The Drew Review

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The Drew Review is the annual research journal for the undergraduates of the Drew University College of Liberal Arts, publishing undergraduate research from the previous calendar year. Our mission is to showcase the intellectual vibrancy of the students of the CLA.

Currently there is one faculty advisor and four editors; editors were selected for having their work published in the innaugural edition. Different categories of membership exist, but all members are co-editors and share equal responsibility within the journal. All eligible published students will be offered a position on the board with the remaining positions filled by faculty nomination and student application with writing sample.

Submissions to *The Review* require a faculty nomination. Students who believe their work is exceptional should approach their professor for a nomination. *The Review* accepts papers of no more than twenty pages in October and February from the previous semester. These papers must be submitted along with a cover letter and faculty nomination. There is a limit of five nominations per professor per semester in order to guarantee a range of submissions. As we are a double-blind, peer-reviewed journal, all submissions are to be sent as a Word document to the corresponding editor without naming the student author or professor for whom the essay was written in the body of the essay. The student author name and paper title should be in the faculty nomination. Images and graphs will be published in black and white and must be compatible with Word. It is the responsibility of the author to make sure that all images can be reproduced. All published essays will use in-text citations referencing a works cited bibliography (style of in-text reference may vary). Students can expect to be asked to make revisions prior to publication.

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ERNEST HEMINGWAY'S THE SUN ALSO RISES: THE PITIFUL IRONY OF HOW JAKE AND BRETT COLLAPSE GENDER DEFINITIONS AND BREAK EACH OTHER'S HEARTS

BY KATHARINE CHAMBERS

"This is the story about a lady."

So opens an early manuscript of Ernest Hemingway's *The Sun Also Rises*, a novel about bullfighting, friendship, and thwarted romance told in first-person narration by its protagonist, injured and impotent war hero Jake Barnes (Reynolds 21). The line never made it to the final version of the story, possibly because, since the novel is about Jake Barnes, it could clearly make Jake out to be "a lady," although one can assume that the line is actually referring to Jake's great love, *Lady* Brett Ashley. Hemingway, the great artistic advocate of fighting, hunting, fishing, sex, drinking and all things manly, would not be one to write about an effeminate man. And yet he places Jake, the sensitive and passive observer unable to consummate his love, in a symbiotic relationship with Brett, the short-haired, straight-talking woman who hunts for male sexual partners like it is a sport. In the tale of this backwards couple, who *is* the "lady?" The answer, in short, is that her identity changes from page to page, as gender role inversions continue to layer. Seen through the lens of the Hemingway Code of masculinity, Jake Barnes is not much of a man and Brett Ashley, in turn, is not much of a woman. Each character compliments the other, with Jake's feminine traits fitting with Brett's masculine ones, and vice versa. In embodying characteristics of both genders, they are perfectly matched for one another. Yet this gender amalgamation is precisely what keeps them apart, forcing them into a constant cycle of desire and dissatisfaction that leaves both in perpetual despair by the novel's closing lines.

The Hemingway Code idealizes the traits of masculinity that the author, and many of his early 20th century contemporaries, held most dear, including honor, duty, physical fitness, honesty, directness, and disregard for public approval. If these are the traits that make masculinity, then femininity can be defined in turn as that which does *not* have these traits. As gender theorist Reinaldo Laddaga writes, "identities exist because there are differences in strength, antagonism, and finally, in hegemony" (Laddaga 3). Broad terms can be defined

by what they are not: "woman," by this standard, is all that is not "man," and vice versa. Given the admirable traits Hemingway assigns to the masculine, the opposite feminine in his works is often, not surprisingly, less than attractive. Hemingway females are women who sleep with arrogant safari leaders and shoot their short happy husbands in the back of the head, recklessly spend money as their true love dies in the snowy mountains of Kilimanjaro, and inconveniently abandon their wounded war hero lovers by dying in (illegitimate) childbirth. Hemingway has an infamous reputation among less patient critics for writing notoriously awful female characters, often placing them into a select number of stock archetypes identified by scholars Nancy R. Comely and Robert Scholes as "mothers, sisters, nurses, bitches, girls, and devils," rarely allowing them to live on the page as fully developed women (Comely 21). But the moments that his women *and* his men falter within the carefully constructed Code gender network are when his characters truly come to life, and Hemingway's incessant perversion of his own gender structure is an ever-present motif in *The Sun Also Rises*.

Lady Brett Ashley, on the surface, fits cleanly into multiple Hemingway archetype traps as the "girl" who "man's man" Jake describes as being "built with curves like the hull of a racing yacht" (30). One of her two previous marriages had made her a "Lady," and therefore one with enough money to travel on her own. She is not only a "bitch" who breaks the hearts of four major male characters (Jake, Mike Campbell, Robert Cohn, and the bullfighter Pedro Romero) and at least one minor one (Count Mippipopolous), but she is a "rich bitch," a specialized Hemingway category identified by Comely and Scholes. Such women "seem to exist solely for sex and the power that goes with it and to have few other interests" (Comely 40). Indeed, unlike her male friends, Brett rarely seems interested in travel, food, drink, or sport, unless there is a male lover to be had with it. For the men, Brett's female sexuality is a corrupting, emasculating force to be feared. Jake tells Montoya, the doting hotel owner who is concerned for Romero's safety in a surprisingly motherly fashion, that "there's one American woman down here now that collects bull-fighters" (176). Montoya has reason for concern, for Brett tarnishes innocent young Romero's ability to retain two of the key tenets of the Hemingway Code: humility and disregard for approval. Romero deliberately does as much of his skillful bullfighting in front of Brett as possible: "Everything of which he could control the locality he did in front of her all that afternoon. Never once did

he look up. He made it stronger that way, and did it for himself, too, as well as for her" (220). Romero wishes to prove his masculinity to his audience, specifically his new lover Brett, and his honor in the manly sport is undermined by his need to show off for her. By indulging his conceit and showing off, he becomes a lesser man, thanks to Brett's emasculating power.

Brett's emasculation of her male comrades at first does not seem to extend to Jake Barnes, the man to whom, despite all her philandering, she always returns in the end. Comely and Scholes point out that the solution to the boring anti-women reading of Hemingway comes whenever Hemingway lets his archetypes, like Brett, drift from the norm: "Hemingway can move toward more interesting female characterization by working a transformation of his standard model of bitchery, a transformation that preserves the ego strength of the bitches but justifies their anger or complicates their sexual appetite with others feelings" (Comely 43). Here, Brett's sexual appetite is complicated by her love for Jake, the man's man permanently insulated from her feminine dangers. Like so many male literary figures of the Hemingway canon, Jake spends most of the book carousing with his male buddies (Bill, Mike, Cohn, and numerous others he meets and drinks with along the way), getting drunk, throwing punches, eating, fishing, watching bullfights, and talking about girls, usually one in particular: Lady Brett Ashley. Despite his clear friendship with and attraction to Brett, Jake portrays himself to the world as a ladies' man and all around exemplar of the Hemingway Code. We first see Jake interact with his love, Brett, as they dance together in a club in Chapter Three, discussing how he just walked into the bar with a prostitute on his arm. "I don't know, I just brought her," he tells Brett, in direct, honest, bluntly male indifference (31). "You're getting damned romantic," she tells him. And while her statement on the surface seems like a sarcastic jab at his blatantly sexual ways, in reality her words allude to a complication in their relationship that goes far beyond who gets to dance with whom. For, as a man who has been literally emasculated by the war thanks to his genital injury, Jake is not able to perform sexually for either Brett or the whore, and his desire to have some sort of female companionship *is*, in fact, a romantic fantasy. Brett, with her cursing and sarcastic teasing, may be more of a man than Jake is, as both attempt to fulfill gender roles through the charade of 1920's excess.

The Hemingway Code was born within the "Lost Generation" that, after suffering the devastation of World War I, was thrown into the wild excess of the roaring 1920's; like the protagonist, Jake Barnes, they were an injured, passive bunch. Scholar Kathy G. Willingham explains that "the idea of the code hero was born out of necessity, as a means of coping with an unsettling or absurd world" (Willingham 34). In *The Sun Also Rises*, even the Code itself falls prey to the absurd chaos of the post-war American expatriate experience, and its rules about gender are fulfilled, broken, and fulfilled once more as characters grapple for meaning and acceptance in the world that has done nothing but disappoint. Gender is one of the first Code standards to be felled in the battle. Comely and Scholes explain that gender is about more than biology:

> By gender we mean a system of sexual differentiation that is partly biological and partly cultural. This system is founded on a basic differentiation of humans into categories male and female, but it extends into subcategories and cultural roles assigned to people and to literary characters in a given culture, and to categories of sexual practice as well (Comely ix).

Here, both genders rely on biology (namely, sexuality) and cultural norms to both define each other and collapse those definitions upon themselves. Jake and Brett float among the network of gender roles, always ending on a side equal and opposite to the other.

Success and failure at masculinity take center stage in *The Sun Also Rises* in the novel's literal stage: the bullring. Jake takes Brett to the bullring, and attempts to show her the phallic-symbol laden ritual as "more something that was going on with a definite end, and less of a spectacle with unexplained horrors" (171). Yet the chaos of the gender perversion reigns, and the masculinity of the bullfighting, a thinly veiled fertility ritual with dancing, drinking, and phallic imagery, highlights the un-masculinity of Jake, its biggest fan. Leading gender theorist Judith Butler writes that "it is usual these days to conceive of gender as passively determined, constructed by a personified system of patriarchy or phallocentric language which precedes and determines the subject itself" (Butler, *Sex and Gender* 35). Here, Jake is the passive observer of a phallic battle of masculinity that happens both within the bullring and outside of it, as his virile friends vie for Brett's physical attentions. Even those who succeed in winning Brett's physical love do not live

up to the full standards of masculinity; Robert Cohn is reviled as a complainer and Mike Campbell, unlike the fearless matador, is afraid to face his own financial devastation, preferring to drift aimlessly while weakly feeding off his wealthier friends. Reynolds, in writing about the layers of metaphors for masculinity (and lack thereof) inherent in Jake's love of bullfighting, practically throws his hands up in disgust within his own criticism: "The irony of this infertile and disparate group of revelers being led to a fertility ritual by a man without a phallus is too bleak for comment" (Reynolds 35).

Butler writes that gender is constructed in literature through patriarchy and phallocentric language. Then what happens to gender when the protagonist narrator is missing a phallus? Jake alludes to the injury that humiliates him, but never is man enough to fully explain. "We never see the wound, but we learn implicitly that Jake has all the sexual drives of a normal man but has none of the physical equipment to satisfy those drives. From this information, we must assume that his testicles are intact and his phallus is missing" (Reynolds 25). Biologically and ironically, thanks to his brave service in the armed forces, Jake is now less of a man. Butler writes that "the sex/gender distinction implies a radical heteronomy of natural bodies and constructed genders with the consequence that 'being' female and 'being' a woman are two very different sorts of being" (Butler, *Sex and Gender* 35). Without a phallus, Jake is not exactly biologically male by literary or biological standards, yet he is also not female. With his war injury as a starting point, Jake begins to drift within Hemingway's hyper-gendered world, floating among the network of gender roles. And therefore, as his equal and opposite, Brett Ashley must do the same.

Within the masculine bullfighting metaphor, one would assume that the matador would be the man, the sexual aggressor who uses a series of exquisitely practiced techniques to conquer the woman's heart. But, historian Timothy J. Mitchell writes that "a cursory examination of Spanish folklore reveals that the metaphor is entirely interchangeable: both men and women can and do picture themselves as the bullfighter and the opposite sex as the bull" (Mitchell 399). This rings true for the romantic escapades of the novel, in which Brett manipulates the men around her, bringing even the strongest, Romero, to his knees; and subsequently inverts the gender roles not only within the novel, but within the bullring as well. In describing one of the bullfights, Hemingway writes that "[Romero] dominated the bull

by making him realize he was unattainable, while preparing him for the killing" (172). Like her matador lover in the ring, Brett baits and teases her prospective mates into submission. Standard bullfights feature a matador who faces down three separate bulls, just as Brett romances and breaks the hearts of her three "bulls," Mike, Robert Cohn, and Romero. The visual image of the bull as a "*cornudo*," Spanish for "horned-one" or "cuckold", also plays into this metaphor (Mitchell 400). While defeating her bulls, Brett also cheats on, or "cuckolds," them.

As a woman in the liberated 1920's, Brett's rather manly sexual aggression and independence from men is not entirely surprising. But she takes the "new woman" model to the extreme, embodying every one of the more manly female traits to their limits. Reynolds writes:

> Those were the days when women changed the rules of the mating game....Flat was faddish; breasts were bound and dresses were as whispy as possible. The lovely, long tresses of the previous age disappeared as hair was bobbed....This was the first generation of American women to drink and smoke, the first generation to vote (1919), and the first generation for whom divorce was a reasonable solution to a bad marriage (Reynolds 3).

Brett, with "her hair...brushed back like a boy's," her drinking, her cursing, her divorces, and her sexual prey, is all of that generation and more (30). Even her curves are described in terms of masculine racing yachts and, if you take the "Lady" away from the front of her name as most characters do, both her first and last names are common to early 20th century men. Hemingway describes Brett as a woman, through masculine language and imagery of which even the character herself seems to be aware. She plays this to great effect by the way she speaks, striding into bars with opening lines such as, "Hello, you chaps, I'm going to have a drink" (36). Butler writes that "it becomes unclear whether being a given sex has any necessary consequence for becoming a given gender" (Butler, *Sex and Gender* 35). In this sense, Brett's sex seems to be of little consequence at all. She thrives on her camaraderie with the group of men in her life much in the same way that Jake does; if Jake did not explicitly refer to Brett as a woman in his narration, her drinking and teasing with the men, telling them to "oh, shove it along," could easily be misconstrued as homosocial (170).

And yet Brett's beloved placement within the group of men is her downfall. Mitchell writes that an analysis of some traditional Carnival songs revealed an obsession "with images of women...who are as powerful and hypersexual as wild beasts" (Mitchell 404). One scene blatantly refers to the juxtaposition between Brett's masculine aspirations and her role as a feminine ideal over which the "bulls" do battle. As the buddies take part in the pre-bullfight all-male ceremonies during the Festival of San Fermin: "Brett wanted to dance but [the men] did not want her to. They wanted her as an image to dance around" (159). Brett's masculinity and attempts at independence are thwarted by her natural role as the object of every man's desire. She is in constant turmoil because she cannot successfully be both the bullfighter and the bull.

Brett's assertive, overbearing sexuality allows her to dominate men in the fashion of a male "womanizer," yet also attracts men to exactly the qualities which make her feminine. While Brett uses her masculine sexuality to make her conquests, she must continuously run from those conquests in order to retain her masculine independence. She tells Jake that she left Romero so that she would not become a bitch. "You know it makes one feel rather good deciding not to be a bitch....It's sort of what we have instead of God" (249). Here, she outright rejects the "bitch" label that Hemingway enforces on many of his other assertive females. Brett may not be leaving simply so that she does not become a "bitch" woman, but instead so that she does not become a *full* woman at all. Hemingway scholar Leslie Fielder writes, "Indeed, when Brett leaves that nineteen-year-old bullfighter, one suspects that, though she avows it is because she will not be 'one of those bitches who ruins children,' she is really running away because she thinks he might *make* her a woman" (Fielder 89). Brett's masculinity cannot possibly survive in a lasting relationship with the hyper-masculine Romero. "He wanted me to grow my hair out," she tells Jake in horror. "Me, with long hair. I'd look so like hell....He said it would make me more womanly. I'd look a fright" (246). Brett cannot tolerate such a fully masculine man, which is why she always returns to the love of her emasculated lover, Jake.

Like Brett, Jake is left sitting on the stands to watch the hyper-masculine Romero. Unlike Romero, Jake is unable to compete with "the bulls" because of his impotence. He is like the steers that are "trying to make friends...[that] quiet down the

bulls and keep them from breaking their horns against the stone walls, or goring each other" (138). Jake is placid, uncompetitive (because, like the steer, he physically cannot compete), and constantly trying to stop his friends, the "bulls," (Mike, Romero, and Cohn) from "killing" each other in their endless battle for the woman who, ironically, loves the steer. Jake experiences desire that can never be fulfilled, and Brett's presence is constant torture. Reynolds writes, "her sexuality creates the conflict for Jake between serving his passive need for heroic action and his equally passive need for erotic action. In both cases, Pedro's bullring and Brett's bedroom, Jake is a passive observer, not a participant" (Reynolds 34). This public humiliation is matched by an even deeper, private despair that places Jake even farther into the realm of femininity. Returning from his drunken date with the prostitute—and Brett—in Chapter Three, he says, "I couldn't keep away from it, and I started to think about Brett and all the rest of it went away. I was thinking about Brett and my mind stopped jumping around and started to go in sort of smooth waves. Then all of a sudden I started to cry. Then after a while it was better" (39). Jake is put on the same social and sexual level as a woman, sitting on the sidelines as the men kill wild animals, and crying himself to sleep at night over ill-fated romance.

Chapter 12, in which Jake and Bill go fishing, is loaded with not-so-subtle references to the fact that Jake's gender role has been inverted. For example, Bill notes that "caffeine puts a man on her horse and a woman in his grave," and repeatedly insists that Jake embrace "irony and pity," which he sings about to the tune of "The Bells are Ringing for Me and My Gal," with the implication that Jake, with the missing phallus, is the gal (118-120). Of course, the ultimate pitiful irony of the story is that no matter how much he desires it, there will be no bells ringing for Jake and his gal because he can never offer her the physical love that she, as a manly female, needs. Unable to fully embody the male or the female roles, both Jake and Brett must settle with floating among the two, with only each other's impotent love for company.

Butler writes that when defining something by what it is not, as we do with gender, some possible characteristics must be excluded. "The 'inclusion' of all excluded possibilities would lead to psychosis, to a radically unlivable life, and to the destruction of polity as we understand it" (Butler, *The Uses of Equality* 5). Such "psychosis" plagues Jake and Brett, who

embody every gender possibility and face disappointment in their inevitable attraction to one another. For Brett, the only man capable of loving her without damaging her masculinity is the feminine Jake; yet his characterization as a female, the result of impotence, prevents him from giving her the crowning level of love – the sexual level – that she needs. When Hemingway observed in another, less fictional bullfighting account, *Death in the Afternoon*, "if two people love each other there can be no happy end to it," he could have been talking about Jake Barnes and Brett Ashley (122). Because of their mutually conflated gender roles, they find their perfect match in each other. Yet it is because they match so perfectly that they can never truly be together. And this, in turn, is the final, ultimate irony of the novel, and the revelation that causes them so much pain. As Brett says in the novel's closing lines, "Oh, Jake, we could have had such a damned good time together" (251). And Jake, Brett's womanly man's man incapable of giving all of the kinds of love her masculine appetite requires, replies in typical defensive irony with a sarcastically effete line that could be spoken by a true lady, "Yes, isn't it pretty to think so?" (251).

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IDEOLOGICAL ADVERSARIES WITH A SHARED GOAL

BY CORTNEY CONRAD

Faith-based organizations have been under much criticism and evaluation recently due to their increased government funding through the Bush administration's creation of Offices for Faith-Based and Community Initiatives and flexible interpretations of the Religious Freedom Restoration Act passed in 1993 (Savage). It is important to carefully consider these criticisms because how and to what extent humanitarian aid is provided by various organizations has very real consequences in addressing critical issues across the globe, and whether or not they are positively impacted. Due to the importance of examining the overall implementation of humanitarian aid, it is important also to relate these discussions with those involving faith-based organizations, especially since many global humanitarian projects are funded through faith-based organizations. This paper will examine one such faith-based non-governmental organization (NGO) in conjunction with another, non-faith based organization, both of which address a broad range of global issues. Both will be considered in their approach to one common issue, the HIV/AIDS epidemic, which they emphasize in their programming, in order to view their particular methods more accurately. To this end, a well known often controversial Christian faith-based organization, Catholic Relief Services, and a secular organization, also often controversial for opposing reasons, the United Nations Population Fund, and their differing approaches to addressing the HIV/AIDS epidemic will be considered.

Despite the seeming numerous differences between these two organizations, which will be examined in some detail, there are only a few truly significant differences between them. The first and perhaps most controversial are their incongruous values regarding promoting condom use in the programming approaches. Similarly, they have further marked differences in the breadth of focus of their HIV/AIDS programming. The relevance and implications of each of these differences is significant and, more importantly, their appropriateness is questionable.

Since its appearance in the early 1980's, it is estimated that over 32 million people have died AIDS-related deaths in the last 25 years, and there have been 64.9 million infections in that

time period (USAID: Health). According to UNAIDS, the joint United Nations programme on HIV/AIDS, there were over seven thousand new infections each day in 2007, totaling 2.7 million newly infected people in that year alone. With the combination of bilateral and multilateral approaches attempting to thwart the disease since it began, and especially since the great scale-ups from the Millennium Development Goals, there have been great strides; however, it is still an epidemic. "Although global HIV prevalence has leveled off, AIDS is among the leading causes of death globally and remains the primary cause of death in Africa" (Preventing HIV). As devastating and appalling the death tolls and health affects are in themselves, the significance of halting the HIV epidemic is not just due to the millions of deaths it causes each year, and thus the health risks is causes; it is destabilizing and detrimental to the development, future, and security of each affected country.

In its most recent annual report, UNAIDS cites the United Nations Development Fund stating that "HIV has inflicted the 'single greatest reversal in human development' in modern history" (qtd. in 2008 Report). The variety of approaches needed to fully address the epidemic are numerous, since there is no direct cure for the infection or the disease once it is contracted. According to Susan Fried, the gender and HIV advisor for the Untied Nations Development Programme, the World Health Organization claims that HIV/AIDS could be completely cured with 100 percent universal treatment and prevention methods (Fried 12/2). Since the largest numbers of people carrying HIV are in the most impoverished areas of the world, the likelihood of the continued incidence of the infection is highly proportional to the amount of poverty in a country or region. In the UNAIDS's most recent annual report it shows that "Sub-Saharan Africa remains the region most heavily affected by HIV, accounting for 67% of all people living with HIV and for 75% of AIDS deaths in 2007" (2008 Report 30). Other areas of the world with high instances of the disease are also very impoverished and poorly developed overall. Because of this correlation, it is commonly understood that in order to fully address the HIV/AIDS epidemic, broader issues concerning poverty and development must be considered simultaneously with the epidemic itself. For all of these overwhelming reasons, there are seemingly endless amounts of all types of groups, NGOs, churches, governments, and other organizations working to end the continuing threat and effects of the HIV/AIDS

epidemic, and likewise, the environments in which it seems to thrive.

Catholic Relief Services is a faith-based organization that has existed since 1943, when it was founded by Catholic Bishops in the United States in response to humanitarian crises during the Second World War. Since then, it has grown from their original focus of emergency disaster response to become an extensive and far-reaching NGO, providing a variety of humanitarian services to approximately one hundred countries (Hope and Dignity 25). It has continued to be based in the US, although there are satellite offices around the world, wherever they have programs. Catholic Relief Services (CRS) spent more than $560,000,000 last year in programming, which is 94 percent of their budget, while the other 6 percent of their total budget is spent on spreading awareness and paying administrative and fundraising costs. It has many more resources at its disposal through grants and non-monetary donations, as well as its strong network web of similar organizations. The majority of its administrative board is made up of bishops who are selected by the U.S. Conference of Catholic Bishops, along with a variety of scholars, volunteers, and attorneys (Annual Report 20; Executive). All of their staff must accept that CRS is "rooted in the Catholic faith" and provides humanitarian assistance as a part of that faith; however, employees, according to the application on their website, need not be Catholic or ascribe to any Christian faith to be hired ('Careers at CRS').

The majority of CRS' financial resources comes from private donations and from the United States government. The private donations make up twenty-nine percent of their total revenues, while forty-one percent is provided through grants given by the United States government. The rest of their total revenue, which equals $526,042,000 is made up of "donated agricultural and other commodities and ocean freight" at nearly twenty-one percent, and the last nine percent with all other forms of support (Annual Report 2007). Much of the grant money that they receive from the U.S. government is through the President's Emergency Plan for AIDS Relief (PEPFAR), an initiative that began with the Bush administration in 2003. It is notable that according to CRS' 2001 Annual Report, their total income at the time was significantly less, at $334,423,000, only twenty-six percent of which was from the U.S. government (16). Similarly, where before they did not even have a separate

financial category for HIV/AIDS program expenses in 2001, in their most recent financial statements, nearly twenty-three percent of their total operating costs went towards HIV/AIDS programming, and another seven percent towards general health services (2001 Annual Report 16; 2007 Annual Report). Between the years 2004 and 2006, Catholic Relief Services' spending on HIV/AIDS nearly tripled, jumping from 7 percent to 19 percent of their total budget. Correspondingly, U.S. government contributions grew by over ten percent in the same time period, and importantly, PEPFAR was passed in 2003. Although their expenses for emergency response services remain their highest expenditure, HIV/AIDS has grown to the clear second place position; this, compared to the total health costs, including HIV/AIDS equaling less than twenty-three percent (2004 Report 14; 2006 Report 16; 2007 Report 16). All of this growth in spending and the obvious shift of focus and priority of CRS may be reflective of the support of faith-based organizations by the Bush administration, and particularly, the affect that HIV/AIDS specific funding through PEPFAR had in partially reforming CRS overall; however, it may also reflect the global increase in HIV/AIDS spending that has occurred in the last decade (UNAIDS).

CRS' programs are extensive, covering nearly every usual facet of comprehensive humanitarian projects, ranging from responding to emergencies, donating and/or distributing food aid, to funding schools and training programs, aiding in peacebuilding, HIV/AIDS prevention and treatment programs, etc. The website and all of their public relations material highlights the fact that they address this variety of contributing factors to poverty, and that they address each issue in itself holistically, attempting to address the causes and effects, both within the community and for the individual.

In this way, CRS does not just focus on HIV/AIDS as a separate issue, but rather one problem within the overall context of poverty, and so, their programming does not just directly address HIV/AIDS through providing testing, antiretroviral medicine, and prevention campaigns, but also through its aim to build up the community and individual livelihoods overall through education, general health services, agricultural training, providing small loans, etc. In examining where CRS implements its HIV/AIDS programs as compared to others, there is rarely a situation in which most, if not all, of their programming is occurring to some extent in a location together. Basically, one

will not find a community where CRS is present participating solely in HIV/AIDS projects, and it is actually difficult to see where one aim ends and another begins; problems are addressed simultaneously and collectively, with some specific focuses addressing the specific issues.

Catholic Relief Services began its first HIV/AIDS project in 1986, in Thailand, and has been expanding its participation since. They maintain that they have over 250 HIV/AIDS programs in 52 countries and expended $120 million on HIV/AIDS programming in 2007, second only to their spending on emergency relief projects (Annual Report 20). "CRS programming in HIV and AIDS has evolved to help individuals, families and communities as they struggle through the physical, economic, social and emotional devastation of the disease. CRS will directly help more than 4 million people affected by the pandemic" (Offering Compassion). Though their general approach is very extensive throughout the community and involves many facets of overall development, they do have more definite focuses specific to HIV/AIDS in conjunction with these broader issues, due to the nature of addressing an infectious disease. In their publication, "Hope and Dignity" which discusses their HIV and AIDS programming, they divide their multifaceted approach into the following categories: community-based care and support, orphans and vulnerable children, prevention, treatment- antiretroviral therapy, food security and nutrition, livelihoods, and lastly, policy and advocacy (4-22).

In focusing on community-based support, they aim to prevent dependence on outside actors, like themselves, lessen the stigma associated with HIV/AIDS, as well as build a community which is more educated about the various contraction methods of HIV. The goal, as with all NGOs which educate on such matters, is to slow the rate of infection by making individuals and communities aware of the truths regarding HIV acquisition, and so lessening the frequency of high risk behaviors. In "Hope and Dignity," CRS discusses its unique and strong advantage in this area of community-based support and development because it is a faith-based organization. Because the presence of the Catholic Church is very extensive throughout the world, and its existence is already a part of many communities, the Catholic Church has an indispensable preexisting infrastructure. Many of the churches have been a part of the community for a long time, and have a positive, credible reputation with the people. This avoids the

challenge that many NGOs face, as new faces in the community attempting to address an issue like HIV/AIDS, which requires trust and faith of the community, as it addresses very sensitive personal and cultural issues. Those organizations without a longstanding reputation and place in the society have to either take the time to earn that trust with the people or try to function without it, which does not lend itself to successful programming, especially when trying to encourage things like behavioral change. It is true that other, secular, NGOs may also have established valuable reputations in communities, but it is arguable that CRS still has a slight advantage since part of its repute lies in its religious connotation.

Often within their community based programs, CRS implements its antiretroviral and nutritional projects. CRS is the leader of a group of 125 mostly faith-based local treatment facilities, called the AIDSRelief Consortium, which provides antiretroviral therapy (ART) to 55,000 people. CRS and the other organizations in the AIDSRelief Consortium work to directly provide ART and also to train staff and build up local facilities for this purpose (Hope and Dignity 13). Again, the Catholic Church's extensive infrastructure gives it an advantage in being able to be in direct contact with many local groups and to have continual local institutions continue services even after the central CRS organization moves on. The CRS and other Catholic sources claim that "The Catholic Church provides care for one out of every four people living with HIV and AIDS in the world" and that "27 percent of all AIDS relief in the world is run by the Catholic church" (Hope and Dignity 4; Allen).

The area of work concerning HIV/AIDS and Catholic Relief Services that is most controversial and widely discussed is that of prevention. CRS encourages the prevention of HIV transmission through educating and supporting practices focused on abstinence, marital faithfulness, delaying sexual activity, limiting the number of sexual partners, and blood safety. They also work to lessen the stigma surrounding the disease to encourage testing and more openness about infection (Hope and Dignity 10-11). A glaringly obvious missing tenet of their prevention practices is that of encouraging and/or educating condom use, or the distribution of condoms. In their websites public policy section it is stated that "Moral tenets of religious organizations like CRS prevent us from offering such services. Our experience is that high quality care, treatment and

prevention can be provided without these additional services" (Public Policy).

Obviously, there are theological bases and an entire belief system surrounding the relationship between the Catholic Church and contraceptives, including condoms, but addressing that theology and the ensuing debate properly is beyond the scope of this paper, however relevant. It is, however, important to examine CRS' reasoning for its lack of promoting condom use in direct relation to its HIV/AIDS programming. They argue that their services, without attention to condom use, are more useful and successful in the long term than those programs which focus on condom use and distribution, such as the UNFPA. Others in the non-Catholic community, however, disagree and believe that their lack of implementation/provision of condom use as a preventative means is backwards, regressive, and closed-minded. Nicholas Kristof of *The New York Times* acknowledged the positive work of the Catholic Church, but also noted its failure in HIV prevention methods saying, "Nobody does nobler work throughout the developing world than the Catholic Church….But at the same time, the Vatican's ban on condoms has cost many hundreds of thousands of lives from AIDS" (Kristof). Kristof is not alone in his sentiments. One women working in Brazil at an AIDS news agency, who is Catholic herself, stated, "The Catholic Church helps increase AIDS in the world…" (Kristof).

The CRS, along with some other faith-based organizations, is also criticized for its lack of work with certain segments of the population that are at highest risk of infection: sex workers and men who have sex with men (Allen; Bunker 11/18). In a press release by the UNFPA, they quote a 2005 UNAIDS/WHO report stating that sex work plays "a significant role in stemming the rate of spread in many parts of the world" (Press Release). According to UNAIDS in their most recent Annual Report, "unprotected anal sex between men is probably a more important factor in the epidemics in sub-Saharan Africa than is commonly thought," while sex workers are also a significant contributor to the epidemic overall (2008 Report 43). "More than one third (35%) of female sex workers surveyed in 2006 in Mali were living with HIV" (qtd. in 2008 Report 43).

Though the official stance of the Catholic Church and thus CRS is that condom use is not something that should be used in response to the HIV crisis, it argued that this policy is not entirely based on the idea that condoms prevent potential

fertilization or that "the distribution of condoms…institutionalizes promiscuity" (Allen). Some who are part of implementing the policy of CRS argue that they find that other organizations which do distribute condoms depend too much on that aspect of their programming, using it as a band-aid and not addressing some of the more foundational contributors to the epidemic, and disregarding other areas of behavioral change. Likewise, they argue that relying on condom use is a misrepresentation to the people, since condoms are often discussed and advertised in their campaigns to encourage their use without clearly making people aware that there is still a chance that one can get HIV despite proper condom use (Kristof). There are some Catholic aid workers, such as Cardinal Javier Lozano of Mexico, who believe that condom use should be permitted and encouraged in some certain cases, such as serodiscordant married couples (2008 Report 43). There are some others who argue even more liberally, like Ann Smith, the HIV corporate strategist with CAFOD which is the foremost Roman Catholic development agency, who discusses high risk groups like prostitutes, and states that "In such conditions condoms may be the least bad option…" (Allen). There are those in the Catholic community, on the other hand, who believe that CRS goes against Church teachings since in some of its distributed publications it provides "complete and accurate information…without its logo… about condoms in HIV prevention" (Signs 9). Regardless, the effectiveness of CRS is constantly questioned and criticized by the international community, some of whom do not even define work and services provided by groups like Catholic Relief Services as humanitarian aid.

Stephanie Bunker of the United Nations Office for Coordination of Humanitarian Affairs argues that faith-based organization are not truly proving humanitarian aid because their services are not based solely on need since some tend to provide more aid in areas that are of the same religious ideology as the organization. Similarly, she argues that they are funded by a more exclusive group of donors, including states, which expect the organization to uphold certain values and methods of using that money in providing their aid and services (Bunker). One could easily see and apply this perspective to the financial relationship between CRS and their respective policies in the last eight years of the Bush administration (2007 Report 16; Hope and Dignity 10-15). She likens it to aid and services provided by governments, especially via their military, to the people in order to "win hearts and minds;" in this case, however,

it would be winning souls and minds. She argues that most of the 'true' humanitarian aid community is adamantly against such services, especially within the United Nations, where maintaining and appearance of neutrality is a necessity for access to certain populations, as well as security (Bunker).

An organization that is a part of the United Nations community which addresses HIV/AIDS accordingly is the United Nations Population Fund. The United Nations Population Fund (UNFPA) was created in 1969 under the name the United Nations Fund for Population Activities, though in 1987, the name was changed to the United Nations Population Fund. Since its conception, the UNFPA rapidly progressed from its beginnings as an aspect of the UNDP, then to being under the General Assembly's direct management, and finally as an official subsidiary organ of the GA (UNFPA in the UN). It gained even more status after the International Conference on Population and Development in Cairo where it was designated as the lead organization in follow-through and implementation of the plans made there.

The financial support for UNFPA, as a UN organization, is in the form of voluntary contributions from member states, in addition to private donations. According to their latest annual report, their total income was $457,100,000; $273,600,000 of which was spent on regular programming costs, and another $218 million on country programs (UNFPA Annual Report). This yearly income is significantly larger than their income in 2001, which was $396.4 million, but less than in 2005 when it was $565 million. Their published expenditures are divided regionally or by broad topic groupings of reproductive health, population and development, and gender equality and women's empowerment, so knowing how much of their resources they devote towards specific HIV/AIDS is difficult (UNFPA Annual Report). The largest donors, not surprisingly, due to their pattern of consistent support of international humanitarian aid, are by far the Netherlands, Sweden, and Norway, with the fourth most generous contributor being the United Kingdom, but still twenty million dollars behind Norway (UNFPA Annual Report). UNFPA is on the opposite receiving end than CRS in its recent financial relationship with the United States; the US has given no money to the UNFPA since President George W. Bush has been in office. Though Congress has still budgeted in their previously typical contribution to the organization in the last few

years, the administration always prevented the actual exchange (Democrats).

In terms of its HIV/AIDS programming, the UNFPA is significantly different than that of Catholic Relief Services. Unlike CRS, which has specific projects aimed at HIV/AIDS which are relatively separate from their other programs in terms of emphasis, and which disperses funding accordingly, the UNFPA does not separate their HIV/AIDS approaches financially nor do they have programs designed specifically for addressing HIV/AIDS outside of their original genre of population issues (UNFPA Annual Report). This is reflective of their presence in UNAIDS, a coordinative UN body that incorporates ten pre-existing NGOs and other organizations which address areas and issues relevant to HIV/AIDS. Their perspectives regarding prevention methods are nearly opposite, though they do share some commonalities. UNFPA does not provide or run any HIV/AIDS treatment programs, with the exception of their treatment of HIV positive pregnant women in order to prevent the passing on of the virus to their infants. HIV/AIDS programming at the UNFPA is less holistic in its aims than that of CRS, and in fact is more focused on prevention exclusively in terms of its role in addressing the HIV/AIDS epidemic, as it better fits within its overall theme as an organization. This is also reflective of the fact that the UNFPA is one part of the UN's overall approach to HIV/AIDS through UNAIDS, but as such, it is more focused and small, and thus more comparable to CRS than the UN body as a whole.

To this end, their role as a cosponsor of UNAIDS is in providing leadership in "condom programming and prevention among young people and women" (Preventing HIV). UNFPA is one of the largest distributors of contraceptives in the world, and almost always places condom education and access first in its "to do" lists for different programs. They call Comprehensive condom programming…a strategic response to HIV/AIDS" (UNFPA Annual Report).   So, though they do also focus on other preventative means that are much like CRS, such as delaying sexual initiation, fewer sexual partners, abstinence, fidelity, etc., the UNFPA, in considering funding and prevalence in their advertising, seems to prioritize condom use in their own agenda more so. On their website they state that they aim to help circumvent further spread of HIV in part by "creating demand for and ensuring the supply of male and female condoms" (UNFPA HIV).   This said, they do not completely

disregard the importance of condom use in relation to the previously mentioned approaches regarding behavioral change, but within their own programming they do not use these methods exclusively, rather, only in conjunction with their condom programming. In 2005, they were also "given lead responsibility within UNAIDS for prevention among those engaged in sex work" (Preventing HIV). This is, again, unlike the CRS which seems to rarely address such issues. "From a human-rights perspective, UNFPA is committed to assisting those who are most disenfranchised. On a practical level, prevention activities aimed at key affected and at-risk groups can curtail the spread of the disease into the general population (Preventing HIV: Focus on Especially Vulnerable Groups).

Just as mentioned above in discussing the weakness of some of the CRS programming due to their lack of inclusion of or referral to condoms, UNFPA programming is also weakened in some ways due to its overemphasis of these aspects. In a 2007 article, an author for the Washington Post, Craig Timberg, discusses the overemphasis of condom use in approaches campaigning against HIV/AIDS in Botswana in compassion with discouraging multiple sex partners. The article focuses on the seeming culture of concurrent sex partners in the country, which has one of highest infection rate in the world, but also one of the highest rates of condom use in the region. "Botswana aggressively promoted condom use while building Africa's best network of HIV testing centers and its most extensive system for distributing the antiretroviral drugs that dramatically prolong and improve the lives of those with AIDS" (Timberg). Despite this, their high HIV infection rate continues, and citizens continue to remain largely ignorant of any preventative AIDS knowledge aside from condom use. This is not helpful in slowing the growing commonality of concurrent sex practices, which spread HIV at an even faster rate than before, despite comparatively frequent condom use. Timberg references an anti-AIDS partnership between the Gates Foundation and Merck that gave "$13.5 million for condom promotion – 25 times the amount dedicated to curbing dangerous sexual behavior" (Timberg) and then summarizes that in the ever referenced "ABCs" of HIV prevention, the "B," representing "Be faithful," is not given equal weight as "Condomize" (Timberg). Though not specific to a particular UNFPA program, it is relevant due to its relative similarity in the approach examined. It is interesting to compare this with similar criticisms of CRS for their lack of "Condomize" in

their programming, and an overemphasis on fidelity and abstinence.

Overall, it seems as if Catholic Relief Services and the United Nations Population Fund are foils of each other in their preventative HIV/AIDS perspectives and programming; however, they do hold some similar sentiments overall, and both give a significant part of their time, money, and energy contributing to the halting of the HIV/AIDS epidemic. Both have been active in HIV/AIDS prevention measures for a significant period of time, and have been part of the recent decade's scaling up efforts. These efforts have been somewhat successful overall, as the rate of HIV infection has been leveling out, and the number of deaths related to AIDS has lessened, especially in Africa (UNAIDS Report 35). It is arguable that despite the somewhat biased focuses of each organization, perhaps reflective of faith-based verses UN based organizations overall, together they address the need. It is up to the reader to decide whether or not this constitutes the correct goal and ideal implementations of humanitarian aid.

There is some value and benefit in a result where each organization addresses the "failures" of another, whatever the unique means of each, not only in the result, but also financially in terms of fundraising. It is arguable that if each of these NGOs conformed and altered its values, it may lose the financial help from those supports who choose that organization specifically because of those values; this possibility is visible in examining the contributors of both the UNFPA and CRS and considering the political and religious principles of each. This said, however, in considering the potential effectiveness of each organization in conjunction with the other, it becomes clear that both Catholic Relief Services and the United Nations Population Fund could stand to incorporate some compromise and flexibility in their programming. Each needs to reconsider the appropriate role of condoms and other forms of contraceptives in their organization's contribution to ending the HIV/AIDS epidemic; they need not meet in the middle, but a small step in each direction would cover much ground, and save lives. Even CRS, despite its broader more eternal goals could benefit from some reconsiderations and reevaluations of the acceptability of condom use in very specific situations, without compromising their ideals regarding procreation and fidelity. There are value and moral judgments to be made on both sides, and potential

financial risks to be taken, but is not the global liability created by the HIV crisis itself a much greater gamble?

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Go with the Flow:

The Perpetuation of American Consumer Culture

By Kate Costanzo

Levels of consumerism in the United States have increased greatly over the years. In many ways, this is a celebration of American prosperity and individual choice. However, the drive to buy is often critiqued as having completely overshadowed more traditional aspects of culture. The prevalence of commodities in American society is often seen as a negative influence on culture. Why, then, has this consumer culture been allowed to persist? The common feeling is that consumers are little more than mindless drones with stuffed wallets. Many attempts to resist and attack consumer culture have failed for varying reasons. This paper serves to explain why something commonly vilified is still so prevalent. Consumers are very often swayed by the science of marketing, but the potential for human choice still exists. There are difficulties of breaking out of consumerism, as well as trying to directly fight "the system." With time, consumerism in America has only expanded, now extending to children as well as adults. For all of these reasons, consumerism has grown with and adapted to American culture in a sort of symbiotic relationship that now seems too closely intertwined to easily sever ties.

A general understanding of American consumer culture is first required before any further discussion. Consumer culture is considered a subsection of a broader concept of how objects often act as intermediates in social bonds; this is known as material culture. "Material culture is the name given to the study of these person-thing relationships; it is the study of things- or objects-in-use" (Lury). This understanding of consumer culture diverts the mental image away from the traditional thought of the word consumption as "using up" and aligns it instead with the idea of utilizing materials. Therefore, it stands to reason that consumer culture is the concept of how people go about buying and using the materials in their world. Over the years, however, the negative connotation associated with consumer culture has only grown. It is felt that American culture as a whole has been taken over by major corporations, resulting in the "branding" of society. Kalle Lasn, a noted cultural deviant and co-founder of the subversive magazine *Adbusters*, highlights the major concerns: "America is no longer a country. It's a multitrillion-

dollar brand…American culture is no longer created by the people…A free, authentic life is no longer possible in America™ today…We ourselves have been branded" (Lasn xiii-xiv).

These views of consumer culture often portray the average American as a heavily-influenced drone. Still, it is important to recall that individuals do have the capacity to make their own decisions. Sociologist Pierre Bourdieu offered an explanation of this situation in his refined definition of habitus. A term dating back to Aristotle, "habitus" originally referred to thought patterns or dispositions. Bourdieu then reworked this concept to bridge the gap between the objective and the subjective. That is, habitus is used to describe the relationship between a person's individual beliefs and dispositions as part of a larger social structure. This view acknowledges the objective structure that the capitalist economy creates in the U.S., but incorporates the subjective behaviors of individuals. Americans are constrained by the nature of their surroundings, but within this framework are afforded some room to breathe. Because of this, Bourdieu reasoned that social practices are therefore intangible and difficult to distinguish from deliberate decisions (Liu). "The habitus is evident in the individual's taken-for-granted preferences about the appropriateness and validity of his or her taste in art, food, holidays, hobbies, etc" (Lury 14). So even though Americans have the capacity to choose for themselves, the line between conscious and unconscious choice is often blurred.

If Americans have the opportunity to choose, it is reasonable to think that they should be able to resist the lifestyle of consumerism. It is important to note that resistance and defiance will be defined as separate actions. Here, resistance will be classified as steps taken to avoid fitting in with consumer culture. Defiance, to be mentioned later, refers to actions directly aimed at disrupting the cycle of consumerism. One particular form of resistance goes by many names. "Some call it *simple living*, evoking images of earlier, more prudent times. Others prefer *downsizing, downshifting,* or *simplifying*. The popular press and many scholars know it as voluntary simplicity" (Maniates 199). This movement is founded in its simplicity and asks for a more frugal lifestyle for the average American. The hope of those who take part is to focus less on the drive to make and spend money, and more on the smaller aspects of life that get overlooked. Many of the movement's participants have relatively low annual incomes of $35,000 or less, though it is

difficult to gauge just how many are involved. Because this sort of action is so spread out and personally defined, it seems to have little impact on the greater "problem" of consumerism (Maniates).

Others choose to resist by making alternative choices. One big movement is to try to break out of what society considers "normal." By deviating from what is conventional in society, people are given the chance to define themselves in their own terms, setting themselves apart. John Fiske sees this sort of resistance in the wearing of ripped jeans in the first chapter of *Understanding Popular Culture*. In a capitalist society, something such as a pair of jeans is a commodity, and its purchase helps to perpetuate capitalist ideology. Ripped jeans, however, serve as a sort of exception. Wearing jeans that are torn means that they have been worn past their due replacement date, reducing the number purchased and, therefore, that individual's participation in capitalism. While wearing damaged clothing may be an indication of low economic standing, those who are actually poor do not display it in such a way. Those who choose to show off their ripped jeans do so as a conscious choice, an act of resistance. By showing off pants that are ripped, consumers can assert their right to take creative ownership of the product (Fiske 1989). This example is how Fiske introduces the concepts of excorporation and incorporation: "Excorporation is the process by which the subordinate make their own culture out of the resources and commodities provided by the dominant system" (Fiske 15). However, for capitalism to maintain the upper hand, what has been made a deviation in a subculture must then be incorporated into new commodities. Those who refuse to fit in are denied their chance to counter convention when their tools of resistance are being sold back to them by the capitalist system, robbing them of their oppositional meaning. Continuing with the example of ripped jeans, if the rebels are wearing jeans that are intentionally tattered and worn to shreds, designers find ways to manufacture denim with pre-fabricated wear and tear. In this way, as some individuals try to break the norms, the majority of Americans are then pressured to buy (both figuratively and literally) into these new conventions as they become popular and trendy. Though there are those who do not buy into this repackaged resistance and continue with their own ideology; many people fall into the trap of increased consumption.

Another arguably futile attempt at resistance comes in the movement to produce environmentally-friendly commodities so as to reduce damages to the planet. This gives corporations the opportunity to flaunt themselves as "green," though in many cases this is not actually true. Corporate giants can put a spin on their products that casts them in a better light. The misleading of consumers in this way has come to be called "greenwashing," a portmanteau of the terms green and whitewashing. Companies clearing tropical forests are replacing them with a field of only one similar species, but still call this sustainable development. Other companies follow similar practices that bend definitions and rely on spin doctors to appear less damaging (Bruno). In essence, the movement fails to counteract the damages of consumption because it still urges people to buy. The only difference is that they are buying a different type of product. *Nation of Rebels* authors Heath and Potter find this a fundamental flaw in counter culture which sets out to combat consumerism. As they see it, capitalism thrives on variety. If everyone decided to buy the same things, competition would cease to exist and markets would fail. It is those who break away from convention, innovators and rebels alike, who create alternatives that make people want to buy new and different things in order to keep up with the latest trends. "In other words, it's the nonconformists, not the conformists, who are driving consumer spending" (Heath 103). So attempts to resist the "norms" of consumer culture are essentially what keep it alive.

In addition to resisting consumer culture, there are those who try to actively dismantle it. For the sake of this paper, these acts are considered defiance rather than just resistance, because they are trying to achieve progress by attacking the system they feel is to blame. The major form of cultural defiance is culture jamming. Culture jammers believe that the ideology of consumerism is too deeply engrained in society and actively try to undermine the messages used in its reproduction. This involves the use of "subvertisements" and similar attention-getting means in an attempt to disrupt the average consumer's pattern of thinking and highlight the futility of a lifestyle grounded in consumption (Heath). One of the strengths behind this movement is its simplicity. By avoiding connection to any particular party or dogma, it is able to attract followers from all walks of life.

We jammers are a loose global network of artists, activists, environmentalists, Green entrepreneurs, media-literacy teachers, down-shifters, reborn Lefties, high-school shit disturbers, campus rabble-rousers, dropouts, incorrigibles, poets, philosophers, ecofeminists....On the simplest level, we are a growing band of people who have given up on the American dream (Lasn 111-112).

Culture jamming enlists the help of anyone and everyone who is sick of the prevalence of consumerism in society. Even the smallest act of defiance contributes to the greater cause. Since a main goal is to prove that society needs a change, the more people who tap in to this mindset, the more effective the movement is as a whole. The movement is entirely self-governed; any dissenting person is automatically "in." The stronger the community, the more it will be able to accomplish. Also, by creating this sort of community, culture jammers are already successfully living outside the "machine" regardless of how many people they affect (Dery). Another strength of the culture jamming movement is its uniqueness. The jammers' call to arms demands more than a gradual change in society. The solutions of other reform movements are merely "red herrings," while culture jamming demands a "radical rethinking" of how society functions and what needs to be done to effectively transform the status quo (Lasn 112). People who want to incite a greater change are drawn to such a cause because its ideals stand out. Culture jamming is also unique in that it actually seems fun. Considered "Groucho Marxists," jammers use unorthodox methods to bring attention to their cause (Dery). This includes clever mockery and imitation of mainstream consumer culture. For example, an organization called ®^{TM}ark transferred $8000 from a military veterans' group to the Barbie Liberation Organization. This funded switching the voice boxes of three hundred Barbie and G.I. Joe dolls so that shocked consumers could hear G.I. Joe giggle, "I love shopping," and Teen Talk Barbie snarl, "Vengeance is mine" (Gross). Snarky methods of twisting social norms give the movement a youthful, rebellious edge. Being the "cool kids" of the counterculture makes others want to take part and helps those involved feel impassioned about their work because it allows for creativity (Dery).

In some ways, however, what sets culture jamming apart is what limits its potential. For example, while culture jamming

can be seen by its audience as trendy and clever, that may lessen how seriously its messages are received. The movement may also fall short of its goal because it is self-governed. While there is a community, the fact that individuals are acting on their own prevents a larger uprising. There is nothing really cohesive about the movement, so demonstrations probably are not always linked to the concept of culture jamming. In fact, most people may not even be familiar with the term. Individual activists are working by their own guidelines, so while members may be linked by ideology, their implementations will most likely be scattered and isolated (Heath). If it is simply consumer culture, rather than consumption, that jammers hope to combat, there are flaws here, too. Culture is an intangible collection of social constructs without any sort of unifying feature. "The culture cannot be jammed because there *is* no such thing as 'the culture' or 'the system.' There is only a hodge-podge of social institutions, most tentatively thrown together, which distribute the benefits and burdens of social cooperation in ways that sometimes we recognize to be just, but that are usually manifestly inequitable" (Heath 8). So, trying to resist cultural forces that do not exist is nothing more than a waste of time and resources. Instead of trying to shake public consciousness, activists should be trying to secure "concrete improvements;" such actions that only encourage "wholesale contempt for such incremental changes" (Heath 8).

Culture jamming also seems futile when looking at the possible long-term effects. Heath and Potter make predictions about the future by speculating what would happen if everyone in a society followed suit: would it be beneficial overall? If an entire nation stopped buying certain items, or graffitied billboards, would the country really benefit from such behavior? Heath and Potter would say not. They believe these acts of defiance are completely self-interested, defying norms because of the consequences, for the feeling of doing something rebellious. There is no great benefit if everyone joins in this defiant behavior (Heath 79-80). Kalle Lasn, on the other hand, believes, along with other culture jammers, that shaking the public consciousness can only help to restore American culture to the American people, rather than the powerful corporate and political elites (Lasn xi-xii).

Max Horkheimer and Theodor Adorno also mention movements of excorporation and incorporation, or lack thereof, in their description of the culture industry. They believe that the

dominant class in society, the culture industry, has a monopoly over the creation of culture. In technological terms, it is believed that because so many people participate in it, there are essentially just millions of people with the same needs for the same things in different places; everyone is essentially the same. Standardization and mass production are required in order to meet the needs of the masses. Culture monopolies maintain their power by making sure that all are satisfied. "Marked differentiations such as those of A and B films…depend not so much on the subject matter as on classifying, organizing, and labeling consumers. Something is provided for all so that none may escape; the distinctions are emphasized and extended" (Horkheimer 123). So, the culture industry actually takes opposition into account and prepares by creating slight variations in its own products to suit various groups of people and prevent any sort of power shift. Society appears to have incorporated any possible outlying trend. The stressed conformity of the culture industry makes all members of society equal and excorporation seems out of the question. "Anyone who resists can only survive by fitting in. Once his particular brand of deviation from the norm has been noted by the industry, he belongs to it as does the land-reformer to capitalism" (Horkheimer 132). Horkheimer and Adorno believe that the culture industry is incapable of large-scale change. New ideas are not introduced, only eliminated to highlight the perfection of the current system. The only real revision comes when the methods of production are refined. This explanation completely discounts the idea of excorporation as a social movement under a dominant culture. However, while it is a reasonable account of how popular culture can overtake the development of individuals, there are numerous instances of these forces at work yet to be shown.

As such, the movements of resistance and defiance seem to share the same critical weakness. Advertisements and consumer culture are pervasive in American society. It seems highly unlikely that a group of ragtag rebels would ever be able to stand up to such a force. It is doubtful whether these actions are really enough to affect the consciousness, let alone reverse the opinions of, the majority of society (Heath). Progress such as this demands a major overthrow by the people. Essentially, collective action is necessary for an effective change. Collective action is the movement of a mass of people to come together to incite a major change. The actions of one individual influence and help advance the efforts of others, so there exists an

interdependency among the individual members. In this way, there is a larger network of individuals taking action to make change, constantly reinforcing the contributions of individuals and the movement as a whole (Sandler). As stated earlier, it is impossible to discern a tangible "culture" or "system" to attack. So if it is accepted that consumer culture is the main obstacle American society needs to overcome, then American society as a whole needs to change. Since culture is really an immense conglomeration of social institutions, it seems an incredible and daunting battle for a small collection of people to fight. Culture can be argued to be a reflection of those who exist within it. Following that logic, for society to change, those who make up society need to first change themselves. An overall acceptance of new ideas is necessary rather than a few trying to break out of the cycle of consumerism or highlight its hidden evils (Heath).

So far, this discussion has been about the potential for individuals to raise their consciousnesses from a consumer culture in hopes of reducing its influence in the future. However, despite this time of action, consumer culture in America has spread. One of the reasons is because it has extended its scope. Over the years, consumerism has expanded to include children as a new wave of potential consumers. Between the years of 1890 and 1940, consumerism developed and the modern consumer society came into fruition. This same period marks a parallel growth period for the social concept of children. The definition of "childhood" and all that it is associated with this period are essentially social constructions. The role of children in society is forever being revised and retooled to include new "inherent" distinctions. Children are commonly thought of as having little economic value, because the majority of American society no longer feels it is acceptable for them to work. Their emotional value is much stronger, as traits such as purity, kindness, whimsy and the like are "naturally" associated with children (Jacobson). Companies have come to play off the social construction of children in order to carve out a market with substantial buying power. Marketing tactics appeal to children using catchy songs, cartoon mascots, and kid-friendly language to draw in this younger demographic. Since the majority of children have no real expenses of their own, all of their money is viewed as expendable income, used on whatever is new, trendy, or cool for that day (Schor 2004). The other method to get children to spend is by having them turn to their parents.

McNeal estimates that children aged four to twelve directly influenced $330 billion of adult purchasing in 2004 and "evoked" another $340 billion. And he believes that influence spending is growing at 20 percent per year. Global estimates for tween influence topped $1 trillion in 2002 (Schor 23).

Such an example highlights just how powerful children are as a consumer base. It makes sense that commodification in American culture is not going anywhere, as children learn their roles as consumers from a very early start.

Critics of this cycle assert that defining children as consumers robs them of a certain innocence. To market directly children is to use them as pawns in a consumerism numbers game that should be adults-only. By including children, companies are fighting dirty by playing off of their natural naiveté and curiosity (Schor). But is this really the case? The first thing to be realized is that childhood is a social construct. It is impossible to corrupt the purity of youngsters when it is society who assigned those characteristics in the first place. In the industrial age, when children often worked, it would not be so outlandish an idea for children to spend money because they themselves had earned it. Now that society no longer feels children should work, if companies appeal to children to spend, it is seen as taking advantage (Jacobson). In addition, is it such a bad thing for children to want to spend money? Because of the nature of the social construct of children, Americans fail to see this as an opportunity for children to have a certain degree of agency. Instead of assuming that companies preyed on children, the overlooked possibility is that "children invested goods and spending money with meanings that reflected their own needs, values, and experiences" (Jacobson 14). The roles of children as consumers should not double as victims, but rather as young people with individual interests. It makes more sense why consumer culture is perpetuated when you see that children are active participants in shaping this form of society from a relatively young age.

This paper takes a multi-faced approach to looking at the nature of consumer culture and why it has been allowed to continue in American society. Attempts at resistance and deliberate defiance have been shown to backfire and not evoke the intended cultural overhaul. But all consumers should not fall into the category of drones. Habitus affords people the ability to make choices for themselves based on their own personal

dispositions. It just happens that if people do not exercise this ability, they may continue to drift within the objective structure created by consumer culture. This pattern is extended by opening consumerism to children. Rather than being victims of the system, young people are more precisely forming their roles as consumers from an earlier age. Ultimately, it seems consumer culture persists because people allow it to. If society wants to put an end to consumerism, then society as a whole needs to take action to eliminate this so-called social evil. Otherwise, we're left to go with the flow.

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WIND ENERGY:

A COMPARISON BETWEEN DENMARK AND THE UNITED STATES

BY ALISTAR ERICKSON-LUDWIG

This paper examines the prevalence of wind energy in Denmark and the United States. It compares multiple factors that are responsible for the different attitudes each country has toward wind energy and the policies each country has with regard to this alternative energy source.

DENMARK

Introduction

Denmark is a leader in wind energy. "Denmark is the largest global exporter of wind turbines and has the highest per capita levels of wind energy capacity installed" (Klaassen, 228). The promotion of wind energy in Denmark began in the 1970's. In 1991 wind turbines provided three percent of electricity consumption and ten years later in 2001 wind energy comprised 12 percent of gross electricity consumption (Klaassen). Currently Denmark seeks to have fifty percent of its energy come from wind by 2025 (Government). The importance of wind energy as a reliable, stable and environmentally friendly form of energy has a presence in policy and culture within the country, making it a successful, dependable, and fair-priced energy source.

History

Denmark has had a long history with wind power and this has influenced its reliance on wind energy. Throughout the nineteenth and early twentieth centuries, wind was an important source of mechanical power in Denmark. This included tens of thousands of windmills pumping water to crops (MacLeod). The Danes invented the first electricity-generating windmill (MacLeod) and by 1918 wind was meeting about three percent of electricity demand within the country (MacLeod). Interest in wind power rose during a supply crisis in World War II, and then again during the oil supply crisis of the 1970's. The 1973 oil crisis had an enormous impact on Denmark and moved the country's policy to limiting dependence on foreign oil because of supply uncertainties and reasons of national security. The policy

developed at this time aimed at energy sufficiency. Denmark has always had an aversion to oil yet the oil crisis in 1973-74 made individuals further realize the importance of domestic energy production. This also resulted from an anti-nuclear sentiment based on previous government party. An oil embargo in 1980-1981 threatened their dependence on petroleum again. Denmark initially shifted its interest to coal, but as environmental concerns emerged in the 1980's, policy-makers recognized the need to secure the nation's energy supply as well as take steps to attend to the impacts of greenhouse gas emissions: "Being short on domestic energy supplies, concerned about the environment and opposed to nuclear power, the Danes saw wind power as the natural choice" (MacLeod 6). It was also at this time when strong industrial organizations such as the Danish Wind Turbine Owners' Association and the Danish Wind Turbine Manufacturing Association coordinated lobbying efforts and began to press strongly for the use of more alternative energy sources (Buen).

Policy Overview

Denmark's energy policy extends from the present to 2011. The goal since 1990 has been to foster the growth of sustainable energy developments and to reduce greenhouse gasses and combat climate change (Meyer). Today the main goal is an overall reduction in energy consumption. Denmark is concerned about the finite supply of fossil fuels and the environmental damage associated with carbon dioxide emissions. Policy is focused on effective strategies and innovation that is dependent on renewable resources. In its policy, Denmark aims to be the first country to reduce overall energy consumption. To accomplish this goal of energy reduction, Denmark highlights multiple initiatives which include establishing new offshore wind farms which would be able to generate an addition 400MW of clean electricity offering, tax exemptions for cars using hydrogen as fuel and using electric cars, state funding for electric vehicles and funding for solar energy and wave power.

Initiatives to achieve this goal include energy savings, energy efficiency improvements, renewable energy, energy taxes, more effective energy technologies, and transport. The policy sponsors campaign to establish appropriate knowledge of energy savings (Government). Renewable energy initiatives will

be comprised of an increased use of biomass and waste as energy sources and less on fossil fuels specifically in central combined heat and power stations. Also in this area, the policy seeks to install more wind turbines both on and offshore. Energy subsidies are currently being allocated for this project in the areas of solar and wind power (Government). Energy tax initiatives included in policy will increase an existing carbon dioxide tax and will instate a nitrous oxide tax being in 2010 (Government). In the realm of energy technology, this new policy aims to double the amount of monetary funding for research, development, and demonstration (Government). Lastly, the transport area will set practices in place where at least 5.75% of fuel consumption must come from biofuels; this number is set to increase to 10%, which is also an EU objective (Government). Taken as a whole, Denmark has a comprehensive policy targeted to reduce energy consumption.

As previously stated, Denmark already heavily relies on wind for energy. For the last thirty years Denmark has had policy to stimulate wind power, including development, technology, and urging cost reduction and increased efficiency of wind farms. Production subsidies were in place from the late 1980's through 2000 which guaranteed grid connections and feed-in tariffs. Tax exemptions for individuals owning turbines or those who own cooperatives were included. Long term agreements between power companies, produces and uses, and the government have been effective in the growth of the industry and in the country's goal to not only reduce energy consumption but also to further the growth of the wind energy industry. Policy which supports wind energy is extensive and varied among government, industry, and communities; and these plans are centered on public planning, the electricity grid, research, development and technology, and financial incentives; all which effectively promote wind power throughout the country.

Public Planning
Wind energy policy in Demark has a focus on the development of wind farms through public planning. Municipalities were ordered by the Minister of the Environment and Energy to find appropriate sites for wind turbines (Krohn). Public hearings were held before any official decisions were made and helped the public accept the eventual development of wind farms. The initial development of land zoning, which began in 1992, was created though trial and error, first at local levels

and then on a national level which even, then maintained directives for local planners (Krohn). Planning regulations occurring around 1997 developed offshore wind farms with a national authority, the Danish Energy Agency. This central agency heard comments from public and private sectors to better understand the sentiment surrounding offshore energy (Krohn).

Offshore wind power in Denmark was founded on a procedure that emphasized a strong planning process (Munksgaard). In the fall of 2003, four specific offshore areas were selected for tendering which then allowed the government to ask for competition among bidders with the final goal of ensuring cost effective development (Munksgaard). Thus a major characteristic of offshore wind farms is that their development is undertaken by private investors (Munksgaard), a process that seems to be extremely successful. The first operational offshore wind energy site was established in 1991 and consisted of eleven 450kW turbines (Meyer). By 2000 offshore wind farms grew in capacity. Economically, a 150-330MW wind farm is considered ideal (Meyer). As of 2003, the Danish government and Danish utilities made an agreement to establish five wind farms, each with a 150MW capacity every year unlit 2008 (Meyer). Since the mid 1990's, offshore wind power has been promoted increasingly because it has become harder to find proper site on land (Meyer). Nevertheless, offshore wind farms are just as integral to the power system infrastructure as onshore farms (Munksgaard). With effective policy and development of these sites, Denmark will continue to increase its energy generation.

Electricity Grid

A second policy initiative is redefining the electrical grid. Once wind power was a feasible option, understanding the capacity of the energy grid was essential for developing wind energy. A 1970 report, although skeptical about cost, deduced that the current grid could support 10 percent of energy coming from wind power (Krohn). As wind energy is developed further, policy is centered on making sure wind energy can enter the grid. Alternative grid connections are necessary and an example of one strategy is the high voltage direct current or HVDC (Ibid.).

Research, Innovation, and Technology

Research and development (R&D) has always been a priority in Danish energy policy. In 1976, a coordinated R&D program was responsible to supporting all energy areas in Denmark. During this time, wind energy projects focused on information about the construction of large wind turbines (Klaassen). A coordinated program of R&D supported by the Risb National Laboratory and the Danish University of Technology from 1976 to 1995 focused 10 percent of their total energy research to wind energy projects (Klaassen). From 1983 to 1989 R&D was focused on wind farms and large wind turbines (Klaassen), presumably to expand the power and scope of the industry. Over time, smaller wind turbine projects also received funding (Klaassen). Klaassen concludes the by the end of the 1980's R&D in Denmark resulted in technically reliable turbines. Klaassen continues to say that Denmark created a technological niche and that in turn paves the way for a market niche as well.

Danish wind energy success may in part come from innovation. The classical Danish windmill, a three blade turbine design, created in 1956 by Gedser Wind Turbine (Krohn), was the most successful design of its kind at that time (Krohn): "The three-bladed upwind machine, i.e. the classical Danish Concept, pioneered by the Gedser Wind Turbine in 1956, has overwhelmingly not just defended its place, but virtually wiped out competing designs" (Krohn 4). Beginning with an ingenious design may have helped Denmark jumpstart its success as a global leader in turbine design and propelled the country's growth in efficient wind farms.

Another important factor leading to increased use of wind energy is that not only has Denmark introduced new technology but it is focused on continuing to refine its existing technology: "Variable speed technology, indirect grid connection, and different generator types are in this analysis considered refinements of the existing technology rather than radical changes" (Krohn 4). Thus Denmark is working with what it already has and is consistently trying to improve on it. This may prove be another reason for the effectiveness of wind energy for the country. Denmark is focused on ensuring that its technology products are effective. In 1980 money was spent to set up a test center to test every wind turbine before it was to be released on the market (Klaassen). Denmark's research and technology is focused on continual improvements to design. This approach,

where learning is built upon prior research and new improved product development results, helps with the increasing the capability of windmills and the effectiveness of the industry as a whole.

Economic Incentive

Once the Danish government made the decision to support the wind power industry, it created policies to stimulate development (MacLeod). The instrument created was a fixed-price system that sets, by sector, the price that will be paid for the amount of electricity produced. This system includes a premium that is added to the price paid to suppliers of renewable energy and is financed equally by all electricity consumers according to their specific energy usage. This policy instrument is effective because it is equally regulated and continues to support development in wind energy

> The advantages of this approach are that it is simple and equitable and does not artificially restrict the amount of wind power that is brought online to some quantity set in advance. Danish law also exempts local windmill shareholders from taxes on the portion of wind generation that offsets their household's domestic electricity consumption. This strategy gives every community a financial incentive to develop their own wind co-op (MacLeod 7).

Renewable energy is promoted through incentives such as lowered taxes for green technologies and pricing (Meyer). An investment subsidy, created in 1979, and lasting until 1989, was responsible for the expansion in wind-power capacity throughout the country. This subsidy offered thirty percent of the total investment cost of the installations of new windmills (Klaassen). The subsidy was not given to suppliers, but instead to individuals and cooperatives based on a residence criterion (Buen). "This participation incentive has been adapted along the way, it has boosted popular support for wind power development in Denmark" (Buen 3890). In the mid 1980s, the Danish government offered another economic incentive, which was comprised of a partial refund for energy and environmental taxes on electricity consumption (Klaassen). This created a tariff paid to wind farm operators by energy supply companies, which resulted in an increased capacity for wind energy (Klaassen). "A typical characteristic of the Danish system is that it combines

market-stimulation incentives with national targets, resulting in the expansion of the domestic market for wind energy" (Klaassen 229). Denmark has had a strong and stable policy with regard to wind energy (Buen). Policy continues to support development by emphasizing incentives which spur demand.

Community and Cooperation/Involvement

Denmark's success in wind energy may result from the local ownership and operation of wind farms. Wind Turbine Guilds are associations consisting of local landowners; these cooperatives arise out of traditional Danish faming society (MacLeod). Citizens are committed to wind energy because windmills have always been a part of their landscape and their communities. More than 85% of Denmark's wind power capacity is owned by private individuals or wind co-operatives and more than 100,000 families own shares in a turbine. When presented the statement, "I am proud of the Danish wind turbines and the Danish wind industry," 91 percent of respondents said that they were proud of the Danish turbines and Danish wind energy (Danish, See Appendix A). Danes have embraced the wind turbines and the industry as a whole. Presumably communities have always fostered a respect for wind energy and for community involvement. "Community renewable energy has long been advocated, particularly by alternative technology activists, as a way of implementing renewable energy technologies, emphasizing themes of self-sufficiency, local determination, engagement, and empowerment" (Walker 4401). This allows individuals to work together towards a common goal to effectively secure a source of power and provide jobs to members of the community. For wind energy to be successful, individuals must understand the importance of wind energy and must be actively involved in decision making, so that their needs are met. The government is successful at meeting the countries energy needs by having a "hands off" approach to decision making at the local level. This suggests that individuals are best suited to know their needs and make effective decisions on their own.

Besides community involvement, cooperation among many sectors is required for effective diffusion of wind energy throughout the country, and Denmark is a prime example of this type of cooperation. "There is thus a critical mass present in every field of expertise related to wind energy in Denmark, including manufacturing, research, development, engineering

services etcetera" (Krohn 6). Thus Denmark does not only have cooperation among many sectors but has enormous investment in multiple areas as well. Everyone must embrace wind energy. Connie Hedegaard, The Minister of Climate and Energy, says that collaborative action is essential: "Action is needed everywhere. It must permeate our entire society. From the way in which we build houses, how we light our homes and where the heat in the radiator comes from, to whether cars run on wind turbine power or old-fashioned petrol. It has importance for industry, for institutions and for every citizen" (Government). Cooperation and an opportunity for networking are probably due to the relatively small size of the country (Krohn 6). Besides integration among the sectors, there is cooperation between power companies and government (Buen). Thus it seems that if industries, government, and individuals throughout the country support wind energy as a whole, then they are also mutually supportive of each other and will successfully collaborate on wind projects that support the priorities of the country.

UNITED STATES

Introduction

Currently, wind energy in the United States is not a large energy contributor to electricity; there are few policies that pertain to the industry. On the national level, the Energy Policy Report, written by the National Energy Policy Development Group and approved by George W. Bush during his first term in office, is the most comprehensive document outlining the nation's energy goals from 2001-2008. This White House endorsed document mentions the importance of alternative resource development to support goals of national security, energy independence, and a healthy natural environment. Wind energy development and use is one of many alternative energy sources but it is not highlighted specifically as a prominent alternative source of power. Although initially the Bush administration did not reflect an interest in strongly pursing wind energy within the country, toward the end of his presidency, the Bush Administration developed a stronger plan supporting the increased development and use of wind power.

History

Like Denmark, windmills were used on farms and ranches in the United States by the 1900's (United 6). Although initially used to pump water to the surrounding area, they were eventually used to produce electricity (6). A more widespread use of wind energy began in 1970s in California. California received federal and state investment tax credits (ITC) and a state mandated standard utility contract for a satisfactory market price for wind energy (ITC 6). "By 1986, California had installed more than 1.2 GW of wind power, representing nearly 90% of global installations at that time" (6). The federal ITC expired in 1985 and wind energy halted at this time. Globally the industry continued to grow. The U.S. was also affected by the 1973 oil embargo which correlated to an oil shortage that increased the price of electricity. Yet overall, the United States was lucky to have relatively low prices on natural gas and did not need to foster the wind power industry (6). Yet because of reasons of increasing national security and concern for the environment, the United States once again began to promote renewable energy sources.

Policy Overview

The 2001 United States Energy Policy titled "Reliable, Affordable and Environmentally Sound Energy for America's Future," is focused on sustaining the nation's physical health and the productivity of the environment, increasing conservation and efficiency of energy, increasing domestic energy supply taking an emphasis on supply uncertainties, increasing renewable and alternative energy because of a growing concern of environmental degradation, and lastly, infrastructure innovation (White).

Specifically focusing on alternative energy sources, the United States claims it has the potential to diversify the nation's energy supply, to take advantage of its domestic energy resources, and to help the nation to meet its commitments to curb emissions of greenhouse gases (White). The United States acknowledges that alternative or renewable sources of energy can help provide future energy needs. Renewable sources of energy used for electricity generation in 2000 accounted for two percent of the total energy supply (White 12). Hydropower is the most successful and widely used renewable energy source in use in the United States today, followed by biomass and

geothermal energy. The U.S. is currently "pursuing the ability to further capture the energy of sunlight, heat of the earth, and the power of wind" (White 69). The policy report cites a goal to enact legislation to expand existing tax incentives for renewable sources of energy (White) and that increased reliance on alternative energy requires careful planning and improved technology.

Although wind power is not one of the major sources of alternative energy in the United States, wind energy in the U.S. is growing. According to the 2001 Energy Policy report, wind energy accounts for six percent of renewable sources used for electricity generation; however, it comprises only 0.1 percent of total electricity supply (White). The government is committed to promoting wind power and almost every state has a familiarity with wind power; "Almost every state has the potential for wind energy…" (White 93). Minnesota and Iowa receive five percent of their electricity from the wind (Anthony 58) and the desert climate of Nevada is also conducive for wind (White 29). Overall the United States has begun to realize that there is an increasing need for energy and resources are needed to fill that demand. Wind is one such resource; "There is a significant promise in renewable technologies to meet an ever-growing portion of our nation's energy needs. Wind power has significant growth potential" (White 100). The policy created by the Bush administration explains the country's aim for diversified energy sources where wind is currently one the smallest contributors to national energy needs; yet, it is steadily increasing and the potential for wind energy continues to attract the attention of policy makers.

Reasons for Developing Wind Energy

Recognizing that the cost of energy is increasing and that demand is estimated to increase 39% between 2005 and 2030, the country is concerned about energy security and the environment and, thus, has begun to think of alternative sources of energy. Relying more on alternative forms of energy like the wind will help the United States reach a reliable, secure sources of energy, with stable prices, and will help achieve national security. There is an overall concern with price risks and supply uncertainties associated with the wind; however, using wind power will help secure price and supply: "diversifying the electric generation mix with increased domestic renewable energy

would still enhance national energy security by increasing energy diversity and price stability" (White 16). Energy security is paramount in the United States. If the U.S. is able to achieve energy independence, not only will the country benefit from better national security but will also have a secure energy supply. Using wind energy and other alternatives will reduce the demand for fossil fuels. When the country relies mostly on its own resources, the energy price of fuel will decline and energy prices will stabilize. Besides securing national security, wind power is also a cleaner form of energy and by using wind energy the U.S. will demonstrate a commitment to the environment. Wind energy, compared to conventional sources of energy, avoids releasing emissions of mercury and other metals into the air from extracting and transport activities, reduces water consumption associated with mining and electricity generation, does not produce toxins or slurry as by products, and overall reduces greenhouse gas emission (White). The projected positive impacts of wind energy are that this form of energy will help the environment by avoiding air pollution, reduce water use, and ultimately decrease the burning of fossil fuels for oil, thereby mitigating global warming. Lastly, wind energy may have economic benefits as well. A switch to reliance on wind energy will demand more wind farms throughout the country with specialized people who have the knowledge to operate them. An increased use of wind energy will boost the economy by helping American workers, providing them with jobs in the many sectors that support wind development, manufacturing, engineering, construction, and transportation (White). These factors have begun to make wind energy seem a viable option for meeting the energy needs and priorities of the country.

Proposed Policy

Although the U.S. has not relied heavily on wind energy in the past, it has begun to grow in importance on policy agendas. In July 2008 the United States Department of Energy, released a document, "20% Wind Energy by 2030: Increasing Wind Energy's Contribution to U.S. Electric Supply." This report focuses on wind turbine technology; manufacturing, materials, and resources; transmission and integration into the U.S. electric system; wind power site selection and environmental effects; and wind power markets. Since wind energy only comprises an extremely small percentage of power sources, the United States does not have as many policies in place with

regards to wind energy, and many of their strategies for the future are hypothetical. Thus the scenario the report describes is one for the future adaptation of wind energy. If the United States could achieve twenty percent wind energy by 2030, energy supply across the country would be altered, "In this scenario, wind would supply enough energy to displace about 50% of electric utility natural gas consumption and 18% of coal consumption by 2030. This amounts to an 11% reduction in natural gas across all industries" (United 12).

In response to this report the American Wind Energy Association (AWEA) released a document focusing specifically on possible policy proposals to enact many of the scenarios detailed in the 20% by 2030 document. They call for a national renewable electricity standard (RES) which would be necessary to "signal a long-term, national commitment to expand the use of renewable energy in the U.S. This would call for every state to obtain a certain percentage of their electricity from renewable source (American 3). The goal of this RES would not only increase more reliance on alternative energy but would also streamline all policies and initiatives throughout the country (American 3). AWEA also suggests a five-year production tax credit extension. This tax credit would be a federal incentive to support wind power for five years, giving the industry a financial impetus to grow. The AWEA also suggests that this tax incentive apply to small wind systems owned by small businesses. A third policy includes the suggestion for a new transmission system. Policy should increase the capacity of the energy grid so that electricity from windy rural areas are easily and cost-effectively transferred to the centers of demand. Thus policy must support construction of high-voltage interstate transmission systems. A forth suggestion is policy that includes wind energy in the cap and trade system; "Under a cap-and-trade system, any method of distributions emission allowances must include a fair allocation to renewable energy" (American 4). Ideally revenues from this trade of allowances would be used to finance renewable energy production, improve the transmission system needed for wind energy, provide incentives for manufactures, and support research and development (American 4). Policy must also apply to the local level to include small wind farms, consumer rebates, and incentives for states, and local utilities (American 4). The AWEA suggests policy with federal funding focused on federal research and development. Lastly, suggestions for policy include developing wind energy on federal lands, including those offshore. Policy is suggested to have a

streamlined review process that is flexible enough to meet a changing demand. Overall, the AWEA expresses that the federal government needs to invest in a renewable electricity standard. By doing so it will be necessary to develop policy that encourages development of wind energy through incentives such as tax credits; and prepare for increasing demand through research, development, and energy grid infrastructure. In sum, AWEA notes the importance of policy:

> With the right policies in place, wind power can make a major contribution to the effort to protect the planet's climate, while spurring tens of billions of dollars in economic investment, supporting hundreds of thousands of new American jobs, making America more independent and secure, and saving consumers more than $100 billion (5).

Research, Development and Technology

Besides policy, R&D is needed and has begun to support wind energy. Turbine technology will be advanced through research and development, and infrastructure development, corresponding to increased efficiency and demand. Certain improvements in the gearbox and blade design, including overall weight are being examined to improve efficiency (Spring). Technology is also focused on the establishment of off-shore wind energy. As technology improves, demand will go up and cost will decrease, making wind power more practical for future increased use. The ultimate goal will be to produce more advanced turbines which will support future growth of the wind power industry. If wind energy is used in a greater quantity, it is necessary to connect new wind energy to the current power grid. The energy grid will also need to be expanded as wind energy increases and as demand for energy in general increases. The "20% by 2030" report calls for wind turbine technology, manufacturing, materials, and resources, transmission integration into power grid. All of these factors require research and development to achieve the appropriate implementation of these goals. Research both in the public and private sectors has helped technological innovation which advanced the knowledge of wind resources, aerodynamics, turbine design, and power electronics. The reliability of plants has also increased. In sum, these multiple factors have already helped make wind energy a viable source of power for the

country, and if continued, will aid in the promotion of more widespread use of wind power.

Collaboration

Lastly, effective communication is necessary among policy makers, the industry and individuals; it is imperative for effective policy making. The U.S. Department of Energy signed a memorandum with six leading wind turbine manufactures to develop a strategy to promote wind energy (Spring). Collaboration will take place between the U.S. Department of Energy, General Electric Energy, Siemens Energy, Vestas Wind Systems, Clipper Turbine Works, Suzlon Energy and Gamesa Corp. Together they will address siting strategies, concerns in the workforce and multiple initiatives for advancing turbine technology. The government has sponsored research which has been successful for developing larger more efficient wind turbines (Spring). "Partnerships between government and industry have always played a key role in growth of the U.S. wind power sector" (Spring 68). Partnerships like these between government and industry are furthering a more widespread applicability of wind power and growth of wind power in the United States.

Conclusions

In comparing Denmark and the United States, it is obvious that both countries want to reduce their dependence on foreign oil, become more energy independent, and support the health of the environment. Both countries encourage the development and use of alternative sources of energy. Yet, there are fundamental differences in these countries where Denmark has a more widespread use of wind energy and the United States does not.
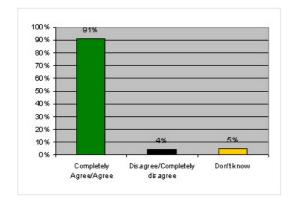
Denmark relies more on wind energy and is more committed to increasing the use of wind energy throughout the country. Policy makers created long term policies which heavily support the industry and encourage development. The long time familiarity with wind power and cultural tradition felt on the individual level is also responsible for advancing the wind industry in Denmark. Denmark is committed to increasing wind energy to become one of its top sources of power.

The United States is a proponent of diversification of energy sources. Thus wind energy may be one component of many other energy sources which fulfill the country's energy need. "Wind energy is a valuable part of our diverse and growing energy portfolio," says the vice president Jan Brekke of Member Services for Great River (Anthony 60). In addition the U.S. did not have a cultural affinity to windmills or wind energy to the same degree as Denmark and overall the United States seems to have few motives to specifically focus on advancing wind energy.

Denmark has had a longer history with renewable sources of energy. In the United States, the importance of alternative sources of energy has just begun to emerge. The United States had little cultural affinity to wind mills or renewable energy until the oil crisis in 1973. The United States had, and still has, a cheap and plentiful supply of oil, as well as a large supply of coal and has not needed to invest in alternative energy resources. Issues of national security have been present in the past yet they have reached a level of more heightened concern now. Similarly concern for the environment has existed in the past, but more recently has attracted global attention and the climate crisis is receiving national recognition for the first time. The change in these two events may be responsible to the shifting investments in economic resources, time, technology and policy in alternative energy sources like wind.

Both countries have a strong emphasis on R&D. Yet each country has different priorities and different resources. Compared with other countries Danish government support has been focused toward basic research whereas other governments have focused more on wind turbine development (Krohn). This may be a fundamental flaw among countries that want to adopt wind power as a feasible alternative to conventional power sources, because research strictly on turbine development may be too narrow of a focus and ignores research on sites for turbine placement, development feasibility, and public response. Another important difference between the Danish and other national governments is that Denmark has allocated money to areas of energy research that is spent close to the product development stage rather than other phases (Krohn). This may again help to explain why wind energy in Denmark is more effective in contributing to the nation's power. Also Denmark may have had more appropriate timing and financial investment of R&D, which may have made it more

successful in both the innovation and diffusion of wind energy throughout the region and globally.

The applicability and use of wind energy in the U.S. is increasing. Compared to the prominence of Danish wind energy; however, the U.S. is far behind. Because of the success of wind energy in Denmark, Danish policy for wind energy definitely serves as an international model and has helped establish the Danish wind energy industry but more importantly has helped to create a global consciousness and confidence that wind energy is both practical and possible given new technology (Krohn). "The Danish energy policy for renewables has been a model for many markets in the world. In countries as close as Germany, France or Spain and as remote as China or Argentina, Danish support schemes for renewables have been copied and/or adapted to local circumstances" (Krohn 6). Denmark has the unique ability to work with the European Union and use its success in incorporating wind energy as a model for application among other countries. Although the United States may have different national priorities, the U.S. should look more to the successes of wind energy in Denmark and try to adapt it to America to further the country's goals of national security and environmental wellbeing, two main goals it shares with Denmark and with nations globally.

Appendix A

Danish Wind Industry Association http://www.windpower.org/ media(1148,1033)/I_am_proud_of_the_Danish_wind_turbines_a nd_the_Danish_wind_industry_-6.jpg

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Superfund Sites in New Jersey and Associated Public Policy Initiatives
By Dana Etkowicz

Introduction

The state of New Jersey has very progressive environmental policies and seeks to promote better standards through research. The research conducted has led to multiple advances including the use of energy alternatives. However, the number of Superfund sites have made New Jersey one large Superfund site and has caused numerous environmental problems due to contaminants that are present. The Lipari and PJP landfills exemplify this problem as both of these Superfund sites reveal bad practices throughout New Jersey and the subsequent attempts to curb their negative effects through ongoing clean-up processes. However, there have been efforts to promote better practices that will keep New Jersey progressive. Superfund sites illustrate the importance of environmental policies that seek to promote better environmental practices.

History of New Jersey Superfund Sites (Literature Review)

Superfund sites are locations where toxic waste is dumped which government entities want to clean-up. They are abundant throughout the state of New Jersey and have an extensive history in the United States. New Jersey is a state sandwiched between two major cities, Philadelphia and New York City, making it the perfect place for those cities to dump their waste, especially since those cities do not have the space (Young). However, New Jersey is a very populous state, so many of these sites are also close to residential neighborhoods. Thus, by transporting toxic waste to these sites there is enormous expense and little benefit to New Jersey residents because there are many potential problems that could burden residents who live close to these sites (Dryzek 136).

The incident at Love Canal in 1978 in Niagara Falls, New York, brought Superfund sites into the national spotlight and showed America the potential problems and risks that exist due to the dumping of toxic waste. Love Canal was one of many sites for waste dumping during the 1940's and 1950's (Layzer 56). The crisis in Love Canal erupted when a school was built

on top of the toxic waste site; the potential problems of this site became apparent due to groundwater pollution, which, in turn, caused public uproar (Layzer 58). People already associate hazardous waste dumps with health risks, but the apparent signs through the groundwater contamination present at Love Canal demonstrates that other risks cause distress (Rosenbaum 248). The existence of contaminated groundwater and other potential contaminants, which could lead to health problems, concerned the people of Love Canal because of the risk present (Bryant). The potential problems brought media attention to the issue of Superfund sites and dumping by corporations. This led to the declaration of a federal emergency by President Carter and the need for temporary housing of families living in the Love Canal area (Layzer 63, 68). Love Canal was the site of the first major incident involving Superfund sites, which prompted a national movement to mitigate the risks of Superfund sites, mostly through clean-up efforts. Love Canal became "a symbol of public fears about hazardous waste" as it affected the entire country and presented an opportunity for federal policy to deal with this issue (Layzer 71).

Love Canal shifted focus from "control of future pollution to the correction of [the harm] already imposed upon the environment" (Barnett 120). As a result, in 1980, Congress enacted the Comprehensive Environmental Response Compensation and Liability Act (Superfund Act) (Barnett 120). By passing the Superfund Act, the U.S. Congress used regulatory legislation to deal with the effects of Love Canal and other Superfund sites, showing that this was a national problem. The purpose of the Superfund Act, according to Barnett, is to "provide a means to clean up past environmental sins" by placing the "cost of correction" on corporations to the extent that they were responsible for the environmental problems occurring at or near Superfund sites (120). Like other federal policies, the Superfund Act gave the federal government the authority to "compel polluters and resource users to adhere to demanding national pollution control standards," through enforcement that would achieve funding for clean-up efforts (Kraft 13; Barnett 121). In addition, Congress emphasized "joint and several liability," which put the burden of proof on the victims because one party, who dumped at a site, would be held responsible for the clean-up efforts (Layzer 72). This was employed to give an incentive for people to be precautionary in order to reduce waste (Layzer 72). Also, this action did not just allow victims to put responsibility on a company to clean-up a Superfund site without

strong evidence that the company was dumping toxic waste and causing health problems. Therefore, a strong burden of proof made it harder to get companies to clean-up the Superfund sites. Additionally, this could potentially put all clean-up responsibilities on one company or corporation that did not do a majority of dumping and have that company pay for the party that did, which complicated clean-up efforts.

With the help of the EPA, the National Priority List (NPL) was established. The NPL was used as a tactic by the EPA, and those "sympathetic" to regulating Superfund sites in Congress, to emphasize the risks of sites in Congressional districts throughout the country and the benefits that could occur if cleanup efforts were supported (Rosenbaum 76). The NPL ranks Superfund sites according to the human health and environmental risk present, which can help establish the clean-up strategies needed to mitigate the risk of the site (Rosenbaum 227). Even with the NPL established, it had underestimated the number of sites requiring clean-up. In 1986, there were over 27,000 "abandoned hazardous waste sites across the nation," of which 1,000 had been assigned to the NPL (Layzer 73). As a result, the 1986 Superfund Amendments and Reauthorization Act (SARA) was passed to increase funding and "tighter" clean-up standards through new research technologies (Layzer 73). Additionally, Title III of SARA "authorizes communities to get detailed information" about chemicals being used or stored in their area by local businesses (Rosenbaum 239). This became known as the Community Right to Know Act (Rosenbaum 239). This provision is important because the Superfund Act is vital to Superfund cleanup because it set out to fix the problems caused from toxic waste dumping and is the only major national policy that seeks to do so.

There were various strategies to implement the Superfund Act throughout the 1980's and 1990's, which highlight the different views and conflicts present when executing policy. Barnett notes that there were three different strategies employed by the various EPA Administrations during the Reagan and Clinton administrations: the EPA's enforcement powers toward Superfund clean-up was "sparing" under Ann Burford; a "fund-first" approach that would be used as leverage for enforcement was utilized by William Ruckelshaus and Lee Thomas; while William Reilly had an enforcement first strategy that he hoped would "elevate" enforcement practices (122). Under President Reagan, the EPA's progress in implementing the Superfund Act

was slow, which led to numerous congressional hearings and to the White House acknowledging that it had underestimated the "public commitment" to waste clean-up (Barnett 123-124). The "fund-first" approach doubled the number of pre-cleanup investigations in two years and "initiated almost three times as many cleanups" as it had from 1981-1983 (Barnett 124).

President Clinton attempted to strengthen Superfund policy more than had been done in the 1980's. He was an advocate of reforming the Superfund program and tightening enforcement of toxic waste laws (Vig 108). By promoting greater enforcement, there was an emphasis placed on prevention of dumping wastes because if laws are strict then people are less likely to violate them. The 1990's also "increased the pace of cleanups, to a peak of 86 cleanups a year," which were mostly during the mid and late 1990's (Executive Summary). The Clinton Administration also wanted to show that the clean-up of Superfund sites could be beneficial not only in the environmental sector, but also in the economic sector. President Clinton and Vice-President Gore believed that the "jobs-versus-environment debate presented a false choice because environmental cleanup creates more jobs" (Vig 108). Thus, the Clinton administration helped to move Superfund policy forward.

In 2001 when George W. Bush took office, his administration gave state governments more discretion in enforcing federal environmental policy, which affected Superfund regulations (Vig 114). Additionally, the Bush administration did not reauthorize Superfund taxes after the expiration of the "polluter-pays" taxes, which was a break from past precedent of other presidents who "collected and supported" reauthorization (Executive Summary). The different presidential administrations that have been in power since the Superfund Act was passed, in conjunction with the various approaches of the EPA, have resulted in different approaches of enforcement and the establishment of principles of clean-up.

The policies set forth by the Superfund Act have been a point of much contention that has led to litigation. To economists and people in business, the Superfund Act has "divert[ed] millions of dollars to what most public health professionals agree are relatively low-risk toxic dump sites" (Layzer 492). The group of economists and business leaders believe that the work being done to curb the risks associated with Superfund sites is not actually benefiting the clean-up

efforts associated with the Superfund Act. Additionally, they believe that because "society as a whole" has benefited from the "chemical revolution," everyone should incur the costs of cleaning up Superfund sites (Barnett 122). This can be funded through general revenues or a "broad-based tax on American industry," which may be more equitable (Barnett 122). However, many think that the policy of polluter-pays is the best way to handle cleanup efforts. Advocates of "an aggressive" Superfund policy see the Superfund Act "as a primary mechanism to impose the cost of cleanup directly on those responsible for the environmental damage" (Barnett 122). Thus, the policy that the Superfund Act employs is considered the best way to remedy the sites and alleviate problems that can occur.

These differences of the best way to approach Superfund policy exist in other areas as well and have led to litigation over Superfund cleanup issues. *Philadelphia v. New Jersey* exemplifies the types of disputes that were brought to the court. In this Supreme Court case, the state of New Jersey wanted to prohibit the "disposal of liquid or solid waste within its borders" that "originated [from] outside of the state" (*Philadelphia v. New Jersey*). This attempt was a type of "environmental protectionism" for New Jersey, so the state could halt dumping of toxic wastes within its borders into landfills that posed a health threat. However, in a 7-2 decision, the Supreme Court decided that this policy violated the Commerce Clause of the Constitution, which allows Congress to regulate commerce between states (*Philadelphia v. New Jersey*). Cases like this have been prominent in the debate of what Superfund policy should constitute. Superfund policy has evolved over the last 30 years and has an extensive history that has led to cleanup efforts and better environmental practices.

Data and Methods

In order to better understand the complex nature of Superfund laws and the problems that the dumping of toxic wastes can bring, it is important to examine different Superfund sites. I chose to study two Superfund sites in New Jersey to see how the Superfund Act has promoted cleanup at these sites. PJP Landfill in Jersey City, Hudson County and the Lipari Landfill in Pitman, Gloucester County are the two sites I have chosen to study. I chose these sites for various reasons, including the complex cleanup process present, and hope they

will show the complex nature of cleaning up a toxic waste site in order to make it functional again for use. Each site and the dumping that was done can possibly be linked to the two cities, Philadelphia and New York, that have used New Jersey as a dumping site. Additionally, these two Superfund sites have fallen under different jurisdictions. The clean-up of PJP was mostly coordinated at the state level by the New Jersey Department of Environmental Protection, and Lipari was mostly organized by the U.S. Environmental Protection Agency. Examining the different jurisdictions and oversight can help to show the varied methods that were employed to help clean-up the sites and see if one was more effective than another. To study these cases, I will examine the history of dumping in New Jersey, the containments present at each site, the possible health effects that they could bring, and lastly examine the clean-up efforts. This discussion will include how long it has taken to cleanup the sites and the predicted future of the sites. By examining these two sites, I hope to emphasize the complex nature of Superfund policy as well as the environmental and health implications present due to the dumping of toxic wastes in residential areas.

PJP Landfill: Case Study I

The PJP Landfill is a Superfund site located in Jersey City, New Jersey. It covers approximately 87 acres "of former marsh land along the Hackensack River" with the closest residence within 1,000 feet of the site (Summary 1; *PJP*). A high-rise apartment building and recreational park are also within half a mile of the site, as well as numerous surrounding businesses including a recycling center and church cemetery due to the industrial and commercial nature of the city (Summary 1; *PJP)*. In addition, there is a small stream, the Sip Avenue Ditch, that runs through PJP and into the Hackensack River (Summary 1). The site was actively used from 1968-1974 as a commercial landfill that accepted chemical and industrial waste (Summary 1). PJP was certified by New Jersey to receive solid wastes in 1971 and "an unknown quantity of hazardous substances were disposed at the site" during and after its dates of activity (Summary 1; *PJP*). Substance fires were prominent from 1970-1985 due to "spontaneous combustion and decomposition of landfill materials," which burned portions of the landfill, but all the fires were extinguished in 1986 (Summary 1). The activity of this site and the fires

present led to it being placed on the NPL in 1983 (Summary 1). With the many businesses in the area and the close proximity to other industrial areas, businesses, and New York City, PJP Landfill seems to be a good option for the dumping of waste. Examining the history of PJP Landfill is important to seeing the potential problems these landfills present.

The dumping of various wastes has led to many containments and threats that could affect the people of Jersey City and its surrounding areas. The underground fires are not the only problems that the dumping at PJP Landfill has caused. There are numerous types of containments present at the PJP landfill including "Base Neutral Acids, Dioxins/Dibenzofurans, Inorganics, Metals, PAH, PCBs, Pesticides, Petroleum Hydrocarbon" and volatile organic chemicals (VOCs) (Superfund: PJP). These containments have affected many types of "media" at the site include "air, groundwater, sediment, and surface water" (Superfund: PJP). Contaminated water can be attributed to the stream that runs through the site and ingesting this water could potentially lead to health risks (*PJP*). To avoid such contact with contaminated water, the site is "fenced and drinking water is supplied through a municipal system" (*PJP*). The leachate of the Sip Avenue Ditch is contaminated with VOCs including benzene, chlorobenzene, and heavy metal lead (*PJP*). In 1988, a "Preliminary Health Assessment was prepared by the Agency for Toxic Substances and Disease Registry" that found contact with on-site contaminated groundwater could lead to human exposure to the containments present (Summary 1-2). Although the number of containments is limited, there are many potential threats that can be attributed to the toxic wastes that were disposed at PJP Landfill from the containments, which prompted the need for cleanup efforts to be pursued to help mitigate the potential health risks.

The clean-up process of the PJP Landfill has been prolonged in an attempt to take the necessary steps to ensure a safe and successful cleanup. This has prevented the intended goals from being met. The clean-up efforts at the PJP Landfill were state-based and led by the New Jersey Department of Environmental Protection (NJDEP) (DEP). In 1982, when PJP was proposed to be on the NPL, a lawsuit filed by the NJDEP and New Jersey named 34 groups including Exxon, General Motors, Sherwin-Williams, and Pfizer responsible for cleaning up the site (Chen). To help the clean-up, the Health Assessment of

1988 was utilized and in 1990, an investigation was conducted that characterized the nature and extent of contamination (Summary 1). Since those steps were taken, the cleanup process has been slow. Two steps are being taken to address the site: initial actions and a long-term remedial process (*PJP*). The initial process began in 1985 by ending the landfill fires through major excavation work, capping the landfill, and installing a gas ventilation system "to prevent buildup of gases within the landfill" (*PJP*). The next step began in 1995, ten years after the final remediation was established. This process included removing all buried drum materials, capping the remaining areas of the landfill, replacing the Sip Avenue ditch with another form of drainage, monitoring and modeling of groundwater/leachate, conducting quarterly site inspections, and creating institutional controls (*PJP*). These efforts have helped lead to an effective cleanup, even though the process is not complete.

After the final remediation process was selected in 1995, it took 12 years for the first cleanup action to be initiated (Superfund: PJP). The actions that have been taken to reduce potential exposure to harmful containments have been very beneficial through installing a gas ventilation system. In addition, half of the land has been capped, and drum removal phase has been completed (*PJP*). The steps taken at the PJP Landfill have been seen as "an environmental success story," especially since there are many possible uses for the land. One possible use is for a recreational area that would have fields for softball, cricket, and football, and a paved track (Chen). Within the last year, there have also been discussions to use the land for a warehouse to be built by AMB Property Corp that would create "up to 500 jobs at the site" (Former). In addition, the EPA believes that under current conditions at the site "potential or actual human exposures are under control" (Summary: PJP). This conclusion makes the site more likely to be reopened and utilized in a way other than for dumping of waste. However, cleanup and reconstruction must be completed first and currently there is no information on when that will be (Summary: PJP). The PJP cleanup process has been quite successful but it is not yet complete and until the process is, the site will never been completely safe.

Lipari Landfill: Case Study 2

Lipari Landfill is located in Pitman, New Jersey. It consists of 16-acres and includes "a 6-acre inactive landfill that between 1958 and 1971 accepted household waste, liquid waste, semi-solid chemical wastes, and other industrial materials (*Lipari Landfill*). According to the EPA, these wastes "were disposed of in trenches originally excavated for sand and gravel" and the wastes were in the form of "solvents, paints and thinners, formaldehyde, dust collector residues, reins, and solid press cakes from industrial production of paints and solvents," which led to approximately 3,000,000 gallons of liquids and 12,000 cubic yards of solid wastes being dumped at the Lipari site (*Lipari Landfill*). The amount of waste can be attributed to the suburban development during the use of the landfill. Lipari Landfill experienced "at least one explosion and two fires" during its existence (*Lipari Landfill*). In 1971, the site was closed by the New Jersey Department of Environmental Protection with responsibility for the site coming under federal actions through the EPA (*Lipari Landfill*). However, closing the landfill does not prevent future problems from occurring.

The containments at Lipari Landfill are numerous, which could lead to many health problems in the surrounding area due to the years of dumping. Clapp states that the Lipari Landfill is "one of the worst hazardous sites" in the U.S. as it has contaminated three nearby towns in New Jersey—Pitman, Glassboro, and Mantua—while it was in operation (40). Types of containments at the site included base neutral acids, inorganics, heavy metals, and VOCs that contaminated air, ground water, surface water, sediments, and leachate (Superfund: Lipari; *Lipari Landfill*). These containments "seeped into the underlying aquifers and leached nearby marshlands," Chestnut Branch stream, Rabbit Run stream, and the Alcyon Lake (*Lipari Landfill*). The seepage into the Alcyon Lake was potentially harmful to people who trespassed in order to go swimming there or who consumed fish from the lake (*Lipari Landfill*). The pollutants that seeped into the "marshlands and streams may have harmed wildlife" inhabiting the area (*Lipari Landfill*). Additionally, about 11,000 people in the area depend on the groundwater within three miles of the site for their drinking and water supply. The EPA notes, however, that the drinking water supplies were not found to be contaminated (*Lipari Landfill*). People in direct contact with "seeps or contaminated" substances were seen as possibly experiencing

"adverse health effects" (*Lipari Landfill*). Soil and leachate were also affected with most of the containments present at the site including VOCs, arsenic and heavy metals such as lead, nickel, and zinc (*Lipari Landfill*).

The containments present led to many adverse health effects for the people who lived near the Lipari Landfill. Medical conditions became apparent, especially with increased use of the site. These conditions include "'ulcers, gallbladder trouble, stomach or intestinal problems' followed by 'asthma, bronchitis or emphysema' and 'eczema, psoriasis, dermatitis, or other skin trouble'" (Clapp 42). In addition, a two-and-a-half year study conducted by the Department of Health found that people living within .62 miles (one kilometer) of the site were more likely to "contract adult leukemia or produce babies with low birth weights" than people beyond this distance ("Landfill Linked to Cases"). "The cancer studies were conducted from 1980 through 1984, and the studies of infant birth weight compared data from the 60's, 70's and 80's" and show that the "'most adverse health effects occurred during the 1970's, when exposures'" were the heaviest because the site had been operation until 1971 (Landfill Linked to Cases). The "extent of the contamination and number of people potentially exposed" put the Lipari Landfill at the number one spot on the NPL in 1991 (Clapp 40).

Due to the numerous health problems and number of containments present at Lipari, the cleanup process was quite extensive and quite imperative for ensuring health and safety. For those reasons, the EPA led the cleanup efforts and planned to address the site in four stages: "initial actions and three long term remedial phases focusing on source control, cleanup of groundwater and leachate, and off-site cleanup activities" (*Lipari Landfill*). The first cleanup actions were initiated in 1980 when the EPA drilled and "sampled 16 monitoring wells to determine groundwater flow and the extent of contamination" (Summary: Lipari; *Lipari Landfill*). After the cleanup process began, a citizens' group, the Lipari Information Network (LINK), "was formed to monitor the process and keep residents near the site informed" as new information about the cleanup became available (Clapp 41). LINK also "sought funds" from the Agency for Toxic Substances and Disease Registry to conduct a survey on the effects of the containments at the site (Clapp 41). Citizen involvement is important because it holds the government accountable, especially because it sought to find the negative

aspects of dumping, and over the next few years much action was taken by the EPA to cleanup the site.

Between 1982 and 1985, the EPA installed a security fence around the site and "neighboring wetlands areas" to restrict access (*Lipari Landfill*). Source control was the next step and it involved selecting a remedy to stop pollutants from migrating from the landfill "by constructing a landfill containment system consisting of an underground cut-off wall around the area a synthetic membrane cover over the landfill surface," which was completed in 1984 (*Lipari Landfill*). The third step began in 1985 and included groundwater, leachate, and vapor treatment that would "flush the system of water soluble contaminants and pump out the contaminated leachate and ground water for treatment" (*Lipari Landfill*). In 1988, off-site contamination was remedied. This step in the process included collecting ground water and leachate in aquifers outside the containment system for treatment, excavating the contaminated soils, using temporary measures to minimize the "escape of vapors," and monitoring off-site areas to "ensure the effectiveness of the on-site cleanup (*Lipari Landfill*). The Unilateral Administrative Order (UAO), which was "issued by the EPA, performed the off-site work" (*Lipari Landfill*). According to the EPA, the cleanup work done put the potential or actual human exposures under control, limiting potential exposure and harmful effects (Summary: Lipari).

To date, there has been much progress in regards to clean-up efforts. Approximately 267 million gallons of ground water have been captured and treated from off-site areas (*Lipari Landfill*). In addition, "a total of 128,000 tons of contaminated soils from the Chestnut Branch marsh [were] excavated" and "more than 85,000 tons of sediment were removed from Alcyon Lake" (*Lipari Landfill*). Although much progress has been made, the cleanup process is still in progress. Even though the final remediation was selected in 1988, construction activities are still being completed (Summary: Lipari). Additionally, there have been disputes over the Compensation and Liability Act regarding who is responsible for the cleanup of the Lipari Landfill. *U.S. v. Rohm and Haas Company, et al.*, exemplifies the problems present with finding the party or parties responsible for cleanup efforts at a Superfund site (Notice of Lodging). Manor Care, Inc., Manor Health Corp., and Portfolio One, Inc. (The Manor Defendants) "are the alleged successors to the transporters that disposed of hazardous waste at" Lipari

Landfill and would have to pay $2,100,000 in "reimbursement of past and future" cleanup costs "incurred and to be incurred" by the U.S. and state of New Jersey (Notice of Lodging). This case has not completely affected clean-up and construction work. The various steps taken to ensure future use of the site have "greatly reduced the potential for exposure to hazardous materials" while further action is taken (*Lipari Landfill*). Currently, none of the land can be "reused" for other purposes (Summary: Lipari). Hence, there are no known plans regarding how this site can be used in the future because there are still many steps that must be taken to ensure the safety and security of the health people's health near the Lipari Landfill.

Public Policy

Due to dumping, and the problems that Superfund sites brought to the state of New Jersey, environmental policy became extremely important in cleaning up the sites and making New Jersey a state of better environmental practices. Oversight by the state, especially during cleanups, became vital to the state's policies. Title 7 of the New Jersey Administrative Code emphasizes discretion by federal or state regulatory or enforcement mechanisms in order to control remediation at Superfund sites and pursue additional regulatory or enforcement mechanisms (Subchapter 2). This approach furthers the logic of the Superfund Act that suggests "an aggressive application of enforcement powers is essential" if the cleanup programs of Superfund sites are to be successful (Barnett 121). Oversight and strict enforcement are important because they ensure that the environmental policy in the area of Superfund sites will be followed. It is also important to determine where jurisdiction of cleanup will be placed. From the PJP and Lipari cases, one can see that Lipari Landfill and the cleanup that is taking place fell under federal jurisdiction because of the various contaminants present there and the apparent health risks. Lipari Landfill is a case that needed national resources while the potential problems of dumping at PJP Landfill were not as apparent. In addition, the new policies on dumping have helped to move away from Superfund site dilemmas to promote recycling and other methods of trash disposal that has aided New Jersey in "diverting over 50 percent of its trash disposal to recycling and new economic use" (Young).

However, the process of cleaning up Superfund sites and ensuring the health and safety of those in the surrounding areas is still extremely slow. With the slow nature of the process, true success cannot be declared since New Jersey is still covered in Superfund sites. This prolongs the problems because people in New Jersey cannot move away from pollution that Superfund sites bring due to great population density (Greenberg 121). Additionally, hundreds of thousands of homes in certain regions of Pennsylvania, New Jersey, and New York can still potentially suffer from "naturally occurring high concentrations of radon," because pollutants can remain in the area, which has also aided in legislative measures (Butler). Although measures have been taken to help prompt efforts to prevent the effects of Superfund sites, the cleanup process must move forward more quickly to make sure that health problems are eliminated and people who live near the sites are not at risk. The ten year period of cleanup that is occurring at both PJP and Lipari Landfill demonstrates this idea.

It is important to be careful and exact when working to clean-up Superfund sites, but it is also vital to do the work at a pace that ensures that pollutants and contaminates will be diminished as soon as possible. Additionally, "congressional supporters of the Superfund program, the central issues were how to expand cleanup resources and how to guarantee that these resources would be directed to swift and effective cleanup remedies," but the process has been slower than intended (Barnett 126). In addition, the focus on cleanup is not the only way to promote policy. Even though there have been steps to promote other disposal methods of waste, it is also important to educate the people near the sites about how to protect themselves in order to live a healthy life. In this strategy, the work of the government would become minimal and could be more effective.

Another problem of Superfund sites is the question of possible risk and who that risk will affect. Since people live so close to both the Lipari and PJP Landfills, it is important to understand how they are affected by the waste disposal at both landfills. The risk present prompted an environmental justice movement surrounding Superfund sites to combat the risks. Environmental justice "refers to cultural norms, values, rues, regulations, behaviors, policies and decisions that support sustainable communities" (Bryant). Superfund contaminants affect this ideal and environmental justice is important because it

helps to ensure that certain communities and groups are not disproportionately affected by environmental discrepancies. This movement shows that environmental and social issues are linked and started in opposition to the opening of a landfill in Warren County, North Carolina (Ringquist 240). Thus, environmental justice is important when examining the social and health implications of Superfund contaminants, especially since "minority communities experienced disproportionately high levels of environmental risk" (Ringquist 239). Therefore, environmental justice groups "champion pollution prevention rather than pollution control" in order to ensure that communities do not have to deal with the problems that environmental dilemmas such as Superfund sites have brought to New Jersey (Bryant). This idea also counters the government approach of Superfund policy, which advanced control through cleanup efforts.

Environmental justice also "'affirms the fundamental right to political […and] environmental self-determination of all peoples'; […] and 'protects the right of victims of environmental injustice'" (State vs. Fed). Therefore, environmental justice strives to ensure that all people are made aware of environmental policy that affects them. This position has not been endorsed by the federal government and because of risk due to contaminants, in 2007, New York State Attorney General Andrew Cuomo "announced that a coalition of 12 states was suing the EPA 'over new regulations denying public access to information about toxic chemicals'" in communities in the U.S. (State vs. Fed). Thus, the environmental justice movement seeks to promote that the work of the government in its public policy initiatives, actually is effective and helps to deter the negative effects and minimize the risks of Superfund sites. Environmental justice is vital because it helps promote effective policy implementation that is best suited to ensure that risks to people near Superfund sites are reduced.

Conclusion

Dumping of toxic waste in New Jersey has led to numerous Superfund sites throughout the state. The Superfund Act has been implemented to minimize the risk due to the contaminants present at Superfund sites. The cases of PJP Landfill and Lipari Landfill show the steps that are being taken to ensure that the Superfund Act is carried out via cleanup of the

sites. However, the slow nature of clean-up is hindering the effectiveness of Superfund policy and making it difficult for clean-up goals to be met. Thus, the environmental justice is becoming integral because it is helping to push policy to help cleanup the Superfund sites and limit future dumping while Superfund policy has a long way to go, it is being built in a way to ensure health safety and security of people throughout New Jersey.

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A GROWING THREAT TO GLOBAL SECURITY:

WHAT THE UNITED NATIONS IS AND IS NOT DOING ABOUT PIRACY IN SOMALIA

BY CHARLES POST

The international community has witnessed a sharp and troubling increase in the incidences of marine piracy over the course of the last several decades. In various corners of the world, shipping routes that international trading partners rely on have been destabilized to the extent that they are impassable. Piracy has evolved in the twentieth century to be a very real threat not only to economic security, but to global human security as well. Attacks in both coastal and international trading routes have been indiscriminate to all vessels. Alarmingly, vessels containing cargo for valuable international aid have also been consistently targeted for ransom. The recent surge in piracy in busy shipping corridors such as the Gulf of Aden and the Straits of Malacca has initiated an international response to quell the attacks. The United Nations has called upon Member States, the International Maritime Organization, and the shipping and insurance industries to determine how to advise and guide ships away from encounters with violent, non-state actors. The International Maritime Organization (IMO), formerly a very small role player in UN affairs, has recently been bolstered in an unprecedented manner to provide assistance and information concerning the worrying upward trend of piratical attacks.

Early efforts to suppress these attacks, however, have not been successful by and large. An attitude of no-questions-asked ransom payments has become a universal policy for shipping companies eager to avoid stiff insurance penalties, "additional insurance costs have risen to $400 million a year as a result of the piracy crisis off Africa" (Frank et al. 1). This widespread policy towards piracy has allowed attacks to become more common and more brazen. They now target World Food Programme vessels as well as luxury cruise liners for ransom payments off of the coast of Somalia. As the Security Council has acted swiftly on decisions and more inter-governmental organizations, such as the European Union and NATO, pledge to intervene, there is a degree of optimism that the threat will be addressed appropriately. It is

important, though, to recognize these acts of piracy as simply a derivative of the failed socio-economic and governmental conditions within the state itself. As the situation in Somalia continues to deteriorate further, the potential profits behind piracy are seen as an acceptable risk for disenfranchised Somalis. Should the United Nations and impacted shipping companies want to truly solve the trend of increased piracy in the Gulf of Aden, it must address the failed state atmosphere in Somalia itself with a more authoritative position. The current UN pattern in addressing the ongoing piracy issue in the Gulf of Aden has been to merely address the symptoms as they arise rather than solve the root cause of the symptoms themselves. A cooperative and intensive campaign to establish a durable infrastructure in Somalia would undoubtedly yield the greatest reduction in marine piracy.

Piracy and armed robbery at sea have been issues that United Nations agencies have preoccupied themselves with since 1970. Before tracing the alarming increase in piratical activities over the last few decades, it is important to understand the difference between the terms "piracy" and "armed robbery against ships" when it comes to international law vernacular. The following definition of piracy is found in article 101 of the 1982 United Nations Convention on the Law of the Sea (UNCLOS):

Piracy consists of any of the following acts:

(a) any illegal acts of violence or detention, or any act of depredation, committed for private ends by the crew or the passengers of a private ship or a private aircraft, and directed:

(i) on the high seas, against another ship or aircraft, or against persons or property on board such as ship or aircraft;

(ii) against a ship, aircraft, persons or property outside the jurisdiction of any State;

(b) any act of voluntary participation in the operation of a ship or of an aircraft with knowledge of facts making it a pirate ship or aircraft;

(c) any act inciting or of intentionally facilitating an act described in sub-paragraph (a) or (b).

This definition does not clearly establish what an act of violence against ships within territorial waters would be.

International law has tended to simply classify these cases as "armed robbery."

Today, the International Maritime Organization is the primary UN agency charged to deal with the recent increase in pirate related activities.

> The Convention establishing the International Maritime Organization (IMO) was adopted in Geneva in 1948 and the IMO first met in 1959. IMO's main task has been to develop and maintain a comprehensive regulatory framework for shipping and its remit today includes safety, environmental concerns, legal matters, technical cooperation, maritime security and the efficiency of shipping (Introduction to IMO 3).

Based in the United Kingdom, the IMO is considered to be a specialized agency of the United Nations consisting of 168 Member States and three Associate Members. Since its inception, the agency has typically dealt with basic maritime standards to regulate shipping. Developing cross-cutting norms for safety and environmental issues, the IMO was indeed an important agency, but one which primarily existed to provide structural methods for maritime procedure. The IMO remained a small and often overlooked agency until the end of the twentieth-century.

Early Indicators of a Disturbing Trend:

Beginning in the 1970s, isolated incidences of commercial hijackings began to develop into an alarming pattern that eventually caught the eye of the international community. It was not until 1983, however, when Sweden submitted a paper to the Maritime Safety Committee (MSC), IMO's most senior technical body, that concern was formally expressed. This paper implied concern about continued piratical attacks in the waters of Southeast Asia and East and West Africa. Swedish authorities stated that incidences in these areas had reached a "concerning" level (Piracy and Armed Robbery at Sea 4). The first piece of legislature regarding piratical activities was a draft text prepared by the MSC as the basis for a resolution adopted by the IMO Assembly when it met in November 1983. Invoking a tone of great concern, the resolution "[urged] Governments concerned to take, as a matter of highest priority, all measures necessary to prevent and suppress acts of piracy

and armed robbery from ships in or adjacent to their waters, including strengthening of security measures" (Resolution A.545 13). This resolution became a bold first step to combat the economic and humanitarian threat that piracy presents. Not only did the resolution cite the increasing number of incidents of piracy at the time, it also recognized the serious danger to life as well as the serious navigational and environmental risks that piracy creates. Over the course of the next few years, the MSC implemented information gathering techniques to obtain statistics on the incidences of piracy around the world. A new generation of reports began to circulate which provided the names and descriptions of the ships attacked, their positions and times of attack, and consequences to the crew and cargo, when available. Unfortunately, these findings suggested an increase in unlawful pirate activities. As the incidences increased, the MSC found it necessary to publicize these reports more frequently. Originally published twice a year, monthly reports were made available by the end of 1986. By the end of November 1999, 1587 incidents had been reported to IMO.

> However, IMO estimates that incidents of piracy and armed robbery against ships are under-reported by a factor of two. Several reasons have been suggested, including fear that a successful act of piracy will reflect on the master's competence; concern that such a report would embarrass the State in whose territorial waters the act occurred (the coastal State); the belief that an investigation would disrupt the vessel's schedule; and the possibility that ship owners' insurance would increase dramatically (Piracy and Armed Robbery at Sea 2).

The explosion of the marine piracy phenomenon has occurred in a number of areas around the world. Between 1982 and 1986, West Africa, particularly the coastal zones of Nigeria, had the greatest number of piracy cases out of any other region. During this period, an average of 25 cases were reported annually (Piracy and Armed Robbery Against Ships 8). With technical assistance from the United Nations, including support from the IMO, "Nigerian authorities collected enough intelligence to swoop on piracy bases and the outlets which were used for disposing of the stolen goods. The result was dramatic because by 1986, only occasional incidents were reported from Lagos and Bonny ports, which had been

hot spots for such attacks" (Piracy and Armed Robbery at Sea 3). Yet, with 22 reported incidents in 1998, West Africa demonstrated that it was not enjoying a continued period of anti-piracy vigilance that the international community expected. According to the IMO's annual report on Acts of Piracy and Armed Robbery Against Ships, West Africa had over 50 reported cases of piracy in 2007 alone.

The Malacca Strait surrounding Malaysia, Singapore, and Indonesia gained notoriety for being "an increasingly unsafe waterway ever since staggering percentage jumps in the cases of piracy commenced in 1989" (Piracy and Armed Robbery at Sea 5). This caused considerable consternation among the international trading community as the Malacca Strait is one of the busiest waterways in the world, sailed by up to 200 ships daily. "To stem the rapidly increasing cases of piracy in the area, the IMO established a formal, Working Group to visit the three coastal countries of the Strait and to prepare a report covering navigation, radio communications, search and rescue and piracy and armed robbery in the Malacca Strait waterway" (Piracy and Armed Robbery at Sea 5). These reports significantly reduced the instances of piracy together with the approval of a new IMO Assembly resolution that invited and recommended the coastal states of Malaysia, Singapore, and Indonesia to cooperate and patrol the region together. "These measures, which started in 1992, resulted in a marked decline in the number of attacks in the region. In 1998, only six incidents were reported in the Malacca Strait" (Piracy and Armed Robbery at Sea 4). Recently, the overall number of piracy attacks and armed robbery in Southeast Asia appears to be trending downwards. By the fourth quarter of 2006, the lowest number of attacks had been recorded for the last five years. This successful reduction in piracy and armed robbery cases suggests that UN policy in this region has had a profound effect.

As a major step in the continued fight against piracy in the area, "outrage in the shipping industry at the alarming growth in piracy on the world's oceans prompted the creation of the International Maritime Bureau's Piracy Reporting Centre in October 1992" (Piracy and Armed Robbery at Sea 7). Located in Kuala Lumpur, Malaysia, the office is financed by voluntary contributions, normally from insurance and shipping companies, and it supplies investigative teams to incidences, responds immediately to pirate related activities,

and assists local law enforcement in evidence gathering and prosecution. Since its inception, the IMB Piracy Reporting Centre has relocated stolen vessels and property and has collated information on piracy in all parts of the world to reduce potential attacks.

The Situation in Somalia:

The overwhelming increase in the number of cases of piracy and armed robbery off the coast of East Africa is unprecedented to say the least. The traditional UN policy mentioned in other regions of the world has already proven to be insufficient to quell the frequency of attacks. Vessels passing through East African waters, specifically, the Somali coastline surrounding the Horn of Africa in the Gulf of Aden, have encountered numerous hijacking or attempted hijackings. "As hijackings remained below fifty incidences annually in 1994, every year since has seen exponential rises in pirate related activities" (Khan 3). The IMO suspects that many incidences have never been reported. Violence against crews has occurred aboard hijacked vessels but initially was uncommon in reported cases. Alarmingly, as the number of incidents of piracy and armed robbery has increased, violent acts during ransom operations have increased proportionally. The ever-worsening situation in Somali waters has forced United Nations anti-piracy policy to evolve. "In 2006, the UN Security Council issued a presidential statement on Somalia that, inter alia, noted continuing pirate attacks on merchant shipping. The Council encouraged states with naval assets in the area to be vigilant to acts of piracy, and to take appropriate action to protect merchant shipping" (Crook 700). Excerpts from the Security Council statement follow:

> The Security Council takes note of resolution A.979 (24) adopted on 23 November 2006 at the twenty-fourth session of the International Maritime Organization biennial Assembly, concerning the increasing incidents of piracy and armed robbery against ships in waters off the coast of Somalia. The Council encourages Member States whose naval vessels and military aircraft operate in international waters and airspace adjacent to the coast of Somalia to be vigilant to any incident of piracy therein and to take appropriate action to protect merchant shipping,

in particular the transportation of humanitarian aid, against any such act, in line with relevant international law (A.979 24).

Lacking the necessary resources to handle the piracy problem, the Somali Transitional Federal Government pledged its complete support for this international intervention in its territorial waters. Within days of the passage of this resolution, the United States Navy reported engaging suspected pirate vessels off of the coast of Somalia. In this engagement, "US naval vessels, in cooperation with the Royal Netherlands Navy, fired upon and detained suspected pirates" (Crook 4). Immediate reports of response to the piracy problem in the Gulf of Aden were indeed optimistic. The reported figures, however, remained troubling as attempted and successful attacks in the following year, 2006, reached just over 250.

It is of the utmost importance to appreciate the ongoing political strife in Somalia and the contribution that such instability offers to piracy. The international community witnessed the collapse of the last national government in Somalia in 1991 "when warlords ousted a dictatorship and turned on one another, breaking the country into a patchwork of fiefdoms. The transitional government that formed in 2004 operates out of Kenya and from the southern Somali town of Baidoa because of the lack of security in Mogadishu, the capital, and most of the country" (Wax 2). Since 1991 there has been a prolonged period of bloody civil war in which various factions have attempted to claim legitimacy. The resulting contention for power has left the country in a perpetual state of violence and volatility. Its geographic proximity to the Gulf of Aden, one of the world's most important shipping corridors, has afforded desperate Somalis a strategic location from which to mount a piracy campaign. As an access point to Middle Eastern trade, the Gulf of Aden is one of the most vital shipping lanes in the world. With hundreds of cargo ships sailing the region daily, and no authoritative domestic government in Somalia, piracy has become more than just an attractive option for some, but a very real and lucrative method of making a living and subsidizing a political agenda in Somalia. According to Yusuf Hassan, an editor for the Somali news agency Garoweonline.com, "pirates are motivated by hunger and survival." In an interview, Hassan explained that piracy in

Somalia is not merely an isolated problem but more an outcropping of the larger catastrophic situations in the country. Experts speculate that piracy operations have garnered over $150 million thus far and with the potential of such an extraordinary payout at minimal risk, Hassan does not expect the problem of piracy to disappear without significant international assistance to Somalia's humanitarian crisis (Wax 1).

Somalia is one of the most complex emergency situations in the world. The lack of a stable government structure has contributed to the lion's share of the humanitarian crisis in the country. To make matters even more dismal, "the worst draught in a decade in southern Somalia has left 2.1 million Somalis dependent on international food aid" (Khan 4). According to Stephanie Savariaud, an information officer with the World Food Programme, "[Somalia] is not even a country or a place with stable structures. There are pirates, there are militias. It's like working in an earthquake, even though there's no earthquake" (Wax 2). After three seasons of little or no rain, Somalia is facing a catastrophic food shortage.

The international aid that is delivered by the United Nations has been frequently slowed down by the factors associated with Somalia's failed state status. In some extreme cases, it is never delivered at all. Since the collapse of the national government, World Food Programme vessels have experienced more and more obstacles delivering humanitarian assistance by sea. The frequency of pirate attacks "has resulted in higher shipping costs and a significant reduction in the number of cargo vessels in the water. WFP Executive Director Josette Sheeran stated that close to 80 per cent of its assistance to Somalia is shipped by sea, 'but because of piracy we have seen the availability of ships willing to carry food to the country cut by half'" (Khan 1). Based on available data collected by the IMO, there were fifteen attacks on WFP contracted vessels in the first half of 2007 alone, compared to ten attacks on similar vessels in 2006 (Annual Report on Piracy and Armed Robbery Against Ships 8). Despite initial United Nations action, incidences of piracy continue to rise at an alarming rate.

Following the Security Council's 2006 decision to urge UN Member States to increase vigilance against pirate attacks in the Gulf of Aden region, the IMO began to

undertake its own series of steps to reduce the number of attacks in the region. These actions included bolstering coordination with WFP as well as with the navies operating in the region so merchant ships could receive swift assistance if necessary. The IMO also requested that Somalia's Transitional Federal Government (TFG) make every available effort to suppress the threat of piracy within the country. This request seemed incredibly hopeful as the TFG does not even operate within Somalia's borders. Expecting that entity to address the piracy problem effectively is a necessary gesture, but will most likely be completely useless. IMO Secretary General Efthimios E. Mitropoulos has expressed optimism by the Security Council's decisive action on the issue, but also agreed that that decision needed to be met with active engagement of the Member States. It seems that little will change in terms of Somalia's piracy problem unless there is a more concerted and robust approach from the TFG, neighboring African countries that have influence in the African Union, and states in the international community. WFP Executive Director Josette Sheeran stated that "all those addressing the problem, including WFP, need to explore how these resources can be brought more heavily into play to protect shipping and thereby the delivery by sea of life-saving humanitarian assistance" (Khan 2). By the end of 2007, it seemed perfectly clear that increased naval attention and assistance would be the most effective measure in combating the growing threat of piracy and armed robbery in the Gulf of Aden.

Now in 2008, the piracy problem in East Africa has reached its highest levels yet. According to the International Maritime Bureau's Piracy Reporting Centre, there have been nearly 100 attacks in Somali waters in 2008 alone (Annual Report on Piracy and Armed Robbery Against Ships 6). The issue has become more pressing than ever as shipping companies are starting to reroute vessels to discourage attempted hijackings. These changes result in scheduling delays and increased costs to international trade. Furthermore, vital WFP aid to Somalia itself is being discouraged because of the attacks. Contracts with the UN agency have languished as shipping operators have come to consider the operations unnecessarily dangerous. To appease the international community, Foreign Minister Ali Ahmed Jama of the Transitional Federal Government of Somalia addressed the United Nations on April 15, 2008,

voicing Somalia's shared concern of the piracy issue. Jama stated that:

> There is a sense of urgency around the Somali piracy issue and it is the right time to address it in a comprehensive manner. A United Nations-mandated presence on the ground and in Somali waters would not only provide security, but also ensure the stability that would help the national reconciliation and development process take hold in Mogadishu and spread throughout the country (United Nations Department of Public Information 1).

Noting that security is a major component of the reconciliation process and requesting action from the Security Council, this statement demonstrated Somalia's first instances of proactive involvement in the reduction of pirate related activities off its shores.

On June 2, 2008, the United Nations enhanced its commitment to the Somali piracy issue by authorizing all necessary means to stem hijacking in the Gulf of Aden via an authoritatively worded Security Council resolution. By the terms of resolution 1816, the Security Council agreed that the States cooperating with the country's transitional government would be allowed "for a period of six months, to repress acts of piracy and armed robbery at sea, in a manner consistent with relevant provisions of international law" (Resolution 1816 2008). The Security Council authorized this intervention because the surge in attacks on ships carrying assistance to war-torn Somalia, as well as on countless other commercial vessels, constitutes a grave danger to crews, passengers, and cargo. The resolution was the most significant step the United Nations had taken in order to stem the rise of pirate related activities at the time. Under the auspices of the resolution, Member States operating in the area were urged to use their military resources to deter suspected pirates from committing hijackings against commercial and humanitarian vessels. Furthermore, acting under Chapter VII of the UN Charter, "all States were urged to cooperate with each other, the International Maritime Organization and, as appropriate, regional organizations and render assistance to vessels threatened or under attack by pirates" (Resolution 1816 200). Unfortunately, the resolution has failed to curb the number of attacks on trading vessels in the months after its passage. In spite of more reports of engagements with Somali pirates and

various naval vessels, the volume of hijackings and attempted hijackings has continued to rise nonetheless.

The increased level of international attention to the crisis has not curbed the number of incidents in the Gulf of Aden. The reasons behind this are clear. Resolution 1816 is somewhat ineffectual in the way that it recommends Member States to deal with pirates and suspected pirates. While the resolution urges States with military assets in the region to *deter* pirate related activities, there is no mention of more proactive measures to combat piracy. Within the wording of the resolution, states are not urged to pursue, capture, and prosecute individuals who are suspected pirates. Instead, the resolution relies on military presence and intimidation to reduce incidents in the region. This strategy has proven to be ineffective, as demonstrated by the steady rise in number of attacks in recent months. Even more troubling, the pirate related incidents have taken a turn in a bold new direction. In years past, incidences of piracy generally occurred at night and targeted only commercial vessels. Currently, "pirates have openly and indiscriminately attacked vessels in broad daylight" (Crook 4). Commercial vessels, vessels contracted for aid by the WFP, and even luxury cruise liners have been targeted by Somali pirates. A clear and more forceful message must be imposed by the international community if change is expected to come from this resolution.

Because Security Council Resolution 1816 did not provide the intended consequences, the Council met again before the resolution expired to readdress these issues. On December 2, 2008, the Security Council passed Resolution 1846 to extend the efforts of the Member States for an additional twelve month period. The Council did more than just extend the duration of the resolution though. The term, "all necessary means," was broadened to include "deployment of naval vessels and aircraft and seizing and disposing of boats, vessels, arms and related equipment used for piracy" (Resolution 1846 2008) with the aspirations that Member States would assume a more rigorous method of handling the worsening situation. The UN also has demonstrated its increased attention to the problems of coastal Somalia as the resolution mentions, and welcomes other inter-governmental initiatives that have taken aim at the situation. According to a European Union news release, "the EU naval force will take over the role of escorting United Nations World Food

Programme vessels carrying food and relief supplies to war-torn Somalia" ("EU to Launch First Anti-Piracy Operation" 1). With resolution 1846, the fight against piracy and armed robbery at sea has received a greater degree of commitment and cooperation. However, as encouraging as this greater level of involvement is, still more effort is needed to address the crisis in Somalia as a whole to afford UN success in its policy to curb Somali piracy.

What's Next:

The international community needs to embrace a much more intensive and cooperative position to provide Somalia with the aid that it needs. Failure to assist Somalia with fostering the development that it needs so desperately certainly will encourage further and more common incidences of piracy in the future, despite increased multi-national naval presence. With the lack of a legitimate government and a basic economy in Somalia, the lawlessness seen on land will continue to spill into its territorial waters. The United Nations will likely not see success in curbing piratical attacks with the current policy in effect. The problem instead must be addressed at the source. Despite the violent actions that international humanitarian missions have encountered in Somalia in years past, there must be an element of resilience to overcome the ruinous actors who consistently undermine efforts to provide stability to the region. On December 11, 2008, a United Nations-backed meeting took place in Nairobi, Kenya, to discuss the threat of piracy. This meeting ended on a particularly hopeful note as the communiqué issued at the close of the summit reaffirmed that "resolving the piracy issue necessitates having a functioning government in Somalia" (UN Meeting Wraps Up 1). Prior to this summit, Member States had never explicitly called for sanctions targeted at Somali leaders who create the conditions for piracy. African Union leaders and the Intergovernmental Authority on Development actively pursued enforcement of these sanctions. Perhaps these threats will allow a functioning government in Somalia to gain traction. At the very least, this meeting shined a much-needed light on the need for improved cooperation and global awareness of the escalation of piracy and the overarching problem of a failed Somalia. It is time for the United Nations to be seriously committed to finding a durable solution to the problem of war-ravaged Somalia. The

humanitarian crisis on the ground in Somalia has been easy enough for countries to ignore. However, as commercial interests are systematically interrupted by the offshoots of the failed state, a greater level of involvement in the country has been achieved. Still, in order for the United Nations and its Member States to accomplish a real success in the issue of Somali piracy, a durable solution to the problem of Somalia must come first.

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LOW RUMBLINGS OF THE TRACKS:
THE TOO-SLOW PROCESS OF GENDER MAINSTREAMING
BY THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES (UNHCR)
BY BENJAMIN SHEDLOCK

Introduction: The Importance of Gender for UNHCR

The United Nations High Commissioner for Refugees (UNHCR) is the world's largest organization with the sole responsibility for protecting and assisting the world's refugees. Since 1950, it has carried out this mandate in 110 countries, and has helped 50 million people "restart their lives" (UNHCR). The UNHCR engages its tremendous task with a staff of 6,300 people and a budget exceeding one billion dollars annually (UNHCR, Whitaker 243). The UNHCR currently cares for 32.9 million refugees; with refugee-producing conflicts raging throughout the world, and even more displaced people from "old" conflicts still waiting to be noticed, its portfolio does not show signs of shrinking any time soon (UNHCR). In fact, its task is so big that the UNHCR cannot operate alone.

Although non-governmental organizations (NGOs) have worked alongside the UNHCR since its inception, they remain dependent on the operational and financial UNHCR juggernaut. According to Ghai, "[International] NGOs simply cannot replace the work of governments and UN agencies" when it comes to large-scale problems such as refugee protection (qtd. in Karns and Mingst 243). Given the scope of the UNHCR's work, the gravity of the refugee problem, and the UNHCR's scattershot application of gender-sensitive refugee programs throughout the world, the agency's need to mainstream gender concerns is critically important. As I argue in this paper, though NGOs have successfully implemented such policies, their gender-sensitive reach is limited while the UNHCR's gender-blind policies are wide-ranging. As a result, most women, who comprise up to 80 percent of the world's refugee population, approximately 26 million people, have been left without adequate aid. However, this problem has not gone unstudied.

The broadest and most commonly made critique of the UNHCR by gender advocates is that it does not "listen" to refugee women. These advocates claim that the UNHCR has either taken gender-blind approaches that do not recognize the

bifurcated needs of refugee men and refugee women, essentialized women as vulnerable and needy in addressing them, or recognized women refugees' needs rhetorically without acting on that recognition (Baines 8-9). This critique persists in gender literature regarding refugees throughout the field's 30-year history. L. Bonnerjea shows that from 1979 through 1989, various conferences held from Harvard to Copenhagen published reports that urged the UNHCR to correct gender inequalities in its assistance (qtd. in Baines 25). In 1993 Tina Wallace critiqued global responses to refugee crises by saying "[refugees] are still excluded from the policy and planning levels; and at the grassroots level *women refugees are almost inevitably excluded*" (emphasis added) (17). As recently as 2003, Vesna Nikolic-Ristanovic noted that even the popular conflicts in the Balkans failed to elicit gender-sensitive responses so that "the difficulties in the lives of women refugees in Serbia stayed largely hidden from the eyes of the public worldwide" (105). The literature demonstrates that the practical effect of such deafness to gender inequalities among refugees is that aid cannot be adequately distributed and that root causes of refugeeism cannot be addressed.

Without recognizing its gendered nature, the tragedy of refugeeism cannot be ameliorated. Thomas Weiss et al. sum up the field of refugee studies' acknowledgment that the current "preferred durable solution" for refugeeism is repatriation to the home country, but they also caution that "the root causes of these human flows must be addressed if… repatriation is to be achieved" (203). To that end, Baines claims that gender relations are a root cause of displacement and more specifically that "gender roles and relations, in concert with other relations of power, help drive processes of forced displacement and return" (2). This is not to say that gender inequalities are the sole cause of refugeeism, but that they are one of its underlying factors. In tandem with Weiss's assertions, this means that gender relations are an essential component of solving refugee crises, especially when, as the United States Government Accounting Office noted in 2003, women and children comprise 80 percent of the world's refugee population (2). In sum, the reality is that to address refugees is to address gender and to address gender is to address refugees. Yet, the UNHCR does not fully recognize this reality. This paper asserts that the UNHCR's organizational structure is a stumbling block to mainstreaming gender in its treatment of refugees, that other international groups have had to take the lead in this field, that gender relations within the

refugee community are destructive but addressable, and the addressing them has broader applications for the quality of life for all refugees, not just women.

This paper will draw heavily upon feminist treatments of the UNHCR's history and two feminist case studies of recent and modern refugee crises. In the first section, I will flesh out Erin Baines's ecological study of the issue of gender within the UNHCR that says that while the UNHCR has made strides in addressing gender issues in its work, it has failed to mainstream gender within its mandate because of its organizational structure (2, 19). Using these case studies I will expand upon Baines's claim that, because of the UNHCR's organizational limitations, transnational advocacy has been the driving force behind gender mainstreaming within the UNHCR. I will assert that the UNHCR has fallen short of providing gender-sensitive aid to refugees and therefore the principal source of refugee aid and aid innovation still comes from international non-governmental organizations (INGOs).

In the second section, I will use a more recent case study and current news items to shift the debate from its theoretical, academic realm to an applied one. This section will identify some of the modern realities that refugee women face because of the refugee regime's reliance on INGOs to deliver aid and the lack of political will from governments and the UNHCR to get involved in all situations. This section of the paper will identify modern successes and challenges for refugee women and the INGOs that support them, as well as help to measure the distance left to travel, providing specific real-world critiques of the refugee regime to complement the earlier academic one.

Finally, this paper will expand on my earlier claim that, "to address refugees is to address gender, and to address gender is to address refugees." This paper will draw parallels between the challenges for the refugee regime at large and women refugees in particular, especially Baines's idea that women refugees have perpetually been cast as "vulnerable" and "needy". Thus my paper will show how gender mainstreaming could improve not just the lot of women in refugee camps throughout the world, but also induce institutional changes that could create room for the voices of all refugees and improve their circumstances and productive capacity. I will examine the notion that refugees have been ignored and triaged to ostensibly more pressing matters because of their profile as largely female

and as a result, claim that examining refugees in general from a feminist perspective can improve all refugees' status in the international system.

I: Feminist Critiques of the UNHCR and External Change

Feminist critiques of the UNHCR are powerful because they address the broader weaknesses of the organization while specifically raising issues of gender inequality within the organization. This paper will expand these critiques to the refugee population as a whole in section three, so it will begin with critiques of the way the UNHCR deals with gender. As noted earlier, the most common critique of the UNHCR is that it does not "listen" to women – that women have no voice within the organization. The two initial but principle reasons Baines identifies for this claim are the UNHCR's donor-recipient organizational structure that characterizes women refugees as needy and the stubborn attitudes of the UNHCR staff (8, 23). Moreover, it was a long time before the UNHCR, and indeed the United Nations, even considered women and gender. Baines describes the 1975-1985 United Nations Decade for Women as a "watershed moment of entry" for women (24). Advocacy for the inclusion of gender and women's issues in the UNHCR began during this period, the fruits of which began to ripen at the 1980 midway conference for the decade in Copenhagen (24). But because this conference came 35 years after the UN's inception, it was a very late beginning for gender discussions in the UNHCR. Such a long-lived period of gender-blind policy allowed the deep entrenchment of these structures and attitudes within the UNHCR. Baines remarks that consequently "it is important not to under-estimate the tremendous institutional and discursive power the UNHCR holds over refugees, the internally displaced, and returnees under its care" (8). In order to be taken seriously, gender critiques had to conform to these attitudes in order for gender to be successfully integrated into the UNHCR's policy (8).

At the time of the Decade for Women, the UNHCR was defined by a donor-recipient relationship that cast women refugees as vulnerable, needy, and at the mercy of international aid. In fact, Baines writes that "the funding structure and global appeal for funding by the UNHCR both render the refugee speechless" (8). All it takes is to look at the cover of any refugee studies book to see pictures of lines of displaced people with

only a few possessions and no home to confirm that argument. Tina Wallace made the same observation in her work in a refugee camp in Sudan, claiming that "emergency relief work with refugees… has traditionally been very top-down, involving 'bringing relief to the poor'" (17). Wallace also writes that it takes time to set up gender-sensitive programs that involve women, and that "all too often it is the initial emergency requirement for speed that continues to dominate the way in which agencies work" (21). When the premium is on speed, attention to quality and nuance naturally suffers. Accordingly, both authors show how the UNHCR has fallen into easily repeatable, hard-to-break patterns of unidirectional cookie-cutter aid that does not take women's needs into account. The result is a disconnect between the UNHCR's aid and Baines's assertion that gender relations are a root cause of displacement – the aid does not help to resolve the problem and, perhaps, sweeps it under the rug. The structures are a result of human action and the perceptions of the UNHCR staff have been a factor in this institutional deafness to gender.

Entrenched staff attitudes played into the UNHCR's organizational stagnation as well. Even as long-term camps began to emerge as a result of simultaneous refugee crises and the preponderance of women there became more and more visible, the "UNHCR maintained that its assistance and protection practices were gender-neutral," and that men and women could both use them (Baines 22). Wallace shows that "the resources needed by women differ according to household structure," and that consequently no single structure will be able to accommodate women's diverse needs (20). This seems to be a reasonable extrapolation of the UNHCR's structural disconnect from the refugees it serves and so Wallace also critiques the UNHCR's staffing policies. She calls for a community liaison within refugee situations whose work, "must be an integral part of one staff person's job description" (19). Only by communicating with women refugees can the UNHCR help them. The UNHCR's slowness to respond to these gender gaps, coupled with its need for external INGO assistance because of the proliferation of refugee situations, invited the external influence of what Baines calls "transnational advocacy groups" (TAGs), women's organizations that banded together to lobby the UNHCR on gender issues (9).

While these TAGs helped raise the issue of gender inequalities within the UNHCR, their ideas had to be balanced

with messages that would be acceptable within the rigid organizational structure of the UNHCR (25). While TAGs became involved in international conferences, Baines notes that even though gender activists extolled the inclusion of refugee women in the outcome documents of the decade for women conferences in Copenhagen and Nairobi, "this success was realized by avoiding larger political debates on root causes and global inequalities" (25). As an identified root cause of displacement, gender equality was swept under the rug to accommodate the politicking that the inert the UNHCR demanded. This left the displacement-productive gender inequalities unaddressed. At Nairobi in 1985 specifically, the outcome document located women in the "private sphere," isolating them from other refugees by defining them by their reproductive capacity and domestic roles (Baines 26). The two important ideas to draw out of this dynamic are the structural immobility of the UNHCR and the presence of TAGs as the primary shaping forces behind the UNHCR. Even though the results were limited, continuing to place women in gendered, non-political roles that diminished their voices as refugees, the only reason that women were even addressed in any capacity was external influence on the UNHCR.

The next positive step for refugee women also came from outside the UNHCR. By the late 1980's, "references to refugee women as agents (and not only victims)… were gradually making their way into global debates" (Baines 32). One example of this was the First Consultation on Refugee Women in 1988. Even though conference documents still portrayed women as "needing support domestically," both painting them as dependent and non-political, it did make reference to women refugees' "untapped potential" (Baines 32). This representational dichotomy even within one document that did not involve the UNHCR personnel shows the strength of the influence of the UNHCR on groups trying to lobby it. At the same time, it shows these TAGs, now unified under the single banner of the International Working group for Refugee Women (IWGRW), awareness that because of the UNHCR's increasing portfolio providing assistance to the aforementioned proliferation of refugee crises, their help is increasingly needed and they have more power to shape the debate.

Two case studies from the early 1990's explore this moment in time. In the following section, this paper will use these case studies to demonstrate how the UNHCR's approach

to refugee situations still mostly treated gender as a rhetorical priority, resulting in a permissive environment for gendered violence and creating a gendered loss of voice. Further, they will show how TAGs and INGOs challenged this status quo and outline the specific challenges that the UNHCR faced during its early years of gender awareness and the degree to which gender-sensitive approaches have to be integrated into an international response by non-UNHCR actors.

II: From Neutrality to Sensitivity: Gendered Aid among Refugees in Iraq & Bangladesh

These two case studies emphasize two important lessons from the UNHCR's early experiences with gender mainstreaming: the UNHCR's inadequate attention to gender relations reproduced the refugee experience – "refugeeism" – in putatively "safe areas" and a multilateral approach to gender arose as a result of this deficiency. The first case study of Kurdish refugee women in Iraq shows how honor killings within refugee communities, resulting from gender-neutral "aid," reinforced women refugees' refugeeism.

Shahrzad Mojab defines honor killing based upon Amnesty International's definition. It is a killing carried out upon "perceptions of honor" mostly having to do with promiscuous sexual activity (qtd. in Mojab, 109, 113). Mojab asserts that in Kurdish Iraq, the "safe zones" that the United States set up with UN authorization created conditions in which " violence against women increased in scope and frequency," typified by honor killings (109-110). Mojab is quick to point out that this was not a phenomenon created by UN and US presence, but rather one that already existed in Kurdistan and surrounding regions: "Bayezidi wrote about honor killing as a component of 'Kurdish customs and manners'" (qtd. in Mojab 113). It also exists in Pakistan and Taliban-controlled Afghanistan, among other places (Mojab 109). This gendered violence is a latent element of the political economy of these regions. Mojab characterizes women's apolitical role as an "economic resource" in Kurdish history to explain this "almost total control of the sexuality and body of the woman by the feudal patriarchal system" (113).

The difficulty that the US and UN caused in setting up "safe zones" for refugee return was not a new form of violence, but one more in a long line of disruptions for the Kurdish population since 1961 (129). The failure of the self-governing

Kurdish state, created by the US under UN auspices in resolving the Gulf War to instill democratic gender parity created a structural vacuum that the traditional feudalistic patriarchy filled (129). Given the way Mojab worded this dynamic – "the failure of Kurdish self-rule to democratize gender relations" – it seems as though the UN's assistance came in the form of gender-blind democracy (129). The result was not the amelioration of refugeeism, by which Kurdish women could flee fighting and find safety. Instead, it was a reproduction of refugeeism that mirrored the gendered cultural violence that was permitted by a lack of gender-sensitive refugee aid; indeed, the marginalization these women experienced during the Iraqi army's attacks against them is not qualitatively different from this form of repression. The reprisal of sexual violence resulting from this poor aid reduced their capacity as productive agents, and these refugee women became "twice-refugeed." Had the UNHCR taken a proactive role in addressing these gender inequalities, these women may have had vastly different experiences. A result of the UNHCR's poor reactions was INGO activity to fill the operational niche of ensuring the gender-sensitivity of refugee aid.

A refugee community in Bangladesh fared far better than these Kurdish safe zones when Oxfam stepped in at the UNHCR's request. Oxfam had initially been asked to fund health services, and later to provide water equipment and distribution services (Wahra 45). But as they stayed there longer, they encountered stories about women, particularly widows, who because of their vulnerable status without a male head-of-household, were targeted for "voluntary" repatriation (47). The durable solution of choice to refugee crises in the 1990's, voluntary repatriation was often part of bilateral agreements between refugee-producing and refugee host nations, whereby the former state agrees to end its rights-violating behavior in exchange for the return of its citizens by the latter (Baines 43). Clearly, in these situations, repatriation is neither voluntary nor desired. Moreover, the gender-power dynamic, by which Bangladeshi male camp guards and other officials who are almost exclusively male would catch children breaking the law and present widows with the choice to "go back or face the trial," mirrored the one that forced widows and their children into refugeeism in the first place (47). It was a sanitized version of the Burmese paramilitary forces' terrorizing of the families. These Lone Htein, or Burmese paramilitary, "targeted women-headed families as the easiest sources when they were looking for young girls to take advantage of" (47). If the women could

not pay them in gold or livestock, they would take away their daughters; resistance led to the mothers' detention (47).

That women refugees in the camp were so vulnerable to gendered violence and the reproduction of refugeeism was not a result of their own lack of capacity, but rather the gendered structures surrounding them that prevented them from living up to their capacity and rendered them voiceless. According to Oxfam, they lived in a "gender-blind situation, where every decision is taken and implemented by male officials…" (47). Oxfam committed itself to a "more female, less male" staffing policy that allowed it more access to women refugees. Further good practices resulted from this one, such as the relocation of water distribution sites from their original UNHCR locations to ones where women would have less contact with harassing guards (48). Oxfam also proved how gender-sensitive refugee aid policies benefit men as well as women by "changing the timing of supplying water to suit the routines of both the women and the men…" (48). By setting up health centers, which doubled as women refugee support groups within the camp, Oxfam also provided women with a place to organize and share their difficulties, and this led to a way for women to come up with new ideas for camp management (48).

By simply taking women out of harm's way, removing the oppressive structure and letting their capacities flourish, not simply "shielding them" and giving them a place to interact with each other, Oxfam interrupted the structures that had ordered these women's lives since the Lone Htein had chased them out of Burma. Oxfam's activities ended the cycle of refugeeism that trapped these women and provided them with space that let them tap into their potential and find their voice. Despite living in a refugee camp, these women refugees were able to live further removed from the realities of refugeeism and not experience its reproduction in their daily lives. Moreover, it was multilateralism, reaching beyond the UNHCR, that allowed this success to take hold. However, just because INGOs can successfully address gender relations in some circumstances, it does not necessarily mean those experiences are generalizable, even if they offer good practices. As two more recent refugee crises show, the protraction of refugee situations, and of course political will, can offer roadblocks to successful gender-sensitive policies, underlining the importance of gender mainstreaming within the UNHCR itself.

III: Modern Challenges

Oxfam's success in Bangladesh can be attributed to two factors. First, it quickly identified and corrected the UNHCR's gender-blind policies. Second, because it occurred in 1993, within the post-Cold War détente and the surge in international political will that accompanied it, it could command the resources and institutional backing of the UNHCR to carry the policies out (Weiss 46, Kennedy 91). Part of the challenge in the Kurdish situation was the legacy of social and political disruption that preceded the 1991 crisis. These two themes, political will and crisis protraction, play out in today's refugee crises as well. In Serbia, women refugees have been struggling for adequate aid for over a decade, hamstrung by their old-news, long-term stay (Nikolic-Ristanovic). In Ghana, Liberian women refugees struggle against a hostile host government's and the UNHCR's lack of will and have only the support of several women's groups as a result (BBC). This is not to diminish the activity of those groups, but to highlight the UNHCR's conspicuous absence on another, contemporary gender issue.

The extent of the UNHCR's inattention to women refugees became particularly noticeable during the crisis in the Balkans. The Balkans crisis elicited an "unprecedented" military and relief response from the UN, NATO and the US because it created "violence and displacement of a magnitude not seen in Europe since World War II" (Ogata 50, Weiss 65). Sadako Ogata, Refugee High Commissioner during the crisis, surmise that the conflict's European location, "added to the exceptional geopolitical impact of the situation" (50). And so intense was the fighting that it forcibly moved enough people to earn the Former Yugoslavia the dubious distinction of being "the country with the largest number of refugees in Europe" (Nikolic-Ristanovic 105). In fact, the Balkan refugee crisis was so severe that it caused Ogata to announce that "there are no humanitarian solutions for humanitarian problems" (Ogata 25). This was her way of saying that refugees are political and deserve full attention if conflicts surrounding them are to be solved (Ogata 25). In this way, the international community treated this conflict as a high priority. Thus, it attracted many resources and should also have attracted attention to its every aspect. However, according to Nikolic-Ristanovic, "the difficulties in the lives of women refugees in Serbia stayed largely hidden from the eyes of the public worldwide" (105). They became what John Pilger

described as "UNPEOPLE," ignored by media and aid organizations (qtd. in Nikolic-Ristanovic 105).

The double entendre is unmistakable. Even the UNHCR, the world's leading refugee protection body, has been unable to protect and assist the refugees from the conflict that spurred on one of its highest-profile missions in recent memory. In fact, it is almost as if the UNPEOPLE are products of the UN itself. This state of affairs is particularly poignant in light of the importance that Ogata placed upon refugees in this conflict. It is as if women refugees alone were ignored and relegated to apolitical status even as the High Commissioner insisted against it. Of even more concern than the UNHCR's simple lack of attention to the problem are the similarities of this case to other crises studied in this paper. Nikolic-Ristanovic writes that, "women refugees with already violent husbands tell of how their husbands became more violent" after ten years of refugeeism (110). Similar to the reproduction of honor killings in the Kurdish safe zones, this reprisal and intensification of gendered male-on-female violence reproduces refugeeism, causing refugee women to experience yet another layer of marginalization so that they, too, become "twice-refugeed."

The tragedy, of course, is that such situations have been alleviated in Bangladesh but have yet to be improved for Serbian women refugees. However, inaction is a gender-blind policy, and the gender-power relations that were already set against these women have intensified. Gender mainstreaming within the UNHCR has not been successful enough for such gender inequality to act as a tripwire and trigger UNHCR action. Finally, for these women, whose conflict was once so central in the western media, the loss of voice and capacity that goes along with being "twice-refugeed" is particularly stark (Nikolic-Ristanovic 112). As the author reiterates, "the suffering of refugee women does not end when the media stops being interested in them" (Nikolic-Ristanovic 112). Sometimes, though, getting the media interested is not as important as getting the host government interested.

The Ghanaian government, for instance, hosts a 20,000-person camp for Liberian refugees, but there is significant tension between the Ghanaian government and the refugees (BBC). In order to dismantle the camp, Ghana and the UNHCR planned to integrate the refugees into Ghanaian society. The refugees objected to that plan, because they "[maintain] the UNHCR cannot integrate them into a society where the people

have not really accepted them" (BBC). They responded by protesting with a sit-in, but after several weeks, the Ghanaian police raided the camp and detained over 800 women refugees (Africa News 2008b). If this physical arrest of the women's bodies was not enough to diminish their voices, they also have a male spokesperson, who nevertheless has not received a personal response from the UNHCR to his protests over the plan (Africa News 2008b).   The UNHCR has simply written a press release saying that it will "intervene in the shortest possible time" (Africa News 2008b).

This situation is similar to the Serbian women refugees' crisis because the women have been arrested in their supposedly safe host country, becoming "twice-refugeed" and losing their voices in a very symbolic and physical way: arrest. The popular news coverage seems to have dropped off in the last six months, which is not as bad as the plight of the Serbians. However, women's groups that met with women refugees at the camp nevertheless fear a continuation of the situation, remarking that, "too often the voices of women are silenced in political process, and our visit to the camp enabled over a thousand women to speak directly to women's rights organisations about issues and challenges they as refugees face" (Africa News 2008b). The same issues of the UNHCR's lack of gender mainstreaming come into play in the Ghana situation as well. Moreover, several women's groups as diverse as the African Women's Development Fund, the Network for Women's Rights in Ghana, Abantu for Development, Women's Initiative for Self-Empowerment, and the Christian Mothers association of the Catholic Church have taken the step of going to meet with the women refugees so that they have some kind of dialogue (Africa News 2008b). In 2008, then, thirty years after the initial conferences during the UN decade for women, and after the UNHCR's rhetorical commitment to gender, other groups are still mobilizing faster than the UNHCR and picking up its slack.

These recent case studies show that the current reality of gender relations among refugees is a mixed bag. The most obvious success is that gender mainstreaming is getting press and academic treatment some of the time. In that way there is at least some accountability. The UNHCR is not fulfilling its mandate to provide protection and is even-handed in its provision of assistance to women refugees. This is at least partly due to the incompleteness of gender mainstreaming within the

organization, if not also due to lack of resources. The biggest caveat to the latter interpretation, though, is that in its statement on the situation in Ghana, the UNHCR did not even call for any gender-sensitive approaches in dealing with the crisis (Africa News 2008b). If a rhetorical commitment is the strongest one that the UNHCR has made in the past, then it should at least make it consistently. This approach must be consistent for the UNHCR if it hopes to address the world's overwhelmingly female refugee population effectively.

An encouraging sign that the UNHCR is beginning to take gender-sensitive policy more seriously is its active engagement of the Solar Cooker Project (Bronfman 1). This project of the Jewish World Watch, headed by Rachel Andres, sought to "help the women who escaped the genocide [in Darfur] and fled to refugee camps, only to find themselves victims of rape and attack when they went in search of firewood in the vast emptiness of the African desert" (Bronfman 1). The Solar Cooker Project provides women refugees with solar-powered stoves that make it unnecessary to search for firewood outside the camp at the risk of getting raped. This relatively simple solution is a too-rare example of gender-sensitive policy that has profoundly tangible effects on women refugees, but could also have the broader effects of stabilizing families, allowing more time for girls to go to school, and providing more easily maintained diets for refugees no longer dependent on the availability of wood.

The most positive part of this story, however, is the UNHCR's active engagement with the project: "Andres and her colleagues were invited to Geneva to present to… the UNHCR Deputy High Commissioner. The meetings were turning points as the influential stakeholders… are now considering their participation [in the project]" (Bronfman 1). While this continues the pattern of the UNHCR's not-ideal acquisition of external groups' efforts to buttress its own gender activities, the UNHCR's thoughtful consideration of this topic is much improved over its historical nonchalance regarding gender. For instance, Elizabeth Ferris, who helped found the IWGRW, recounted the way that the UNHCR reacted toward the positive outcomes of the Nairobi Conference saying that in response to her enthusiastic comments to a UNHCR colleague she was told that, "Oh, Nairobi's over. Now, it's back to business as usual" (qtd. in Baines 31). Further, the UNHCR's creation of the position of Senior Coordinator for Refugee Women was received

"with a rather 'chilly' welcome" by the staff, demonstrating once again the entrenchment the UNHCR experienced in the 1980's and 1990's (Anne Howarth-Wiles qtd. in Baines 44). But the UNHCR invited the solar cooker innovation in a welcome turning of the tables. While more consistent gender mainstreaming is still required, the UNHCR seems to be moving in the right, albeit characteristically slow, direction (Baines 1).

IV: Expanding Gender

This paper opened with the assertion that "to address refugees is to address gender, and to address gender is to address refugees." Because this paper has strived to identify the folly of gender-blind refugee policy, this idea should not be construed to mean that refugees can or should be protected and assisted according to a one-size-fits-all formula (Troeller 2008). What it does mean, though, is that some of the difficulties women refugees face also stand as barriers to refugees in general. While male refugees do not have to worry about rape as they collect firewood, they still experience a loss of voice as refugees if they are not given adequate assistance. According to Gary Troeller, "we need to see refugees as actors, as agents" (2008). They are not symptoms, and they cannot be allowed to fall into despair or pessimism (Troeller 2008).

This rings similar to the idea that women refugees are not "listened to" and has similar effects. While women refugees can become victimized by their gendered loss of voice, "twice-refugeed" male refugees (and conceivably female ones) can become radicalized by theirs. Troeller cautions against allowing pessimism and despair to ferment because refugee situations, particularly protracted ones, can become security threats as breeding grounds for terrorism or sites of ethnic violence (2008). Further, male refugees are often situated on the opposite side of the gender-power relationship from female refugees, and just as women refugees' victimization is reproductive of refugeeism, so can male radicalization be reproductive of violence. Troeller acknowledged the reality of domestic violence in protracted camp situations as a result of a similar dynamic (2008). This phenomenon is evident as a corollary to some of the case studies involving women refugees in this paper: Kurdish refugee men committed honor killings against their young female refugee neighbors in UN safe zones, Bangladeshi camp guards coerced refugee widows into voluntary repatriation in carrying

out the UNHCR's preferred durable solution, and Serbian refugee men beat their wives because there was no help at all.

The slippery slope here is one of inevitability. Gender-power relationships among refugees in some cases only fall along these gendered lines because the UNHCR permits them to, not because they must. The Kurdish and Serbian examples are avoidable and unfortunate cases in which the UNHCR never provided proper gender-sensitive aid, and the Bangladeshi case was ameliorated, at least in part, by INGO intervention from Oxfam at the UNHCR's behest. As the claim has gone throughout this paper, it is crucial for the UNHCR to fully integrate gender-sensitive policies into its typical modus operandi in order to make the biggest strides. While transnational advocacy and INGO intervention has pushed the UNHCR – or better in some cases, dragged it- towards a gender mainstreamed approach to refugee crises, one has not been fully, or even consistently, implemented. Nor will one be until the UNHCR, as refugees' primary protector, mainstreams gender.

Not only would addressing the typical gender-power relationship between refugees slow the reproductive process of violence and refugeeism, it would more directly attack the problem of refugees in general. The GAO calculated in 2003 that 80 percent of refugees worldwide were women and children. Easily and consistently ignored throughout most of the UNHCR's history, women unavoidably make up the largest segment of the refugee population. One explanation, then, for the lack of gender-sensitive approaches to women refugees, and indeed the refugee population as a whole, is the UNHCR's long-practiced gender-blind approach to refugees. By denying the power of gender upon refugees, the UNHCR does not have to address women refugees, and because these make up most of the group, there are not many left to have to deal with, a relatively insignificant portion of the population not worth trifling over. Perhaps this indictment is overstated, but it does seem precisely aimed. If we do not "listen to" refugee women, and if we see them as "confined," then there is no impetus to empower them, women are the largest of the refugee constituencies sine qua non, the whole group gets suppressed with them

(Baines 1).

Conclusion: Ears to the Train Tracks

In the 30 years since the Copenhagen and Nairobi conferences during the UN Decade for Women, gender mainstreaming has progressed leaps and bounds in the UNHCR. Inarguably, gender has been transformed from an unheard of subject within the UNHCR circles into a topic that can hardly be avoided in the discussion. In cases in which the UNHCR failed to bring gender to bear through its policies, such as the Kurdish safe zones, academics were there to account for the failing and its consequences. In cases where gender has been addressed, such as in the Bangladeshi camps, someone is always there for the post-mortem, to analyze the successes and failures of the policies. The caveat in all of this is that the UNHCR is still far too often not the engine encouraging gender-sensitive approaches and, more fundamentally, the lesson of the Serbian refugee women is that inaction is not gender-sensitive; the UNHCR's inaction has just as significant a set of consequences for women refugees as its gender-blind action. The unequivocal bottom line is that the UNHCR must mainstream gender issues within its policies in order to build an equitable refugee regime, especially given women refugees' significant yet vulnerable position within the current one.

The best chance for success in gender mainstreaming is the continued pressure of TAGs on the UNHCR and INGOs' continued involvement in offering operational support to the UNHCR. As the final section of this paper demonstrates, the stakes of reproductive refugeeism are too high, and the rewards of a healthy and productive refugee community are too great to abandon the UNHCR as the leader in the field of refugee protection and assistance. Until gender mainstreaming becomes more than just a rhetorical reality, its ameliorative effects on refugeeism will be no more apparent than a far off train that you can only detect by the low rumblings of the tracks. In order to travel great distances, the train must arrive, and the UNHCR must make gender mainstreaming a reality.

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