groups fighting one another.[35]

The example of Jonglei State clearly illustrates the nationwide trend of intra- and inter-communal violence that was tied to, but fundamentally distinct from, national disputes. Tensions between Jonglei's three largest ethnic groups, the Dinka, Nuer, and Murle, intensified in 2009, while the 2010 elections and a 2012 disarmament campaign sparked further rebellions. Pro-government forces in Jonglei included the SPLA and Greater Bor Dinka. Anti-government forces included the SPLA-IO, along with the Lou and Gawaar Nuer White Armies. The Murle South Sudan Democratic Army-Cobra Faction (SSDA-CF), formed in the wake of its leader David Yau Yau's failed election bid in 2010, was driven to halt the SPLA's abusive disarmament campaign and to defend Murleland against the Lou Nuer. The SSDA-CF signed a peace deal with the government in May 2014 that established an independent administrative area in Pibor.[36]

The exclusive nature of the peace talks also left unaddressed the interests of regions that had not yet engaged in the fighting. The Equatorias, a region that comprises the fertile southern third of the country, initially weathered the civil war with minimal violence.[37] However, tensions were building between agriculturalists and an influx of mostly Dinka pastoralists, as well as between local communities and the predominately Dinka SPLA presence. After the ARCSS was signed in August 2015, armed rebellions occurred in eight of Equatoria's 23 counties. These discrete conflicts are tied to political and economic grievances emanating from the region that the ARCSS failed to address.[38] As the ARCSS's permanent ceasefire began to take hold in Greater Upper Nile, the SPLA-IO began manipulating grievances in the Equatorias through a policy of supporting and inciting rebellion. This turned what had been largely local uprisings into full-scale rebellions, prompting retaliation from Juba that further escalated the crises.[39]

IGAD's challenge was to move beyond corralling the two main warring parties into a narrow peace deal that could only hope to restore the unstable status quo. Many nominally or

non-aligned actors did not support the peace process or its outcomes because their motivations for fighting were different from those of South Sudan's leaders. While inter-communal tensions may be best resolved at the state or local level, the International Crisis Group has argued that the decision to ignore the motives of these groups derailed national peace efforts and produced a deal that enjoyed minimal support on the ground.[40] However, attempts in the post-ARCSS period to include groups from the Equatorias during the process of force cantonment (i.e. the initial process of registering and counting troops at specified locations that are monitored) led to a proliferation of armed groups seeking to benefit from this process.[41] Inclusion therefore elicits issues of its own, while it remains unclear how much inclusion is "enough."

The 2018 R-ARCSS and the Inclusion/Exclusion of Armed Actors

After the transitional government was formed between Kiir and Machar in April 2016, the security arrangements in Juba broke down months later in July. These events led to a further split in the SPLA-IO when Kiir named Taban Deng Gai to replace Machar as First Vice President. Thereafter, government forces secured a number of important victories, while the opposition became increasingly fragmented. Juba remained relatively secure, but elsewhere, ethnic violence persisted.[42] During that time, the opposition became an "increasingly multi-faceted amalgam of forces encompassing dissident groups with diverse grievances, aims and approaches to the war."[43] Beyond the power struggle between forces loyal to Kiir and Machar, South Sudan's civil war mutated into a factionalized conflict involving dozens of armed groups and over 40 militias.[44]

New armed groups continued to emerge out of the December 2013 split between the SPLA and SPLA-IO, along with the splits in August 2015 and July 2016 within the SPLA-IO. In

order to meaningfully discuss the ongoing conflicts in South Sudan, Aly Verjee argued at the time, the mediators within the "revitalized" peace process headed by Sudan, and Uganda, needed to include both signatories and non-signatories to the ARCSS. If such actors were excluded, "then any ceasefire arrangements reached would be insufficiently inclusive of those fighting on the ground, would have limited legitimacy, and could not be expected to hold."[45] During the peace talks in Khartoum that produced the R-ARCSS in September 2018, all political parties were invited to the table, except for the South Sudan United Front/Army (SSUF/A) headed by Paul Malong, the former SPLA Chief of Staff, on the pretext that he was on the United Nations' sanctions list. As such, not everyone fighting was involved in the mediation process; in addition, not everyone who signed the deal was fully representative of their own parties.[46]

After Kiir and Machar signed the R-ARCSS in September 2018, it was rejected by several members of an umbrella group known as the South Sudan Opposition Alliance (SSOA), which has since split into signatory and non-signatory factions. Among the signatories, the leadership structure has been divided, including during a contested election in November 2018 between Gadet (now deceased) and Gabriel Changson.[47] The SSOA non-signatories, initially under two separate factions headed by Thomas Cirillo Swaka and Malong, have since joined forces. Once the highest-ranking Equatorian in the active service, Cirilo defected from the SPLA in February 2017. After Kiir sacked Malong as SPLA Chief of Staff in May 2017, the president later accusing him of plotting a coup and Malong is now leading his opposition movement in exile from Nairobi.[48]

Since the R-ARCSS was signed in 2018, the parties have largely stopped fighting and the ceasefire has, for the most part, held. However, the situation remains perilous, given that the peace deal signatories have missed two deadlines, in May 2019 and November 2019, to form a

transitional government. President Kiir has begun intimating that he may seek to assemble a government without his chief rival, Machar. As leader of the SPLM/A-IO, Machar demanded a delay to forming a new government, a request that was ultimately acceded to when the deadline passed on November 12, 2019. The SSOA, for its part, has struggled to name a leader, given that this person is also expected to serve as one of five vice presidents. Before a unity government can be formed, however, contested issues over the security arrangements and state boundaries must be resolved.[49] Therefore, despite the fact that an inclusive peace deal was signed in 2018, managing this inclusive process has posed numerous difficulties and implementation has stalled.

Analysis of Military Inclusion in Sudan and South Sudan

John Young is among a number of scholars who argue that, given the exclusive nature of the CPA peace process, the mediators "overlooked the multi-layered nature of the civil war, entrenched the dominance of the centre and aggravated imbalances with the periphery."[50] Conversely, Oystein Rolandsen questions such analyses and the feasibility of pursuing absolute inclusivity.[51] While the exclusion of various northern and southern groups from the CPA peace process fueled the emergence of spoiler groups, inclusion is a difficult, expensive and messy process. This was demonstrated by the collapse of Kiir's "Big Tent" in December 2013. As Olivier de Sardan has argued, political corruption can accommodate opposition and placate restive groups by offering private privilege in exchange for political loyalty. Where state institutions are weak, oil rich governments can facilitate the creation of political order by outspending other entrepreneurs of violence.[52] Using this strategy precisely, the Kiir regime produced relative stability during the CPA's Interim Period (2005-2011). Thereafter, a shock to

the patrimonial system caused by the shutdown of oil production in 2012 precipitated the breakdown of stability.[53]

Liberal scholars like Young point to the central problem as being the mediators' lack of genuine commitment to negotiating an inclusive and democratic peace deal. From this perspective, the mediators should have included and sought to please all of the most relevant military actors, while simultaneously implementing a truly democratic peace process. In a context defined by fragmented and weak state institutions (i.e. unresolved contests over which groups will head the post-conflict government), it is difficult to imagine how such a political and diplomatic feat would have been possible. During the CPA's Interim Period, Sudanese President Omar al-Bashir faced numerous challenges to his power in the north, while Salva Kiir's version of inclusion through patron-client relations was marred by rebellions and ultimately proved to be unsustainable. A realist analysis, conversely, holds that the conflict can only be resolved internally through force. Ideally, a new political order would emerge out of the struggle between state, non-state and societal actors based on a combination of empirical statehood and popular consent.[54]

Amid South Sudan's civil war, the International Crisis Group has argued that IGAD should have adopted mechanisms to engage with these independent or nominally aligned actors by expanding its strategy to address the south's multilayered conflicts.[55] Despite such advice in favor of peace process inclusivity consistently coming from liberal academic and policy circles, the mediators once again recognized only two military camps during the peace process that produced the 2015 ARCSS: the SPLA, under the leadership of President Kiir, and Machar's SPLA-IO, which was made the voice of all opposition groups operating in the country. In reality, it was always clear that many generals and militias enjoyed a great deal of autonomy,

particularly within the SPLA-IO's command structure (e.g. Gadet). At the time, IGAD maintained that holding security talks with more than two military actors would require these nominally aligned generals to explicitly define themselves as being separate or autonomous.[56]

The reality that the opposition was only ever united by a common enemy was exposed after the ARCSS was signed in August 2015, when Gadet and other SPLA-IO generals defected from Machar's leadership. Factions of the Nuer White Army, among other ethnically defined militias, also continued to pursue their own objectives. This situation repeated itself after the transitional government broke down in July 2016, when the SPLM-IO split into factions loyal to Machar and his replacement as First Vice President, Taban Deng Gai. Kiir's coalition also suffered from a series of defections, including by Malong and by Cirilo (who have since joined forces). Thereafter, attempts to use the force cantonment process as a means of inclusion in the post-ARCSS period caused the SPLA-IO to recruit heavily and enflamed conflict in the Equatorias, among other areas. The lesson learned from this episode was that when the mediators opened up the peace process to more actors, everyone tried to form a rebel group. This was a direct way in which trying to be more inclusive created more problems on the ground.[57]

During the negotiations that produced the 2018 R-ARCSS, the regional mediators and their foreign sponsors decided to take a more inclusive approach in terms of the number of military groups that were invited to the bargaining table. Factions loyal to Kiir, Taban Deng and Machar ultimately signed the peace deal, while the SSOA opposition coalition fragmented into various "signatory" and "non-signatory" camps. Complicating the effort to be more inclusive, the fighting in South Sudan remains a volatile mix of local, inter-ethnic and intra-ethnic conflicts that are only marginally affected by political maneuverings at the national level. Those involved hail from a variety of political factions with divergent agendas and operate under chains of

command that are either blurred or non-existent.[58] Although a relative and uneasy peace *has* existed in South Sudan since the revitalized peace deal was signed in September 2018, this is explained by the fact that Machar's movement, at this point, has clearly been vanquished.[59]

Amanda Lucey and Liezelle Kumalo argue that, "state-building fails where efforts do not expand beyond the inclusion of relevant elites."[60] As the authors recognize, however, the more consequential question remains how inclusion may cause meaningful and substantial transformation of the resulting political settlement. Arguments in favor of inclusion assume that it is possible to include and please every warring actor within the confines of a liberal peace. That the mediators chose to take such an exclusive approach when negotiating the 2005 CPA and the 2015 ARCSS speaks to the immense difficulties associated with addressing the complex web of conflicts in Sudan and South Sudan. The case of the 2018 R-ARCSS, meanwhile, shows that an inclusive mediation process faces many of the same difficulties (e.g. inside and outside spoilers; lack of implementation). As this demonstrates, in the absence of an *empirical* or Weberian state (i.e. one that successfully controls a monopoly of violence within its territory), no matter the level of peace process inclusion, the region will continue to be prone to instability.[61]

At the same time, a realist approach is also confronted by a number of issues and practicalities. Most notably, there is no evidence to suggest that a single entity will be able to eliminate all rivals and consolidate its power over the entirety of South Sudan's territory in the near future. A Tillyan approach would, however, recognize the legitimate forms of power that both state and non-state groups enjoy in pockets, while aiming to build from these more localized forms of wartime and rebel governance.[62] There are also legitimate questions over what a non-interventionist approach (i.e. Edward Luttwak's "let them fight" thesis) might entail in human rights terms.[63] In Sudan, for instance, the Bashir regime's attempts to consolidate state power

(which fell apart in 2019) included accusations of genocide in Darfur, among other atrocities. Accusations and threats of genocide have equally been a consistent concern in South Sudan's civil war, including the December 2013 massacre of Nuer citizens by government security forces in Juba.[64]

The fundamental question is therefore whether "spoiler" groups should be ignored, accommodated or eliminated. In reality, there is no *one* answer, and it may in fact be (some combination of) all three.[65] While liberal scholars call for appeasement through inclusion, realists focus on the state's capacity to monopolize force and impose its standardized rule on society. In practice, given the deficit of empirical statehood in the region, both the exclusion and integration of military forces are highly volatile endeavors. Integrating every armed group in South Sudan into the SPLA appears to be impossible and, during the CPA period, produced a bloated, expensive and disjointed security sector. Given that the idea of every group simply disarming peacefully is simply unrealistic, this leaves only two credible options when dealing with rival forms of authority: elimination through violent means and accommodation through inclusion in the patron-client system.

As this analysis indicates, there is no one-size-fits-all policy; rebel leaders must be dealt with on an individual basis. Some rebels leaders, including (the late) Peter Gadet and David Yau Yau, seemingly cannot be dealt with through appeasement because they constantly shift allegiances and seek to gain advantage through strategic rebellion.[66] In other cases, integration and accommodation may be the only viable option. However, as demonstrated by the December 2013 breakdown in the SPLA, this approach does not address the issue of weak and fragmented state power. Power can only be consolidated internally through brute force, and by the central state continuing to use the oil money to strike patron-client deals with rivals. These realities

present a number of practical and moral dilemmas in terms of the feasibility of a liberal (i.e. inclusive) approach and raise moral concerns over the implementation of a realist model; in other words, allowing the conflict to eventually resolve itself and for a monopoly of force to be forged internally.

Conclusion

The inclusion dilemma refers to the fact that, although an agreement may break down if all relevant groups are not incorporated into the negotiation process, including every group is exceedingly complicated, risks producing a maladjusted security sector, and may incite others to take up arms. An exclusive peace process avoids sending the message that initiating fighting is a necessary condition to being granted a seat at the negotiating table, but in Sudan and South Sudan this exclusive approach has produced many spoiler groups. Since the 2005 CPA and 2015 ARCSS only catered to the interests of the two most powerful military actors, the mediators inadvertently constructed agreements that heightened tensions on the ground. On the other hand, the mediation that produced the 2018 R-ARCS made attempts to include a greater diversity of armed groups. The emergence of inside/outside spoilers and persistent implementation issues, however, speak to the inherent difficulty in pursuing an inclusive forum.

This analysis highlights the dilemma of state formation in the modern era: the humane solutions are largely ineffective, while the more effective solutions are inhumane and involve local actors contravening international norms (e.g. corruption/clientelism; war-making; violating international law). These conclusions also reveal the limitations of the literature focused on resolving civil wars and building states through the absolute inclusivity of military actors. Realistically speaking, there is little hope that *any* externally negotiated solution, no matter how

inclusive, will be capable of resolving the many inter-related conflicts in Sudan and South Sudan. As the historical record indicates, empirical statehood is not something that can be delivered by the international community, but rather reflects conditions that have been forged internally over time through violent contests over power. Given the persistent inability of any single group to consolidate its power in South Sudan, a Tillyan approach would rely on the state and non-state powers that physically control and garner popular support in a given context.

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