



PEPPERDINE
POLICY REVIEW

Message from the Editor

Alexander N. Fondrier

Articles

The Political and Economic
Implications of the Asian Carp
Invasion

Thomas Just

Given the Choice: Family Values in
California's Largest School Districts

Raija Churchill

The Merida Initiative: An Effective
Way of Reducing Violence in Mexico?

Sabrina Abu-Hamdeh

The Impact of the Global Financial
Crisis on Sub-Saharan Africa

Odinakachi J. Anyanwu

The HOPE Worldwide Indonesia
Positive-Choice Program

Jillian Kisse

Bilingual, ESL, and English
Immersion: Educational Models for
Limited English Proficient Students
in Texas

Kelly Faltis

Here and Back Again: US National
Security Interest in the Arab/Israeli
Conflict

Miriam Keim

Commentary

Unions Matter

John S. Thomas

Book Review

Against Gloom and Doom

Michael Crouch

PEPPERDINE POLICY REVIEW

VOLUME IV – SPRING 2011

CONTENTS

Alexander N. Fondrier Message from the Editor 3

ARTICLES:

Thomas Just The Political and Economic Implications of the Asian Carp Invasion 5

Raija Churchill Given the Choice: Family Values in California's Largest School Districts 16

Sabrina Abu-Hamdeh The Merida Initiative: An Effective Way of Reducing Violence in Mexico? 37

Odinakachi J. Anyanwu The Impact of the Global Financial Crisis on Sub-Saharan Africa 55

Jillian Kisse The HOPE *Worldwide* Indonesia Positive-Choice Program 64

Kelly Faltis Bilingual, ESL, and English Immersion: Educational Models for Limited English Proficient Students in Texas 81

Miriam Keim Here and Back Again: US National Security Interest in the Arab/Israeli Conflict 99

COMMENTARY:

John S. Thomas Unions Matter 115

BOOK REVIEW:

Michael Crouch Against Gloom and Doom 118

PEPPERDINE POLICY REVIEW

VOLUME IV – SPRING 2011

The mission of the Pepperdine Policy Review is to publish the best scholarly research, innovative policy solutions, and insightful commentary that School of Public Policy students have to offer. This journal seeks to inform policy makers, academic researchers, and the general public of ideas that will help transform public policy debate in the United States and abroad. All articles are thoroughly reviewed by student editors and must meet rigorous academic standards.

EDITOR-IN-CHIEF

Alexander Fondrier

MANAGING EDITOR

Monica Klem

SENIOR EDITOR

Miriam Keim

EDITORS

Lara Arsinian · Daniel Chasen
Michael Crouch · Melody Harvey
Jaquelyn King · Michele Ogawa
Gabriella Tokatlian · Lily Wong

FACULTY ADVISOR

Dr. James Priege

The Pepperdine Policy Review (ISSN 2158-2572) is a student-run journal published yearly by the School of Public Policy at Pepperdine University. It is printed and distributed by Joe Christensen, Inc. Articles published in the Pepperdine Policy Review do not necessarily reflect the views of the Editorial Board or the School of Public Policy.

*Current students and alumni may submit manuscripts,
which should be sent to ppr@pepperdine.edu or by mail to:
Pepperdine Policy Review, 24255 Pacific Coast Highway, Malibu CA 90263.*

Copyright © 2011 by the Pepperdine University School of Public Policy

Available online at <http://publicpolicy.pepperdine.edu/policy-review/>

Message from the Editor

This was an exciting year for the *Pepperdine Policy Review*. The fall semester began with our first ever Internship Symposium, featuring four academic presentations from second year students on their experiences from last summer. Jill Kissee gave a presentation on her field projects with HOPE in Indonesia, which emphasized the reduction of the HIV/AIDS epidemic. Yvonne Mejia gave an overview of her work with Sempra Energy here in Los Angeles which focused on energy distribution for low income families. Kristi Howard gave a talk on her experience working with former House Speaker Newt Gingrich and the American Enterprise Institute in Washington, DC. Finally, Jeremy Grunert gave an account of his travels in Israel and the research projects he completed for NGO Monitor on international law and NGO's in the Mideast conflict. This symposium was a valuable learning experience for first year students seeking internships, and at the same time exposed them to several opportunities available for students with policy degrees. I certainly hope this will become a tradition that continues, and I am extremely grateful to Jill, Yvonne, Kristi, and Jeremy for the time they put into their presentations.

After hitting the ground running with the symposium, our focus quickly turned to the recruitment of authors for Volume IV. This year we have published a record nine papers from diverse fields across the policy sphere. Volume IV leads off with Thomas Just calling attention to the grave situation facing both the environment and the business community with the advent of invasive species like Asian carp into the Great Lakes. Raija Churchill wrote a paper examining the degrees of local autonomy found in the California school system when it comes to education and social values. Sabrina Abu-Hamdeh's paper evaluates the pros and cons of the *Merida Initiative*, which focuses on the cross border drug trafficking problem with Mexico. Odinakachi Anyanwu examines the consequences of the global financial crisis in sub-Saharan Africa. Jill Kissee wrote a follow-on paper to her symposium presentation looking at prevention methods for the spreading HIV/AIDS epidemic in Indonesia. Kelly Faltis provides

an overview and evaluation of educational models for limited English proficient students used by the state of Texas within the framework of the debate over bilingual education and cultural assimilation. Miriam Keim chronicles US national security interests in the Arab/Israeli conflict. SPP Alum and Los Angeles political consultant John Thomas '10 wrote a commentary piece on the political role of unions in local elections. Finally, incoming editor-in-chief Michael Crouch penned a book review of Matt Ridley's *The Rational Optimist*, urging all of us to keep our chins up when it comes to economic disappointments.

Working with our authors, editorial board, professors, and staff has been an extremely rewarding experience. I am truly grateful for the time our authors put into working with us during the editing process. I would also like to thank faculty members Dr. Luisa Blanco, Dr. Wade Graham, Dr. Robert Lloyd, Dr. James Prieger, and Dr. Michael Shires for their academic input on the papers as they were adjusted and perfected for publication. I am also grateful to Christina Ramirez, SPP director of communication, for her help with media and technical support on our website. Finally, it has been an absolute pleasure to work with Monica Klem, our managing editor. Words cannot begin to describe the amount of hard work Monica put into the recruitment, editing, formatting, and publication process. On behalf of everyone on the editorial board, please enjoy Volume IV of the *Pepperdine Policy Review*.

Alexander N. Fondrier
Editor-in-Chief

The Political and Economic Implications of the Asian Carp Invasion

Thomas Just

“Asian carp will kill jobs and ruin our way of life.”¹ Such is the sentiment expressed by Michigan Attorney General Mike Cox and many other politicians and interest groups in the Great Lakes Region. The invasion of non-native species into the Great Lakes is a public policy problem that has the ability to severely damage the region’s environment and economy. Alterations to the region’s waterways have led to the threat of invasive species overwhelming, and in fact, destroying the natural ecosystem of the world’s largest body of freshwater. The issue of invasive species has resulted in a clash between numerous industries crucial to the Great Lakes states’ economies. The argument over approaches to combatting the problem of Asian carp displays how the use of a common resource can clash with high economic and political consequences.

The industry feeling the most pressure to change as a result of the problem is the Great Lakes’ shipping industry. The invasion of Asian carp into Lake Michigan has become one of the most politically charged topics. Asian carp have already populated throughout the Mississippi River Basin and they are now only a few miles from Lake Michigan. Their most likely entry point would be the Chicago Sanitary and Ship Canal, which has been a point of concern for environmentalists and property owners since its creation. It will be the purpose of this analysis to examine the concerns of various stakeholders to this crucial environmental and economic problem affecting the American Midwest as well as to explore the various political and legal measures that have been taken to work toward a solution.

Thomas Just is an MPP candidate specializing in Economics and International Relations from Milwaukee, Wisconsin. He completed his BA in German and International Studies magna cum laude from Baylor University.

THE CHICAGO SANITARY AND SHIP CANAL

The original purpose of the Chicago Sanitary and Ship Canal was to prevent sewage dumped into Lake Michigan from contaminating the city of Chicago's water supply. Around the end of the nineteenth century, Chicago was one of the nation's prime industrial hubs, but this sort of economic activity resulted in significant pollution of nearby waterways, which many feared would contaminate local water supplies with such diseases as cholera, typhoid fever, and dysentery.² The government of Illinois decided that the best way to combat these sanitation problems was to take on a monumental earth moving project and reverse the flow of the Chicago River. Waste dumped into Lake Michigan would be diverted into the Illinois and Des Plaines Rivers and further into the Mississippi River watershed instead of remaining in Lake Michigan, the primary source of the region's water supply. However, when the project was undertaken no regulations had been established to control the diversions of water that were set to take place.

The canal has since been a contentious issue between Illinois and its neighboring Great Lakes states. An early concern about the diversions of lake water first arose in 1929 when the State of Wisconsin argued that Illinois' sanitation canal was lowering lake levels, and thus damaging Wisconsin's maritime transportation industry. *Wisconsin v. Illinois* went to the United States Supreme Court, questioning whether the federal government has the power to impose positive action on one state in a situation in which non-action would result in damage to the interests of other states. The court decided that the federal government does have such power, establishing a precedent that has since played out.³

THE PRESSING ISSUE OF ASIAN CARP

Today, the most politically charged issue involving the canal is the presence of Asian carp and their proximity to Lake Michigan. Asian carp were originally introduced by the United States Department of Fish and Wildlife into numerous Arkansas lakes in the 1970s to quell the expansion of local algae populations. By various means, the fish have since become widespread throughout the Mississippi River Basin and are now on the

verge of entering the Great Lakes. Such an invasion could have a severely detrimental impact on certain Great Lakes industries, namely fishing and recreation. Asian carp can reach weights of about fifty pounds and consume approximately forty percent of their body weight in plankton per day, which can wreak havoc on the ecosystem.⁴ The carp also tend to muddy the water causing populations of plant life to decrease. This combination of factors has the potential to devastate the region's ecosystem and economy. In addition to these dangers, Asian carp also tend to be frightened by boat motors and are known to jump eight to ten feet in the air when startled. This has led to carp endangering the safety of boaters and might eventually result in widespread beach and marina closures around Lake Michigan and potentially other Great Lakes.⁵ These factors could have a devastating effect on the boating industry in the Great Lakes, where roughly a third (four million out of twelve million) of all US boats are registered, according to the US Coast Guard.⁶

PRIMARY STAKEHOLDERS

The most powerful stakeholders surrounding the issue of Asian carp are the Great Lakes' shipping, recreation and fishing industries. However, the power of each industry varies by state. In Illinois, the shipping industry is an important segment of the economy and tends to have strong political backing. Illinois only possesses sixty-nine miles of Lake Michigan's 1,638 mile shoreline; thus, it does not have the same established fishing and recreation industries on Lake Michigan as do its neighboring states, Michigan and Wisconsin. The Chicago Sanitary and Ship Canal accounts for seven million tons of the cargo that is shipped through Chicago each year, which adds \$1.5 billion and thousands of jobs to the city's economy.⁷ Given the fragile state of the economy since late 2008, it has become increasingly unpopular for Illinois politicians to favor proposals that may result in the loss of shipping and transportation jobs in an attempt to stop the spread of Asian carp.

The shipping industry has further argued that the presence of Asian carp in the canal is not a certainty, so sacrificing the well-being of their industry would be an irresponsible step.⁸ A rallying cry developed among

the shipping industry and others after \$3 million was spent to poison the Chicago canal and only one Asian carp was found. Those who oppose further restrictions on the shipping industry have dubbed this incident that of the ‘\$3 million fish.’ However, DNA testing has shown populations of Asian carp as few as six miles from Lake Michigan.⁹ Opposing interests in the debate over Asian carp cite different examples and scientific findings to arguing how serious and imminent the problem really is.

In the states of Wisconsin and Michigan, the argument of the predominant stakeholders is quite different than in Illinois. Wisconsin and Michigan have extensive shoreline on Lake Michigan, and established fishing and recreation industries rely on the resources that the lake provides. The region’s fishing industry is estimated to account for \$7.09 billion to the local economy. The recreation industry in Michigan alone is estimated at \$16.3 billion.¹⁰ Consequently, these industries tend to have significant political clout in their respective states. Perhaps the most vocal defender of these industries has been the Republican Attorney General of Michigan, Mike Cox. Attorney General Cox has been an outspoken critic of the Chicago Sanitary and Ship Canal and has brought legal action against the State of Illinois.

The correlation between states’ positions on the Asian carp problem and the size of their industries is rather remarkable, and is likely due to the relationship that politicians have with industry in elections. As Robert Duffy writes, “Groups’ financial support of candidates and parties is part of a strategy that seeks to frame issues before elections, and then to support the candidates on those issues.”¹¹ Duffy argues that electioneering by industrial interests has strongly influenced public policy. He writes further that, “A crowded advocacy community creates incentives for groups to find their own unique niche.”¹² Attorney General Cox has clearly found a niche by framing himself as a politician with the purpose of protecting the large fishing and recreation industries in his state. On the other hand, prominent Illinois politicians have framed themselves as candidates working to prevent the loss of shipping jobs in their state in a time of economic uncertainty. Such concerns make the Asian carp issue a prime example of the relationship between industry and electoral politics.

As each state's interests tend to be dominated by the industries most powerful within its borders, the federal government is often looked to as a more impartial arbiter, with greater resources to combat the problem of Asian carp. The federal government, and particularly the Army Corps of Engineers, has taken major steps toward preventing the spread of the invasive species. In 2002, the Army Corps of Engineers began constructing three electric barriers in the Chicago Sanitary and Ship Canal, which have been functioning in conjunction with other efforts to both prevent the spread and reduce populations of Asian carp.¹³ Such efforts have consistently come under criticism by the fishing and recreation industries, as the methods used by the federal government have in many cases involved costly uses of poisons and the effectiveness of the installed electric barriers has been questioned.

Precedent for federal government intervention in the matter of Asian carp is rooted in the 1929 case discussed earlier, *Wisconsin v. Illinois*. Regardless of local interests in the problem, the federal government has the power to overrule the decisions of states that may be harmful to other states. A dynamic within the federal government that cannot be ignored is the current President and his administration's roots in Chicago, considering the effect that this may have on their formation of policy. Presidential powers in environmental policy are tremendously important, as the president has the power to make appointments to environmental agencies, set the federal agenda, and propose agency and program budgets. The administration has significant power in addressing such issues as the Asian carp.

Politicians such as the Democratic governors and Republican attorneys general in both Wisconsin and Michigan have called for the closure of locks in the Chicago Sanitary and Ship Canal. However, the Obama administration's position closely reflect that of Illinois politicians, who tend favor the economic interests of the Chicago shipping industry by attempting to prevent the spread of the carp through the use of poisonings and electric barriers, rather than the physical barrier that could be created by closing the locks in the canal. To be fair, the administration has employed efforts and designated funding for fighting the spread of Asian carp, though it has not supported the proposal of several top politicians in other Great

Lakes' states of closing the Chicago canal.

DISCONTENT AT THE EPA

The disorder present at the EPA since the problem of Asian carp arose has fueled the fire of debate over strategies for its solution. That the EPA has not been clear about its intentions may largely stem from the debate over the control of the organization. As Norman Vig and Michael Kraft write, "In the absence of a clear mission statement, the EPA must create priorities according to whatever programs have the largest budgets, have the most demanding deadlines, attract the largest budgets, attract the most politically potent constituencies, or excite the greatest congressional attention."¹⁴ Many of the EPA's inefficiencies can be ascribed to the tensions between the executive and legislative branches over its control. Vig and Kraft further write that there exists a "chronic tension between Congress and the EPA."¹⁵ Such tensions extend to the EPA's relationships with the states, which tend to push for more collaboration with the EPA rather than the command-and-control type approach that existed in the past. However, the highly political tensions between the states themselves on this issue place the EPA in a difficult situation for definitively addressing the problem of Asian carp, and further extends the argument over the agency's lack of a clear vision and regulatory authority.

THE ROLE OF THE JUDICIARY

The courts have long been involved in shaping American environmental policy in decisive manners in areas where other branches of government have been either vague or conflicted. There are a few ways in which courts can determine environmental policy. The important elements of an environmental law case are: 1) who has standing on the issue, 2) whether or not the case is controversial enough to review, 3) what are the current standards on the issue, 4) what current laws are applicable, and 5) what is the proper remedy to the issue.¹⁶ The courts have taken up these questions relative to the issue of Asian carp on a few occasions, but a decisive judgment has not yet been rendered.

Michigan Attorney General Mike Cox has decided to pursue action

through the courts to force the State of Illinois to close the locks in the Chicago Sanitary and Ship Canal and in so doing to physically divide the Mississippi River Basin from the Great Lakes and arguably assure the prevention of Asian carp from entering Lake Michigan. Cox's first attempt at forcing Illinois to close the canal was taken in December 2009, when he filed a suit with the US Supreme Court for an injunction to close the canal. In turn, Illinois Attorney General Lisa Madigan filed a countersuit against Michigan denying its claims and stating that closure of the canal would substantially damage Illinois' economy. Illinois provided affidavits from the Illinois Chamber of Commerce and American Waterways Operators arguing that closure of the canal would lead to thousands of job losses and would prevent the shipment of vital resources to Illinois' economy.¹⁷ The Supreme Court denied Michigan's request for an injunction, but allowed for other cases regarding the matter to be opened in the future.

Since his motion was denied, Attorney General Cox has continued to pursue efforts through the courts to stop the spread of Asian carp, his most recent being a lawsuit filed in August of 2010 after small numbers of carp had been found beyond the barriers installed by the Army Corps of Engineers. The new case brought by Cox, *State of Michigan v. U.S. Army Corps of Engineers*, has since been joined by the Attorneys General of Wisconsin, Ohio, Minnesota, and Pennsylvania. They argue that since the electric barriers have not been entirely effective against Asian carp, immediate action must be taken to prevent their entry into the Great Lakes and the damage that it may cause to other Great Lakes States. Cox has argued that, "With the discovery of a live Asian carp beyond the so-called barriers in Chicago, there is great urgency to act now because thousands of jobs hang in the balance."¹⁸ Illinois continues to hold that the shipping canal is crucial to its economy and that its closure would damage its economy and is not a guarantee against the movement of Asian carp. Action through the courts has not been the most expedient means of solving the Asian carp problem, but such cases do indeed encompass the many competing environmental and economic interests at stake, and have the potential to render a decisive verdict on the issue.

CURRENT POLITICAL PROPOSALS

Some headway, facilitated by federal intervention, has been made in establishing a compromise between the competing industries and states affected by the Asian carp problem. A major step was taken on February 8, 2010, when the Obama Administration held a summit on the issue of Asian carp to set an agenda on the issue and outline a plan to be implemented immediately to combat the problem. The plan calls for the following: 1) \$10 million to be committed to building a third electrical barrier in the Chicago Sanitary and Ship Canal, 2) \$13 million for an additional barrier in the Des Plaines River, 3) \$5 million to poison areas beyond the barriers with possible Asian carp populations, 4) \$1.5 million to study methods to prevent Asian carp reproduction, and 5) The closure of two locks of the Chicago Sanitary and Ship Canal three days per week.¹⁹ The most controversial part of this plan has been the closure of the canal's locks three days per week. Neither party is satisfied by the compromise, since it is a hit to the shipping industry and still does not physically cut off the Mississippi River Basin from the Great Lakes. Attorney General Cox had perhaps the harshest words for the proposal when he stated,

President Obama proved today that he'll do anything to protect the narrow interests of his home state of Illinois, even if it means destroying Michigan's economy. Officials from his administration unveiled a 25-step plan full of half-measures and gimmicks when keeping Asian carp from devastating the Great Lakes \$7 billion fishery requires only one step - immediately closing the locks.²⁰

Politicians in Illinois, however, continue to voice their opposition to the possibility of a permanent closure of the ship canal. They argue that closing the canal will result in as many as 10,000 jobs being lost, and also hinder Chicago's ability to deal with run-off water after large storms.²¹ There is great controversy in determining the best solution to the problem of invasive species through a mere cost-benefit analysis, since any solution will inevitably put one of the region's industrial interests over the others.

The most recent step by the federal government was President

Obama's decision to appoint John Goss, the former leader of the Indiana Department of Natural Resources and Indiana Wildlife Federation, to the newly created position of Carp Czar. Goss will oversee an \$80 million project to stop the migration of Asian carp. However, this decision also was not met with optimism by Attorney General Cox or others in neighboring states. Cox said of Obama's appointment, "We hope [Goss] shows independence from what is essentially a Chicago-based White House, one which protects Illinois' interests over those of the Great Lakes. Will he even be allowed to advocate for closure of the locks? Time will tell, but the experts say we don't have much time left."²² It is difficult to conceive of a compromise that will solve the Asian carp problem, given the competing interests of the Chicago shipping industry and the other states' fishing and recreation industries, as well as the state governments' support for their respective industries. Nonetheless, it is apparent that legal and political means to addressing the issue have not yet been exhausted.

CONCLUSION

The unresolved and contentious issue of Asian carp and its potential to damage the economy of the Great Lakes region is sure to remain politically divisive for the foreseeable future. Given the powerful industrial interests and their interactions with state governments, the conflict surrounding the Asian carp has become an issue of national concern. The shipping industry is a major player in the Chicago economy and its lobbyists have convinced Illinois politicians that its survival is crucial to Illinois' economic interests. On the other side, the fishing and tourism industries of neighboring states have convinced their governments that not only are their industries of greater importance to their economies than shipping, but also that the environmental effects of invasive species are irreversible and would permanently damage the region's ecosystem. The executive branch of the federal government has attempted to appease the different interests involved, but to this point it has not substantially satisfied either. The compromises reached so far have neither ensured the long-term survival of the Chicago shipping industry nor provided a failsafe barrier preventing the carp from advancing. The courts have not put the issue to rest because

it is apparent that such people as Michigan Attorney General Cox will continue to pursue measures to close the Chicago Sanitary and Ship Canal so long as the threat posed by the carp is imminent. Interestingly, the legislative branch has thus far had little influence in shaping a solution to the problem. The issue of Asian carp remains contentious with the numerous stakeholders attempting to shape future policy on the matter.

ENDNOTES

1. Brian Walsh, "Can a Lawsuit Stop the Asian carp." *Time Magazine* (20 July 2010)
2. "The Chicago Drainage Canal," *The Outlook* 64: 9, January 6 1900, <http://books.google.com/?id=l2pyPw_hYuAC&pg=PA9> Accessed: 16 October 2010.
3. *State of Wisconsin v. State of Illinois*, 278 U.S. 367 (1929)
4. P.J. Perea, Asian carp Invasion, Outdoor Illinois, May 2002 (Ill. Dept. Natural Resources, ISSN:1072-7175). Accessed: 14 October 2010.
5. Injurious Wildlife Species; Silver Carp and Large Scale Silver Carp, Federal Register: July 10, 2007 (Volume 72, Number 131)
6. "Latest US Boat Registrations Report". Thomas Net News. Data Collected by: US Coast Guard. February 2008. <<http://news.thomasnet.com/companystory/539944>>
7. Paul Merrion, Illinois fights back as states seek carp-blocking canal closures, *Crain's Chicago Business* (4 January 2010)
8. Mike Guarino, "Asian carp: Multiple Efforts Afoot to Find a Great Lakes Solution". *Christian Science Monitor*. 17 September 2010.
9. Dan Egan, "Asian carp Search Turns Up Nothing." *Milwaukee Journal Sentinel*. 15 March 2010.
10. Jeff Green, "Flying Carp Threaten Bond Ratings, Great Lakes Fish." *Bloomberg* (18 Dec 2009)
11. Michael Kraft and Sheldon Kamieniecki, *Business and Environmental Policy*. MIT Press. Cambridge, MA. 2007. 63.
12. Ibid. 64.
13. Dan Egan, "Army Corps to Activate Carp Barrier Wednesday." *Milwaukee Journal Sentinel*. 7 April 2009.
14. Norman Vig and Michael Kraft, *Environmental Policy*. CQ Press. Washington DC. 2010. 153.
15. Ibid.
16. Norman Vig and Michael Kraft, *Environmental Policy*. CQ Press. Washington DC. 2010. 129-130.
17. Paul Merrion, "Illinois fights back as states seek carp-blocking canal closures"
18. Monica Scott, "Testimony continues in lawsuit to protect Great Lakes from Asian carp." *Grand Rapids Press* (8 September 2010)

19. Dan Egan, "Washington Offers Plan to Control Asian carp." *Milwaukee Journal Sentinel*. 8 Feb 2010.
20. Ibid.
21. Dan Egan, "Durbin States Illinois' Case in Asian carp Battle." *Milwaukee Journal Sentinel*. 12 January 2010.
22. Jamey Dunn, "'Carp czar' greeted with some skepticism" *Illinois Issues*. University of Illinois at Springfield Center for State Policy and Leadership (9 September 2010)

Given the Choice: Family Values in California's Largest School Districts

Raija Churchill

More than one in ten American public school students—6.4 million children—are educated in California.¹ As these students mature into adult members of society, the academic and personal effects of school district policies at the elementary and secondary levels have substantial influence on both California and the nation. One district in California allows parents to enroll elementary-aged children in release time programs for religious or moral instruction.² The same district permits students in grades seven through twelve to leave campus during the school day, without parent or guardian notification, for confidential drug counseling.³ No absence is logged. Such policies are of interest to parents involved in their children's lives, but examining administrative documents and state educational laws is a time-consuming process, which parents may be unable to undertake.

School districts hold an influential middle ground in establishing California education policy: they are an intersection between state requirements and community desires. Some decisions are outside their control. California law requires every district, for example, to provide HIV/AIDS prevention education: once in middle school, once in high school.⁴ Yet school districts have the freedom to decide whether parental permission is required for children to watch an R-rated movie, when teachers use non-district approved films to supplement classroom instruction. School district decisions matter because they shape students' daily environments. This paper will examine what happens in the area of "school choice," when

Raija Churchill is a graduate student in law and public policy at Pepperdine University, where she is a research assistant to constitutional law professor Bernard James. She is grateful to Dr. Laura McCollum and Dr. Michael Haynes at Patrick Henry College for their guidance and advise on this paper. Any errors, however, are her own as the author.

district policy-makers are free to use their own discernment.

Through a quantitative analysis of twenty-five school districts, which are among the state's largest, this research asks what policies school districts choose to implement when California's Education Code gives them freedom to adopt or ignore policies that impact traditional moral beliefs and parental rights. These beliefs recognize that parents hold primary responsibility — and therefore, primary authority — when it comes to deciding questions such as sexual education. The research focuses on five individual policies, not mandated by state educational law:

Religious excuses: whether parents can obtain excused absences, for their K-12 children, when students participate in religious exercises or religious instruction.

Confidential medical release: whether a school will excuse 7-12 grade students from class, without logging absences and without parental notification, for medical purposes including drug counseling and surgical abortions.

Condom availability programs: whether high schools implement programs that offer free condoms to their students.

Media notification: whether parental permission or notification is required before non-district approved media, such as R-rated films, are used to supplement classroom instruction.

Alternative materials: whether students can be assigned alternative instructional materials of equal merit, when their parents challenge the appropriateness originally assigned instructional materials.

Excused absences for religious purposes and confidential medical release are explicitly permitted by state law, but neither is required. The remaining district policies are not directly discussed in state law, but they appear in a number of districts, and California allows these policies to stand.

To establish the context for the district policy research, this article first provides a history of school districts in California. The first section addresses the establishment and reorganization of California school

districts, the governance of such districts, and state and local sources for district policy. There is limited academic literature available for discussion regarding school districts as policy-making bodies or specifically as stakeholders in family values issues, but some research on condom programs and religious excuses is discussed in the first section. In the second section, the research design is briefly described. Finally, research findings are presented, with conclusions and suggestions for further study. Rather than showing uniform district positions on family values, the results suggest that policy types and parental involvement in California school districts may impact what policies school boards adopt.

CALIFORNIA SCHOOL DISTRICTS IN CONTEXT

California established school districts in 1849, when its constitution was written, but the number and size of districts have changed substantially in the 162 years since that time.⁵ State legislators worked toward consolidating districts, and in this process of reorganization, districts given a choice often preferred the more localized control found in smaller jurisdictions. What financial incentives could not accomplish, however, state constitutional authority did. This section addresses the initial formation of school districts in California, followed by four major developments that brought the system to its current state. The overarching narrative shows a state intent on consolidating districts since 1935.

The California Constitution places school districts directly under the state legislature's jurisdiction. Legislative power is twofold: to organize districts and authorize their activities. In Article 9, Section 14, the Constitution grants legislators power "to provide for the incorporation and organization of school districts."⁶ They may determine the classificatory system for districts of every kind, including community college districts. They also authorize school districts' governing boards to "initiate and carry on" any programs and activities that do not "conflict with the laws and purposes for which school districts are established."⁷ This three-tiered system of powers, which places California school districts in an intermediary role between communities and the state, has held since its inception.

The number of elementary and high school districts exploded to 3,579 by the year 1935, a process driven by population expansion and growth away from an agriculturally based economy.⁸ Legislators began seeking to consolidate districts, presumably to increase efficiency and state oversight of the education system in California. Laws enacted around 1935 allowed for the first unified districts, which combined elementary and high school districts under a single board of education, and annexed like districts.⁹ Two or more high school districts, for instance, could be consolidated into one. Yet, reorganization was voluntary. Between 1935 and 1940, the state went from no unified school districts to forty.¹⁰ The total number of school districts dropped by 213, or about eight percent, during that period.¹¹ While the data show some local willingness to consolidate, the state legislature would enact major legislation to reduce the number of elementary and high school districts over the next seventy years.

California stepped into modern school district organization with the Optional Reorganization Act of 1945, one of four key developments from the state legislature. The Act created a State Commission on School Districts that surveyed every California county and made organizational recommendations to the State Board of Education, which assumed its responsibilities when the Commission disbanded in 1949. In four years, the Commission accomplished an eighteen percent reduction to 2,111 school districts. Its survey reports, bill proposals, and other records paved the way for statewide change in school district organization.

The second major development was recommended by the Commission: higher levels of financial support for unified school districts.¹² Each of the six significant bills dealing with district organization passed between 1950 and 1994 provided financial incentives. The first three passed between 1950 and 1953, but all their incentives ended after the unified districts' first five years in existence. The California Department of Education describes districts' considerable reluctance to unify without "tangible financial benefits."¹³ While early incentives helped, particularly among poor districts, communities continued to favor localized control of education.

In the third major change, legislation enacted in 1959 and 1964

moved California from voluntary to mandatory reorganization. The 1959 legislation gave counties five years to draft a master plan of district reorganization, and submit it to the State Board of Education, which proposed unified districts or intermediate steps toward unification.¹⁴ If counties did not submit plans, the state would enforce its own. The 1964 legislation was primarily a financial bill, creating new incentives for reorganization and disincentives for non-reorganization.¹⁵ It called unified districts the ultimate form of district organization in California, and provided minimum standards for enrollment and geographical size. Most county plans were approved by 1972.¹⁶ The overall number of districts dropped nearly forty-two percent, from 2,554 to 1,067 between 1945 and 1971, and the number of unified districts increased five times to a total of 242.¹⁷ Mandatory consolidation was working to tighten district organization.

The final major development occurred in 1994, with Senate Bill 1537, when the legislature tempered unification requirements. It permitted high school districts to unify without affecting feeder elementary districts, which could remain independent within the unified high school district.¹⁸ The bill also addressed newly unified districts that make insufficient progress toward housing secondary students within district boundaries. At the state's discretion, such districts could be discontinued, or undergo "lapsation." These changes suggest a shift in legislative focus, from consolidation to improving the existing system for students.

The legislature's most explicit effort to decentralize was in an attempt to divide the Los Angeles Unified School District.¹⁹ LAUSD had 693,597 students enrolled.²⁰ Long Beach Unified School District, the state's second largest district, had twelve percent of LAUSD enrollment.²¹ Governor Ronald Reagan vetoed a division of LAUSD in the 1970s and no further progress was made until 1995.²² The 1995 bills merely lowered the threshold for district reorganization by petition, however, and provided conditions for new districts formed from LAUSD. LAUSD remains unified today.

California moved from 3,579 school districts in 1932, to 979 school districts in 2004, a decrease of seventy-three percent.²³ From 1973 to 2004,

after the 1972 state approval of county plans for unification, the number of districts only decreased by seventy-five.²⁴ This relative stability follows three key phases in state policy: creation of a State Commission on School Districts, financial incentives, and mandatory reorganization. The overarching narrative of district organization in California reveals a state intent on consolidation. Districts often did not volunteer to reorganize, but legislators used authority vested in them by the state constitution to accomplish their goals. With the number of districts now fairly stable, legislators have softened unification requirements, and in some cases sought decentralization to better serve students.

SCHOOL DISTRICT GOVERNANCE

California possesses thirteen types of schools in total,²⁵ which represent some 9,500 individual schools.²⁶ The twelve types of public institutions include elementary, middle, and high schools; charter schools; special education schools; juvenile court schools; and others.²⁷ In addition, nine percent of California students attend private schools.²⁸ This section describes how districts are organized for conventional elementary and secondary schools, with particular emphasis on charter schools. It finds that while charter schools are separate from normal governance structures in some respects, district policies still impact their students.

Most California public school districts fall into three types: elementary, high school, and unified.²⁹ Elementary districts begin with kindergarten or first grade and continue through the sixth or eighth grades. High school districts usually include the ninth through twelfth grades, though some start with seventh grade. Unified districts are comprised of elementary and secondary schools. In geographic terms, component districts can indicate an elementary school district within a high school district, or a high school or unified district within a community college district.³⁰ Every district is governed by a board, or locally elected body, which oversees an individual district. Depending on the district, the board can be known by different names: board of education, board of trustees, etc. Across California district types, however, this board determines policies for local schools.

California became the second state in the nation to authorize charter schools, after Minnesota, when its legislature passed the Charter Schools Act of 1992.³¹ This legislation permitted community innovation outside of normal governance structures, conditioned on accountability in academic performance.³² Three California authorities grant charters: school districts grant 87.3 percent, county boards of education grant 7.2 percent, and the State Board of Education grants 5.4 percent.³³ Yet increased freedom to innovate does not necessarily remove charter schools from district control.

The governance of charter schools varies between dependent, independent, and “in-between” structures. These are non-legal terms, and lack official definitions, but are commonly used.³⁴ Dependent schools receive charters from a school district or county office of education, and remain under that jurisdiction.³⁵ They are subject to school district policies, except where waivers are granted.³⁶ Independent charter schools are independent legal entities, usually governed by non-profit corporations.³⁷ Finally, the in-between school is partially governed by the district or county, but the charter describes other powers reserved to the school.³⁸ In one survey of charter-granting agencies, 43 percent of charter schools were reported as either dependent or independent. The remainder was not classified in such terms.³⁹ Liability is a key factor: charter-granting authorities are accountable for charter school performance.⁴⁰ While charter schools are free from conventional school structures, they often remain under the governance of districts.

A 2002 RAND survey of chartering authorities provides details on district and county influence in charter schools.⁴¹ In setting student disciplinary policies for independent charter schools, 16.1 percent of authorities reported control equal to conventional schools, and 23 percent reported less control. Nearly two-thirds reported no control. On curriculum decisions, 59.3 percent of authorities reported equal or less control than conventional schools, and 40.7 percent claimed none. Dependent schools show more school district and county control: only 18.2 percent of authorities, for instance, had no control over curriculum. Perhaps the most noteworthy numbers fall under special education, where 4.7 percent of authorities for independent schools and 12.1 percent of agencies for dependent schools reported more control than in conventional schools.

In 23.3 percent of independent schools (but in no dependent schools), authorities had no control over special education. There are varying degrees of district and county governance, but overall, increased control is likely in charter school special education.

Governance of conventional school districts is straightforward: boards of education oversee elementary, secondary, and unified districts, which may be located within other districts or may be geographically independent. District oversight of charter schools, however, depends on the charters granted these schools at inception. While charter schools are in part founded to gain separation from the conventional governance system, charter-granting authorities are responsible for their academic performance. This liability necessitates partial control by school districts and county governments, meaning that charter school parents should remain aware of the family values and parental rights positions taken by traditional boards of education. The men and women elected to school boards must consider input from multiple sources, while voices as diverse as local parents and federal laws tell board members what to do.

POLICY SOURCES

Many sources contribute to educational policy in California, beginning with community input at the district level and continuing to federal levels. From legislation such as the National School Lunch Program signed by President Harry Truman in 1946, to the more recent No Child Left Behind Act signed by President George W. Bush in 2002, federal monetary assistance comes with accountability to the national government. Because this research focuses on policies relating to family values and parental rights, however, the most pertinent sources of education policy are found at state and local levels. This section shows how California state laws directly influence education policies in this state's school districts and how districts form their policies.

In California, detailed aspects of local public school experiences are determined by statewide law. Families in urban areas might generally expect more socially liberal policies, within their school districts, than families in agricultural areas. That assumption holds some truth. Yet the California Education Code establishes common standards for every

district and public school, along with the more general California Code of Regulations, which addresses situations such as illegal discrimination. Districts must comply with state law.

This is done in two ways. First, the Education Code speaks to specific situations. A parent or guardian may file with schools annually, for example, to exempt his child from physical examination by the school.⁴² Every public school must comply. Second, as districts come into compliance, they must interpret the law. State law provides that “schools may excuse any pupil from the school for the purpose of obtaining confidential medical services without the consent of the pupil’s parent or guardian.”⁴³ In a 1987 letter, the bill’s author told school superintendents to “be careful” in not misleading schools to believe that the law “mandates” release without parental notification.⁴⁴ Yet schools often view this as a question of whether students can obtain any confidential medical services, such as drug counseling or abortions, while some parents call it a question of who approves requests for medical treatment during school hours. Whatever the interpretation of this law in particular districts, the agendas and issues that school districts must consider are shaped by state law.

At the district level, the board of education has the final say in what issues are addressed and what policies are passed. This discretion can lead to significant differences between districts. In the San Francisco Unified School District (SFUSD), the board sought to comply with California’s Education Code and Code of Regulations prohibitions on gender discrimination. It changed SFUSD policy to say, for instance, that “transgender students shall not be forced to use the locker room corresponding to their gender assigned at birth.”⁴⁵ A comparable policy is found in the urban Los Angeles Unified School District, but policies on transgender and other issues are not uniform across California school districts.

District boards of education often encourage community members to participate in policy formation by presenting their thoughts during board meetings. In Riverside Unified School District, for example, Board Policy 9322 permits members of the public to request that items be placed on the agenda of a regular meeting.⁴⁶ If their request is granted, they may address the Board before or during its consideration of an issue, and testify on issues that are not on the agenda but fall within the Board’s jurisdiction.⁴⁷

Teachers, students, parents, school medical personnel, and grassroots activists have been known to voice their opinions at such meetings, as people with vested interests in the policies set for a school district. Board meetings provide a public forum for policy-makers and local stakeholders to engage.

The California Education Code and other state laws are standardizing sources of policy for school districts across California. Districts both comply with these requirements and interpret them, as when determining non-discrimination policies for transgender restroom use on school campuses. State law also permits districts to determine their policies on family values and parental rights issues. At local levels, each board of education drafts policies, while members of the community may speak at board meetings. The result is that a unique set of rules governs each district, though all have common underpinnings found in laws from the state legislature.

THE CONTEXT FOR TWO VARIABLES

With ample data provided regarding condom availability programs, this paper would be remiss not to specifically address such initiatives. In 1996, the Massachusetts Supreme Court held that a condom availability program did not violate parents' rights to raise their children without unnecessary governmental intrusion or the free exercise of religion.⁴⁸ Junior and senior high schools in Falmouth, Massachusetts had been providing condoms to students. While junior high students were required to obtain counseling on sexually transmitted diseases from the school nurse before obtaining condoms at the vending machine, senior high school students could go directly to the machines. When the Supreme Court declined certiorari, the Massachusetts Supreme Court ruling stood: because the program was voluntary for students, it was considered constitutional, and did not require a parental opt-out provision. Though this study defines parental rights to include decisions about the sexual health aspects of students' educational environments, parents' right to dissent is not always upheld here.

Research conducted in California suggests that condom programs decrease the chance of students acquiring sexually transmitted diseases, without raising their likelihood of engaging in risky behaviors. In 1998, researchers studied a Los Angeles County high school to determine

whether a new condom program changed student behavior.⁴⁹ Close to 2,000 students, or ninety-eight percent, were surveyed and 1,100 were surveyed the next year. No significant difference was found in the percentage of students engaging in intercourse, but the number of males using condoms every time they engaged in such behavior rose from thirty-seven percent to fifty percent.⁵⁰ Since 1998, studies have found that students are not more likely to engage in sexual behavior, but are more likely to receive condom instructions and to use condoms when their schools provide the contraceptives.⁵¹ Certainly, proponents and opponents of condom programs want to prevent sexually transmitted diseases among youth. During the Los Angeles school's first year of providing contraceptives, however, between 1,800 and 2,000 condoms were taken monthly.⁵² Those who disagree with the program might observe that premarital abstinence consistently protects the students who practice it. At the least, this type of contraceptive program accepts behavior that conflicts with traditional values, when it occurs outside the husband-wife marriage relationship.

In addition to condom programs, school boards can adopt policies that excuse students from class for religious purposes. At first glance, it may seem unlikely that one district would choose both policies. Yet the United States' long tradition of religious practice and the financial benefit to districts granting religious excuses encourages districts to do so. For example, Los Angeles County has 85 school districts and had 3.8 million Roman Catholics in 2000 representing 40 percent of the county population.⁵³ Other religions represented included Judaism (5.9 percent) and Islam (1 percent).⁵⁴ When students miss school for religious observances, districts lose state funding that is based on average daily attendance—unless the absence is excused in keeping with state guidelines.⁵⁵ Whatever the motivation, excusing students for religious holidays, release time, and related purposes supports traditional beliefs.

RESEARCH HYPOTHESIS AND DESIGN

When designing this descriptive study, the author hypothesized that districts would carry a mixed record on issues regarding family values when given the freedom to choose their own policies, and would be more

likely to favor governmental than parental oversight. Before analyzing the data, the author expected that almost every district would both excuse students for religious purposes and provide confidential medical release. Assignment of alternative materials seemed likely more than half the time, while condom programs and media notifications would be in the minority. When it comes to classroom and campus environments, the California political climate generally favors school discretion over detailed parental involvement. At the least, this approach simplifies school governance in a system that educates millions daily, from kindergarten to high school.

Districts have the freedom to implement or reject every policy included here. Put differently, there are no state mandates on these issues. As presented earlier, five district policies are examined: excused religious absences, confidential medial release, condom availability programs, excuses on challenged instructional materials, and parental notification or permission for the use of supplementary instructional media. The policies are measured on a yes-no basis: a district either has the policy in question or it does not. The presence of each policy in a district, however, does not necessarily indicate support for traditional beliefs: a yes value on excused religious absences would indicate support, while the no value on condom programs is consistent with parental rights.

DESIGNING THE STUDY

This research draws primary data from California's largest districts, as measured by enrollment. The sample is small, with twenty-five districts included in the study. This approach was chosen in part because these districts represent more than 1.6 million students. In other words, these districts' policy decisions govern more than twenty-five percent of public school students in California. Based on student population, therefore, the cultural impact of these policies is quite broad.

In addition, a no response favors traditional beliefs for policies related to confidential release and condom programs. District policies on religious excuse, supplementary media, and alternative materials variables require yes responses to be consistent with parental rights. As a group, this study includes three policies that reflect traditional beliefs and parental

rights, and two that conflict with traditional values.

To determine whether more districts favor or oppose traditional morals in each policy, the study analyzes the frequency with which districts choose policies that support traditional morality. If between zero and one-third of districts support traditional beliefs, this is considered weak support for purposes of the study. One-third to two-thirds support is moderate. Crossing the two-thirds threshold is considered strong support.

RESEARCH FINDINGS

As the study's hypothesis predicted, districts carry a mixed record on family values issues when they are able to select their own policies. The five policies skew in favor of governmental oversight rather than parental oversight. Yet, results for specific variables did not always match the predictions given. This section examines results for the five variables, seeks correlation between individual variables, and provides an analysis of the eleven California counties represented by this sample population.

All twenty-five districts passed policies permitting excused absences for religious purposes, making this the sole variable with 100 percent support for traditional values. It clearly surpasses the threshold for strong support of a policy – two-thirds of the districts, or fifteen in twenty-five – with its uniform acceptance of religious excuses.

The second policy, confidential medical release, shows moderate support among California districts. A surprising forty percent (ten districts) does not have a district-level policy permitting school officials to excuse students from classrooms, without parental permission or notification. This leaves fifty-six percent (fourteen districts) that does offer confidential medical release to junior and senior high school students. While results lie in the moderate range, they reflect somewhat stronger support for school oversight than parental oversight, in determining who permits students to leave campus for medical appointments.

Condom availability programs reflect strong support for traditional morality, with only twenty-four percent (six districts) adopting policies to provide contraceptives on high school campuses. Though the sample population includes twenty-four unified school districts and only one

elementary district—meaning that twenty-four districts include high schools—seventy-six percent of districts surveyed do not provide condom programs by board policy. The results are mostly consistent with values reserving sexual guidance to families, rather than sharing it with schools.

Clovis Unified, which is located slightly northeast of Fresno, takes an unusually strong stand against such programs. Its policy states that “provision of contraceptives is inconsistent with the Board’s position specifying abstinence as the primary message to be communicated to students,” in instructional programs that seek to prevent sexually transmitted diseases.⁵⁶ Ninety-four percent of California schools offer HIV/AIDS prevention education, which is required by state law, according to a 2003 study by the American Civil Liberties Union of Northern California and others.⁵⁷ While state law requires instruction to “emphasize that sexual abstinence” is among “the most effective means for HIV/AIDS prevention,”⁵⁸ Clovis is the only district to explicitly prohibit a contraceptive program.

The fourth policy is the assignment of alternative instructional materials to individual students, when their parents challenge instructional materials that schools originally intended to use. A yes response indicates that students may receive alternative assignments of equal merit, usually at the written request of parents or guardians. With forty-four percent (eleven districts) offering alternative assignments and fifty-two percent (thirteen districts) not providing alternatives, this variable shows moderate support for parents’ rights in guiding student education. While results lean toward school oversight, this is only a two district difference.

Finally, policy five is the adoption of parental permission or notification for supplementary media used in the classroom. These audiovisual materials are not district-approved, though district policies may require teachers to obtain administrative approval of specific items before classroom use. While other policies in this study have standard definitions, this variable allows a wide range of policy components: districts may only require parental permission for PG-13 and R-rated films, prohibit all R-rated films, require parents to be present when students watch R-rated films, and so forth. Every yes response for variable five,

however, indicates a school district that provides some level of parental permission or notification.

Saddleback Unified, Lodi Unified, and West Contra Costa Unified districts were coded as no responses, though they have policies on supplemental media, because they omit parental permission and notification. For instance, West Contra Costa only permits use of G-rated films, and requires administrative rather than parental approval of supplemental materials.⁵⁹ This suggests weak support for parental rights in the area of supplemental media: while twenty-four percent (six districts) inform parents of such materials, seventy-two percent (eighteen districts) do not involve parents and guardians in the decision-making process.

Among the policies tested in this study, two reflect strong support for traditional beliefs and parental rights. These are excuses for religiously-motivated absences (100 percent) and the lack of condom programs (seventy-six percent). Two policies show moderate support: confidential medical release skews in favor of school oversight (fifty-six percent), while districts are slightly more likely to not provide alternative assignments to challenged materials (fifty-two percent). The final policy shows weak support for parental rights (twenty-four percent), as eighteen districts require neither notification nor parental permission. With two policies in clear support of traditional morality, two in the moderate range, and one in strong conflict, these policies reveal no uniform world-view or policy approach regarding family values, but show marked variation by district.

District policies appear most family-friendly when it comes to student behavior outside the classroom: absences for religious purposes (100 percent), contraceptive use (seventy-six percent), and confidential medial release (fifty-two percent). When it comes to instruction within the classroom, trends shift. Districts are less likely to respect parents' oversight of their children's educational experiences by assigning alternative materials (forty-four percent) or providing multimedia notification (twenty-four percent). Given the district's influential role as a middle ground between state mandates and community desires, these results could suggest increasing parental satisfaction, as policies move from behavior outside classrooms to instruction within classrooms. Yet parents are more likely

to be aware of their children's need to be excused for a religious holiday than of the difference between a district-approved classroom video and a supplementary classroom video. While parental involvement falls outside the scope of the present study, declining district support for traditional morals may reflect declining parental involvement.

COUNTY BREAKDOWN

This sample population represents eleven California counties, which cluster in Southern California (seven counties), but include the northern Bay Area (two counties) and the Central Valley (two counties). Los Angeles, Riverside, and San Diego Counties each have four districts in the sample population. Alameda, San Bernardino, West Contra Costa, Orange, and Fresno Counties each have two districts. Santa Clara, Sacramento, and San Joaquin each have one. Los Angeles further represents the most enrolled students, at 782,131 students, while Riverside has 146,706 and San Diego has 130,202. These three counties alone account for sixty-five percent of total enrollment, among the twenty-five districts studied.

San Diego County's four districts are the most family-friendly among those studied, with three districts fully meeting the criteria for family-friendly policy: yes on religious excuses, no on confidential medical release, no on condom programs, yes on alternative materials, and yes on parental permission or notification for supplementary media. These districts were Sweetwater Unified, Poway Unified, and Vista Unified. Only two additional districts met this criteria, in San Bernardino County (San Bernardino City Unified) and Riverside County (Desert Sands Unified). The fourth San Diego district provided excuses for religiously-motivated absences, but that was the only policy found among the five variables. Only three districts showed complete conflict with traditional values, when the religious excuse variable was removed. These districts were in Alameda County (Oakland Unified), Contra Costa County (West Contra Costa Unified), and Riverside County (Temecula Valley Unified), providing no uniformly "worst" county.

INTO THE FUTURE

The small sample population drawn upon in this study provides a starting point for future research: though this study covers more than 25 percent of the public school enrollment in California, it includes less than 3 percent of the state's school districts. Further, as districts decrease in enrollment size, they are more likely to be elementary districts. Confidential medical release and condom availability programs should be irrelevant there. Providing a comprehensive picture of campus environments with regard to these variables requires a larger and likely randomized study of districts. A new study should control for differences between unified and elementary school districts, given differences in the demographics that each district type serves.

The earlier distinction between behavior outside classrooms and instruction within classrooms may also merit consideration as researchers consider aspects of the parent-school relationship. Though many parents are involved in students' homework and class assignments, it is possible that religious release time and condom programs are more visible to parents, or at least encourage more active parent-school interaction. If religious excuses are granted because parents remove their children regardless, and if parents are less likely to challenge instructional material or inquire about supplementary films, their involvement may be significant in whether districts choose policies that support or conflict with traditional values and parental rights.

In researching for this study, the author found many policies directing district personnel to provide "comprehensive health and social services" on or near school sites. Los Angeles Unified provides "free, primary health care to students who have signed parental consent or who are emancipated minors."⁶⁰ Services include birth control, testing and treatment for sexually transmitted diseases, pregnancy counseling, and crisis and short-term individual and family mental health therapy.⁶¹ While the author has conducted limited research on school-based health centers in California, further examination of this subject could explore parental awareness of the full range of services, with the frequency that minor students avail themselves of such medical and psychological services.

CONCLUSION

The 6.4 million students in California's public schools are impacted by district-level policies each day, from the kindergartener's ability to miss class for a religious ceremony without penalty, to whether a ninth grade student finds condoms on his high school campus. School districts have changed substantially since they were established by the state constitution in 1849. After decades of state work to consolidate school districts, with financial incentives and mandatory reorganization, the number of districts stabilized at fewer than 1,000. Districts grew geographically, but retained local connection. As a governing body elected from and located in the community, the district board of education draws policies from state mandates and community desires, including policies related to traditional morals and parental rights. It holds a vital middle ground: board members interpret and apply state policy, while providing local stakeholders with an access point for speaking on the policies that shape students' everyday experiences.

In their capacity as a middle ground, district boards often hold the power to determine whether they will adopt policies that support or conflict with traditional moral beliefs and parental rights. Using the absence of state mandates as an independent variable, this study finds that the sampled school districts strongly support traditional morality in two dependent variables, offer moderate support in two variables, and clearly conflict with such beliefs in the final variable. These variables reveal no standard policy approach to family morals, but highlight the individual nature of district-level policy-making. The results also suggest that where parents are more aware of district policy, districts are more likely to support their oversight role as parents and support traditional morals. Yet, confirming that is a topic for another study. This study illustrates that district policy-making is not a cookie cutter affair. At the same time, it falls short of providing strong assurance to parents that districts will support their efforts to be aware of their children's exposure to films and other media—or even of their children's location during the school day—when school districts are given the choice.

ENDNOTES

1. "Table 232, Public Elementary and Secondary Schools and Enrollment—States: 2004-2005," The 2008 Statistical Abstract: The National Data Book, U.S. Census Bureau, 2008, <http://www.census.gov/compendia/statab/tables/08s0232.pdf>. Eleven percent of publicly educated students, in the United States, is enrolled in a California public school.
2. "Rules of the Board of Education, Administrative Guide," Los Angeles Unified School District, 190 (2007), digital copy.
3. *Ibid.*, 212.
4. CAL. EDUC. C. § 51933.4.
5. "District Organization Handbook, Chapter 2: History of School District Organization in California," California Department of Education, 6, 11 (2006), <http://www.cde.ca.gov/re/lr/do/documents/dochap2.doc>.
6. CAL. CONST. ART. 9.
7. *Ibid.*
8. California Department of Education, District Organization Handbook, 6.
9. *Ibid.*
10. *Ibid.*, 11.
11. *Ibid.*
12. California Department of Education, District Organization Handbook, 7.
13. *Ibid.*
14. *Ibid.*, 7.
15. *Ibid.*, 8.
16. *Ibid.*
17. *Ibid.*, 11.
18. *Ibid.*, 9.
19. Los Angeles Unified School District, Rules of the Board of Education.
20. "California School Districts by Enrollment," Pacific Justice Institute, Sacramento, California, digital copy.
21. *Ibid.*
22. California Department of Education, District Organization Handbook, 9.
23. *Ibid.*, 11.
24. *Ibid.*
25. "General Information," Education Data Partnership, 2008, http://www.ed-data.k12.ca.us/Navigation/Definitions_frame.asp.
26. "District Profile, Fiscal Year 2006-07," Education Data Partnership, 2008, <http://www.ed-data.k12.ca.us/Navigation/fsTwoPanel.asp?bottom=/Profile.asp?level=06>.
27. Education Data Partnership, General Information.
28. *Ibid.*
29. *Ibid.*
30. Education Data Partnership, District Profile.
31. "Charter Schools," EdSource, 2011, http://www.edsource.org/iss_charter.html.
32. *Ibid.*

33. Zimmer, Ron, Richard Buddin, Derrick Chau, Glenn A. Daley, Brian Gill, Cassandra M. Guarino, Laura S. Hamilton, Cathy Krop, Daniel F. McCaffrey, Melinda Sandler, and Dominic J. Brewer, *Charter School Operations and Performance: Evidence from California*, 65. (Santa Monica: RAND, 2003). http://www.rand.org/pubs/monograph_reports/MR1700/.
34. *Ibid.*, 71
35. "Frequently Asked Questions About Charter School Fundamentals," Charter Schools Development Center, 2008, <http://www.cacharterschools.org/faqs.html>.
36. Zimmer and Buddin et al. 2003, 15.
37. Charter Schools Development Center. 2008.
38. *Ibid.*
39. Zimmer and Buddin et al., 72.
40. *Ibid.*, 73.
41. *Ibid.*, 75.
42. CAL. EDUC. C. § 49451
43. CAL. EDUC. C. § 46010.1.
44. Brad and Susanne Dacus, *Reclaim Your School: Ten Strategies to Practically and Legally Evangelize Your School*, 21 (Sacramento: Pacific Justice Institute, 2007).
45. "San Francisco Unified School District Policy," Transgender Law & Policy Institute, Colleges/Universities and K-12 Schools, 2008, <http://www.transgenderlaw.org/college/sfusdpolicy.htm>.
46. "Policy #9322," Riverside Unified School District, Bylaws of the Board, Board of Education, digital copy.
47. *Ibid.*
48. *Curtis v. Sch. Comm. of Falmouth*, 420 Mass. 749, 652 N.E.2d 580 (1995).
49. Schuster, Mark A., Robert M. Bell, Sandra H. Berry, and David E. Kanouse, "Impact of a High School Condom Availability Program on Sexual Attitudes and Behaviors," *Family Planning Perspectives*, 30, no. 2 (March/April 1998): 67, <http://www.guttmacher.org/pubs/journals/3006798.pdf>.
50. *Ibid.*
51. Blake, Susan M., PhD, Rebecca Ledsky, MBA, Carol Goodenow, PhD, Richard Sawyer, PhD, David Lohrmann, PhD, and Richard Windsor, PhD, "Condom Availability Programs in Massachusetts High Schools: Relationships With Condom Use and Sexual Behavior," *American Journal of Public Health*, 93, no. 6 (June 2003): 995, <http://www.ajph.org/cgi/reprint/93/6/955.pdf>.
52. *Ibid.*
53. "Religious Congregations and Membership in the United States," Glenmary Research Center, 2000, cited in "Religious demographic data on Los Angeles County," Center for Religion and Civic Culture, University of Southern California, 2008, <http://www.usc.edu/schools/college/crcc/demographics/lacounty.html>.
54. *Ibid.*
55. CAL. EDUC. C. § 46014.
56. Clovis Unified School District. Board Policy No. 2404. Health & Welfare: Children's

Health Centers. <http://notes.clovisusd.k12.ca.us/board/boardpolicy.nsf>.

57. Burlingame, Phyllidia, "Sex Education in California Public Schools: Are Students Learning What They Need to Know?" American Civil Liberties Union of Northern California and others, 5 (2003), http://www.aclunc.org/docs/reproductive_rights/sex_ed_in_ca_public_schools_2003_full_report.pdf?ht=.

58. CAL. EDUC. C. § 51934.3.

59. "Board Policy No. 6161.11, Instruction: Supplementary Instructional Materials," West Contra Costa Unified School District, 234 (2007), http://www.wccusd.k12.ca.us/board/updated_policies/Policy_6000_BP&AR.pdf.

60. Los Angeles Unified School District, 217.

61. *Ibid*, 218.

The Merida Initiative: An Effective Way of Reducing Violence in Mexico?

Sabrina Abu-Hamdeh

In recent decades, Central America, the Caribbean, and Mexico have had the dubious honor of being key players in the global drug market. Today, South America is the lone producer of cocaine for the world. Mexico and Colombia provide the United States with its primary source of opiates and play central roles in the marijuana trade and the foreign production of methamphetamines.¹ The main pathway for illegal drugs to enter the United States is the Central America-Mexico corridor, where it is estimated that ninety percent of all the cocaine entering the United States arrives. As a result, the Latin American drug trade is big business: Colombian and Mexican drug trafficking organizations make an estimated \$18 to \$39 billion annually in wholesale drug profits.² In 2008, the National Drug Intelligence Center reported that Mexican drug trafficking organizations are the “greatest organized crime threat” to the United States today, due to the increased distribution and transportation networks Mexican cartels have put in place to meet US need.³

After the inauguration of Mexican President Felipe Calderon in 2006, and his subsequent pledge to battle corruption and drug trafficking, drug violence surged in areas dominated by the most prominent drug organizations. The death toll rose as these groups fought each other and the Mexican government for coveted control of lucrative drug routes. The United Nations Office on Drugs and Crime released a report stating that, though crime rates and homicides decreased worldwide, homicides increased in Latin America, Mexico and the Caribbean from 19.9 per

Sabrina Abu-Hamdeh is a second year student at SPP graduating with concentrations in Economics and International Relations. She presented this paper at the Pacific Coast Conference of Latin American Studies in November 2011.

100,000 in 2003 to 32.6 per 100,000 in 2008.⁴ According to recent studies, income inequality, political instability and crime have all contributed to the increases in violence, but the major factor is the drug trade. Exact numbers of drug-related deaths are disputed, but according to the Trans-Border Institute at the University of California, San Diego, there were 2,120 Mexican cartel-related homicides in 2006; 2,280 in 2007; 5,153 in 2008; 6,587 in 2009; and already the highest number yet in 2010 with 5,775. Since 2007, shortly after President Calderon's declaration of a war on drugs, an estimated 28,228 drug trade related deaths have been reported.⁵

Increased anxiety over the escalating violence and increased drug trafficking between US border states and northern Mexico led US lawmakers to create anti-drug assistance programs to lessen drug-related violence and drug trafficking into the United States. These programs met with little success as increased internal corruption, ever more powerful drug cartels, and increased poverty plagued Mexico. With relations continuing to cool between the United States and Mexico, President Calderon extended an olive branch in 2007 and requested the help of the United States with counterdrug efforts and assistance.⁶ He also pointedly remarked on the United States' role as a major consumer of Mexican drugs when he stated at the Merida Conference, "While there is no reduction in demand in your territory, it will be very difficult to reduce the supply in ours."⁷

In October 2007, the United States and Mexico announced the Merida Initiative, a \$1.4 billion proposal for US assistance in Mexico and Central America's drug war for FY 2008-FY 2010.⁸ For the 2008 fiscal year, Congress allocated \$400 million for Mexico and \$65 million for Central America. This marked a shift in US foreign drug policy, as until this time Colombia had been the main recipient of US aid, not Mexico. According to the US Department of State, Colombia received \$600 million for FY 2006, while Mexico received approximately \$40 million.⁹ As the US enters its fourth year of Merida Initiative implementation, it is important to assess whether or not it has been a successful policy. The intention of the United States and Mexico was to reduce the drug trafficking problem, cartel influence, and associated violence and corruption, while restoring order to much of Mexico through implementation of the initiative. This paper

will address the viability of the Merida Initiative as an effective policy for reducing continued drug-related violence and homicide in Mexico.

LITERATURE REVIEW

Though extensive literature surrounds the Merida Initiative, the focus of this analysis will be three aspects of the program: the background of the proposal, the implementation and accountability of the program, and critiques of the program as a counter-drug policy.

The Merida Initiative was intensely debated in Congress; lawmakers were hesitant to pass an aid proposal in light of the Mexican history of government corruption. Proponents of the initiative stressed that equipment and training, rather than direct cash transfers, would be offered to Mexico in an effort to curtail potential corruption.¹⁰ The goal of the proposal was to maximize the effectiveness of already existing programs to curb drug, human, and weapons trafficking through four different types of funding: counternarcotics/counterterrorism/border security; public security/law enforcement; institution building; and rule of law and program support. At its inception, the main objectives of the Merida Initiative were to: 1) break the power and impunity of criminal organizations; 2) strengthen border, air and maritime controls; 3) improve the capacity of justice systems in the region; and 4) curtail gang activity and diminish local drug demand.¹¹

No additional funding for US anti-drug efforts was appropriated in the initiative, though the document cited several US counterdrug programs already in place.¹² The result of both Senate and House of Representatives amendments to the proposed initiative was approval of \$400 million for Mexico and \$65 million for Central America, the Dominican Republic and Haiti in 2008, and \$300 million for Mexico and \$110 for Central America, the Dominican Republic and Haiti for 2009.¹³ For FY 2010, \$210.9 million was allotted to Mexico due to additional appropriations given to Mexico in FY 2009 in supplemental funding. This money was carried forward into the next year.¹⁴ The final year of the initiative was to be 2010, and it was intended that successor programs—including post-Merida support to Mexico, the Central American Regional Security Initiative (CARSI), and the Caribbean Basin Security Initiative (CBSI)—would take up where the

Merida Initiative had left off.

The process of procuring funding from Congress for the first year of the program was ultimately easier than service delivery itself. Since the initiative stipulated no cash transfers or money disbursement to the recipient countries, it fell to the State Department and other government agencies to facilitate service delivery through new and existing programs in Mexico. On July 10, 2010, the Government Accountability Office (GAO) released a report outlining the success of disbursement of the Merida funds allocated to Mexico. The report found that, “as of March 31, 2010, 46 percent of Merida funds for fiscal years 2008 to 2010 had been obligated, and approximately 9 percent had been expended.”¹⁵ US agencies had delivered the major equipment stipulated in the initiative, including five Bell helicopters, X-ray inspection devices, law enforcement canines, and training for more than 4,000 police officers to the Mexican government. These positive findings, however, were limited as the report also found that an insufficient number of available staff to administer programs and ensure seamless equipment delivery, slow negotiations and contract disbursement, changes in governments and funding availability all hampered implementation of the Merida Initiative. The GAO had first reported problems with service delivery process in December 2009, at the behest of Congress, whose concern over the implementation of the Initiative was mounting.¹⁶ Since the release of the original GAO report, the pace of service delivery has increased, as noted in the updated July 2010 report.

In assessing the Merida Initiative, the GAO found that its strategic documents were missing important elements necessary for accountability, and in many cases, for the success of the program. It found that performance measures indicating progress had not been built into program documents. No timelines were set as gauges of success, and equipment and training was provided without such measures of accountability in place.¹⁷ In response to these findings, the GAO recommended that outcome performance measures such as timelines or other indicators of program success be included in Merida Initiative strategy to ensure more efficient service delivery. After initial arguments by the Department of State regarding the GAO’s heavy

use of “expended funds” as the primary measure of performance, it agreed with the recommendations put forth by the GAO.¹⁸

Beyond issues of policy implementation, there remains the question of the Merida Initiative’s effectiveness as a drug control policy. Modeled in part on Plan Colombia, it was touted as the answer to the rising international drug problem that had seemingly been reduced in Colombia by the Plan. Unfortunately, according to a GAO report released in 2008, the success of Plan Colombia as a drug reduction plan was not found to be entirely true, though as a security program for Colombia it was successful. The goal of Plan Colombia was to reduce drug cultivation, processing and distribution by fifty percent between FY 2000 and FY 2006. By 2006, heroine production had been reduced by 15 percent, but coca cultivation had increased by fifteen percent and distribution had increased by four percent.¹⁹ The funding emphasis of Plan Colombia was on military aid with \$4.9 billion allocated to military assistance and only \$1.3 billion for justice, social and economic programs that included alternative development programs for displaced drug workers.²⁰ The GAO ultimately recommended a more integrated approach for the plan’s programs to facilitate a more seamless transition to Colombian control. Additionally, as in the case of the Merida report, it recommended tangible performance measures of the program to ensure satisfactory outcomes and self sustaining alternative development programs. The GAO emphasized a report issued by the US Embassy in Bogota, which warned that any program gains would be temporary until a stable government not prone to manipulation could be established. The Merida Initiative has followed a trajectory similar to that of Plan Colombia during its short duration, as its initial funding was focused on military aid.

Additionally, the ideology underlying the Merida Initiative has been questioned. While on paper, the Merida Initiative appeared quite clear in its intentions, according to Diana Villiers Negroponete, the allocation of Merida Initiative funds suggested that the principal interest of the United States was in counternarcotics and counterterrorism.²¹ Villiers Negroponete questions the way in which the Merida Initiative addressed the more contemporary issues of organized crime and cartels prevalent in Mexico. She did, however, applaud the Merida Initiative drafters’

recognition of the need for the use of more advanced technology in judicial and police situations and the need for a grassroots approach to program implementation, because a top-down approach can be alienating, not unlike the gang mentality to which many people are accustomed.²² The Merida Initiative's shortcomings highlight the illegal weapons flow into Mexico from the United States – something Villiers Negroponte finds as an essential part of the drug-related violence in Mexico. No Merida funding was allocated toward domestic policy.

George Grayson discusses mounting drug violence, cartel power and recent attempts (including the Merida Initiative) by President Felipe Calderon to battle the seemingly unstoppable drug trafficking organizations, and whether or not Mexico can overcome such obstacles.²³ In order for Mexico not to become a “failed state” as Grayson suggests is possible, Calderon must take control of Mexico back from the drug cartels through several strategies implemented concurrently. He recommends continuing the war on drugs while exploring other alternatives, such as legalizing certain drugs in a tradeoff for halted drug-related violence in a type of *modus vivendi*. At the same time, he calls for focus on the demand side, through increased education and treatment in the United States and Mexico. Grayson suggests that the possibility of decriminalization of certain narcotics – such as marijuana – in the US could help lessen demand from Mexico and has stated that, “the least bad policy is to legalize drugs.”²⁴

POLICY ANALYSIS

The Merida Initiative came at an important moment for both the United States and Mexico. It signified a much needed collaboration and acceptance between both countries, by the acknowledgment of their mutual shortcomings and their pledge to aid one another. Both countries realized that the futures of their societies were tied, and a significant yet unintended consequence of the Initiative has been to improve relations between the governments of the United States and Mexico. The first objective of the initiative was to reduce drug violence and the second was to reduce drug trafficking into the United States by aiding the Mexican government's fight with the drug cartels. An indirect goal of the Merida Initiative was to lessen

the demand for drugs in the United States through minimized supply. The unfortunate truth is that neither goal of the initiative has yet been successful. There are multiple reasons, which include flawed implementation yielding limited positive outcomes; the short duration and the small scope of the aid program; the limited effects the policy has on domestic drug policy and demand reduction; and the mounting drug-related violence prevalent in Mexico.

A Carnevale Associates study of US drug policy found that consumption from 2002 to 2008 had not changed and remains at eight percent of Americans aged twelve and older.²⁵ It also showed that, though consumption has remained the same, federal spending for supply reduction rose by sixty-four percent whereas spending on demand reduction only rose by nine percent. In light of these bleak statistics, the Obama administration needs to assess its drug policy and decide the future of the Merida Initiative.

Various policy alternatives exist for the Merida Initiative at this juncture. This paper will address the three most plausible options in turn, and review the effectiveness of each policy within the established criteria. The first option is to abandon the program by allowing funding to expire, as it was originally allocated through FY 2010 and has been extended until FY 2011. The second option is to continue with the Obama administration's approach to the Merida Initiative, called "Beyond Merida." This policy embodies the Merida Initiative's original goals, but integrates a "shared responsibility" approach to drug control and a larger focus on institution building rather than military spending. The third option is a new approach that integrates aspects of President Obama's "Beyond Merida" approach, but focuses more on domestic drug and weapons policy as means of lessening demand, and institution building and government support as means of lessening the supply.

The criteria used to determine the best policy incorporates the basic economic principles of supply and demand. The theory of supply and demand is fundamental in explaining market economies and most societal outcomes. The problem of drug violence in Mexico can be attributed to heightened demand that has fueled a larger supply. A successful policy would lessen supply through decreased drug production and cross border

trafficking. For this to happen, there must be decreased demand – notably, within the United States. The desired outcome is a reduction in violence in Mexico from drug-related activities and a lessened supply of illegal drugs.

Abandoning the Merida Initiative would be an easy solution, since the program’s implementation has caused much concern in Congress and many headaches in the State Department. The feasibility of successfully implementing programs in Mexico and providing enough military assistance and training to have an impact has proven daunting for the State Department, with so many agencies to coordinate and contracts to negotiate. This is evident in the GAO’s damning report, which stated that the Merida Initiative has not been at all successful, since the bulk of the money allocated to the program has not yet been spent. There also have not been concrete evaluations of program success, such as the establishment of timelines to facilitate accountability.

Violence has escalated alarmingly in Mexico and the “spillover” of drug violence into the United States is palpable. In discussing the limitations of the Merida Initiative, Villiers Negroponete highlights the flow of illegal weapons into Mexico from the United States and how this is not adequately addressed in the initiative.²⁶ This shortcoming highlights a failure of one of the criterion: lessened demand. Illegal weapons trafficking is a direct result of the increasing drug trade and turf wars in Mexico. Merida funds cannot be used for domestic use, including gun policy; therefore, strengthening US domestic policy is essential for foreign drug policy success. An example of a program already in place is Project Gunrunner, which was designed to stop the flow of illegal weapons from the United States to Mexico. A report of US Justice Department’s Inspector General found, however, that Project Gunrunner has been largely ineffective due to insufficient communication between federal agencies and the inability to target “high-profile” drug traffickers.²⁷ The desired outcome of reduced violence in Mexico has clearly not been reached.

The Merida Initiative has also failed to reduce supply. Analysis has shown that some US policies have actually increased trafficking. Major interdiction efforts on the part of the United States closed Florida as an entry point for Colombian cocaine, but left Mexico as an attractive substitute.

Small-time Mexican drug dealers reaped the rewards and evolved to become the leaders of sophisticated and violent cartels.²⁸ Overall, drug demand has remained the same and drug supply has increased. Meyer suggests that the Merida Initiative applied the same principles of military-focused aid to fight drug trafficking, similar to previous unsuccessful policies implemented in Mexico by the Mexican government.²⁹ This suggests that the program was doomed from the start. On the other hand, to abandon a program that has only been partially implemented would be a complete waste of funds. As observed in the success of Plan Colombia, the length of the program has as much to do with its success as does the transition of the program to a nationally run self-sustaining entity.³⁰

A second policy option is the Obama administration's strategy of following the model of the Merida Initiative, with the inclusion of a more bilateral collaborative approach.³¹ This approach is often referred to as "Beyond Merida" and is founded on the "four pillars" first articulated by President Obama when he made his FY 2011 budget request. In keeping with the "Beyond Merida" rationale of maintaining successful elements and changing what does not work, Obama called for refinements of the initial program to ensure more widespread success and an expanded approach to counterdrug efforts.³² The new approach would be more focused on "institution building" than military equipment expenditures — the bulk of the Merida Initiative's past spending. The four pillars include:

- 1) **Disrupting and dismantling criminal organizations** by viewing them as corporations and disrupting the arms trading originating in the United States
- 2) **Institutionalizing the rule of law** by doubling the budget allotted for Mexican development of strong institutions
- 3) **Building a twenty-first century border** by changing the definition of a border from a simple geographic delineation to one of "secure flows." This would entail moving the location of customs and security away from the border to a central city and leaving the border as merely a place to "focus on preventing the entrance of dangerous illicit flows"³³
- 4) **Building strong and resilient communities** through social and

economic reforms that range from job creation and neighborhood zoning to expanded daycare³⁴

In her assessment, Villiers Negroponte concludes that while the Merida Initiative is a step in the right direction, it is not enough to successfully curtail drug trafficking and violence.³⁵ Once the United States' tenure ends, success will be hinged upon the strength of democratic societies' strong governments, their implementation of consistent policies and wealth redistribution, supported by long lasting programs with built-in local support. The "Beyond Merida" approach incorporates the ideas outlined by Villiers Negroponte. If successful in the long term, the pillars of the "Beyond Merida" approach could affect the supply side of drug trafficking. The evolved policy is ambitious in its aims and would require a sustained effort on the part of the United States for its success. The policy does address weapons trafficking originating in the United States, but has not thus far implemented any policy successful in lessening illegal arms trading. Unfortunately, the Obama plan is glaringly lacking in its response to the call for "shared responsibility" in addressing drug demand.

According to the National Drug Intelligence Center (NDIC), the prevalence of illicit drugs in the United States will not diminish in the near future, but will in fact increase due to growing demand and increased production in Mexico. The only drug that will not be produced in increased amounts is cocaine, due to shortages felt in Latin America rather than a decrease in demand. In fact, global demand has increased as Europe has discovered cocaine.³⁶ The NDIC found that, "the growing strength and organization of criminal gangs, including their alliances with large Mexican drug trafficking organizations (DTOs), will make disrupting illicit drug availability and distribution increasingly difficult for law enforcement agencies."³⁷ The Mexican government under President Calderon has fought DTOs with some success by limiting internal corruption, but corruption is so widespread and the power of the cartels so great that this fight will be long. When one cartel leader is arrested, others rise to take his place, waging violent battles against each other in cities such as Ciudad Juarez. It is estimated that, though thousands of soldiers have been committed by President Calderon and millions of US dollars have been given in funding,

less than one percent of the billions of dollars in drug money smuggled into the United States every year is seized.³⁸ These disheartening statistics suggest that the “Beyond Merida” approach has failed the criteria of reduced demand leading to lessened supply.

Unfortunately, drug trafficking and cartel-related violence has continued to rise; this raises the question of whether the Obama administration's policy has been successful. US officials have claimed that drug demand has gone down in the United States and this has increased violence in Mexico.³⁹ However, Carnevale found that drug demand has in fact remained exactly the same. The three criteria—lessened drug production and transportation, violence reduction in Mexico and a decreased demand in the United States—have not been met. It is clear that the Obama administration's strategy has not yet been successful. Granted that the implementation of a policy of this scope takes time and that the intentions of “Beyond Merida” are good, the policy does not account for domestic factors influencing the drug trade and does not focus enough on the underlying economic and historical issues present in Mexico.

Where should American foreign drug policy go from here? It is difficult to decide if the Merida Initiative has been successful, considering that it was never fully implemented before the final disbursement of plan funds. Should the United States abandon the Merida Initiative completely? Has the Merida Initiative really provided enough resources to combat the enormity of the drug trafficking trade in Latin America? Should it be coupled with the more progressive reforms outlined by the Obama administration? Should more aggressive changes in domestic drug policy to lower demand be implemented? Is the Merida Initiative's focus on drug trafficking control too narrow for success? Perhaps the answer, in part, lies closer to home.

Secretary of State Hillary Clinton, among others in the Obama administration, has stressed the United States' “shared responsibility” in the drug problem facing Mexico. The United States is the biggest customer of the cartels that are being fought against, and it is the largest supplier of assault weapons to the same Mexican drug cartels. Essentially, the drug cartels are fighting the Mexican government with weapons purchased from

the United States. The governments of Mexico and the United States are battling a highly lucrative industry responsible for employing thousands of people and using grizzly scare tactics to intimidate millions of others.

Unfortunately, current policies do not appear to be effective. A third policy option that the Obama administration should consider is using the “Beyond Merida” approach as a point of departure. A real commitment to drug trafficking eradication must be made through recognition of the United States’ role in drug demand and its effects on supply and drug-related violence. Military assistance to Mexico in a sustained effort is necessary to eradicate cartel influence, but as historical outcomes suggest, a broader policy focus is imperative for success. Programs implemented in Mexico should focus on both local and national sustainability, and funding should be consistent for the duration. Plan Colombia was successful in some ways because of the sheer quantity of funding by the US government. Mexico needs funding so that its programs may be consistent, if nothing else. Consistent funding for institution building, military assistance, and progressive programming to divert drug producers to other trades would all serve to limit the supply of drugs flowing into the United States.

A paradigm shift will be necessary to lessen violence in Mexico. The Obama administration’s approach of collaboration and shared responsibility is a welcome departure from that of past administrations, but insufficient attention is given by it to the problem of US demand for drugs. The United States has five percent of the world’s population, yet it has seventeen percent of the world’s drug addicts. US drug policy should reflect these numbers. The US Drug Enforcement Administration (DEA) reported that the closure of methamphetamine labs in the United States has led to significant increases of methamphetamine production in Mexico. Rather than a decline in the quantity of methamphetamines, production has simply moved to a new location.⁴⁰ Counterdrug programs must focus on and fund drug addiction eradication programs and anti-drug education with the zeal demonstrated by counternarcotics military operations in order to effectively reduce drug demand and drug violence. This approach would meet the criteria of lessening demand and reducing supply in the long run; by attacking drug demand, drug supply would be significantly

affected over time.

In 2009, the Calderon administration confiscated approximately 34,000 weapons, most of which originated in the United States.⁴¹ These were not handguns, but assault weapons such as AK-47s. This suggests that the availability of assault weapons in the United States is a major factor in drug violence. The Obama administration should address the 2004 Assault Weapons Ban reversal and take steps through legislation to reinstate the ban. If reversing the ban is not possible, increased oversight and strengthened enforcement of current laws is necessary; this would mean regulating gun show sales and increasing border security and crackdowns on illegal arms traders in the United States. Violence in Mexico would most certainly be reduced if access to assault and automatic weapons was decreased. Almost daily, the *Los Angeles Times* features stories of mass shootings in cartel-run border cities. Without easy access to automatic weapons, gun violence would decrease.

Lastly, many economists and knowledgeable leaders suggest that legalizing certain drugs would be a means of driving their prices down. Without the high price tags attached to illicit drugs, the high-stakes drug wars would most certainly diminish. Simple economic theory explains that high prices stimulate highly competitive markets, but low prices are less attractive and lessen suppliers. Drug legalization is hotly contested and conflicting information suggests that legalizing drugs, such as marijuana, will produce few changes in Mexico's illicit drug trade and related violence.⁴² Klimer suggests that marijuana sales make up only part of drug trafficking profits with estimates of between \$1.5 and \$2 billion in annual gross revenue.⁴³ However, while Klimer also maintains that it is unknown whether reductions in Mexican DTOs' revenues from exporting marijuana would lead to corresponding decreases in violence, other analysts have suggested that large reductions in revenues could increase violence in the short run but decrease it in the long run.⁴⁴ Therefore, the legalization of certain drugs and the establishment of government price controls could diminish the surges of violence in Mexico and would satisfy, in part, all three of the criteria established.

CONCLUSION

The Merida Initiative has had some positive impacts: it opened dialogue between the United States and Mexico and improved relations that had been cooling for years. President Calderon was the first foreign president to visit the United States after President Obama took office, marking a turning point in diplomatic relations between the countries, and suggesting that closer collaboration would continue.

The drug-trafficking problem in Mexico is enormous. It would be impossible to eradicate a problem of this magnitude quickly. Massive surges of violence unquelled by government intervention have accompanied the increasing lawlessness associated with drug trafficking. This has been evident in the apparent failures of both Mexican and American drug policies for Mexico. This paper has outlined the complexity of foreign drug policy for the United States and the enormity of the problem for Mexico. After assessing the three policies using the established criteria, the third policy emerges as the best course of action for Mexico: the United States should proceed with the “Beyond Merida” approach, while focusing on domestic US factors that influence the drug trade.

“Beyond Merida” should be used as a framework for a more progressive policy that will incorporate a sustained, long term commitment to aid Mexico in its anti-drug efforts. To truly eradicate the rampant supply of drugs and the ever-growing drug trafficking trade, the United States and Mexico must cooperate and the United States must commit to implementing aid programs properly. As GAO reports have shown, accountability has proven difficult for the State Department. To truly affect the both supply and demand sides of the drug problem, policies must be implemented properly, with measures in place to ensure success and cohesion. US-led programs should focus on local and national sustainability to ensure lasting impacts.

A military-centered aid approach is not working. Plan Colombia showed that the United States could eradicate cartel influence in one country, but that the drug trade would merely shift to a new country. Historically, Mexican presidents have fought organized crime and drug trafficking through “combating fire with more fire” with little success.⁴⁵

Clearly, a new approach is necessary. Mexico's Supreme Agricultural Court estimates that approximately thirty percent of Mexico's cultivatable land is used for drug production.⁴⁶ To truly eradicate the drug supply problem, not only must drug demand be curbed, but a commitment from the United States and Mexico is necessary to retrain those involved in the drug industry to produce different goods, and social reforms are necessary to support the impoverished.

Thomas Cole argues that the killings in Mexico and movements in the US market for drugs are correlated.⁴⁷ Drug policy analyst Mark Kleiman agrees that Mexico's position as the primary transit point for illegal drugs entering the United States is directly linked to US demand. If demand rises, drug violence will rise as well. Kleiman notes that the heaviest drug users are responsible for the largest portion of demand and says that, "taking away the drug dealers' best customers will reduce their earnings."⁴⁸ Effective intervention targeted at these drug users is necessary to affect the illegal drug economy. The prevention of future substance abuse could also help shrink the illicit drug market, thereby reducing the stakes for DTO profits that motivates violence.⁴⁹ Another option to consider is the legalization of certain drugs, something that has been advocated for by the United Nation's Committee for Crime and Drugs and many political leaders.

Much of Mexico's violence is due to the use of automatic weapons, most of which come from the United States. Heavily armed cartels wage wars against one another with catastrophic results, not only killing each other, but more often than not murdering innocent bystanders. To eradicate illegal weapons transfers, Villiers Negroonte asserts that a two-pronged assault is necessary.⁵⁰ Not only is it necessary to curtail "downstream" sales to criminal organizations, but to successfully reduce weapons trafficking and availability of arms to Mexican criminal organizations, "upstream" sales in the United States must be further regulated through the implementation of stricter rules dealing with gun shows, gun dealers and illicit private sales. Villiers Negroonte calls for an effective assault weapons ban, which will, "first seek to ban the import of lethal weapons, including assault weapons, and second to end the grandfathering of weapons in excess

of .50 caliber.”⁵¹ The United States must recognize that its gun policies and lackluster enforcement directly relate to the increased violence and instability in Mexico and must strive to curb this alarming trend. The first step that Obama administration should take is addressing the 2004 Assault Weapons Ban reversal. The administration should work to reinstate the ban and heighten oversight and regulation of gun shows and illegal traders.

President Calderon has shown an admirable dedication to eliminating drug cartels and corruption in Mexico. The United States and Mexico have a unique relationship stemming from a shared history and similar ideological and political views. Both countries are democracies and were founded on similar principles. If Calderon continues his undertaking, and the United States continues to support him while focusing more on domestic drug and weapons policy and enforcement, it will be possible to diminish the cartel stranglehold on Mexico and lessen its widespread violence.

ENDNOTES

1. Seelke, Clare R., Wyler, Liana, S., and Beittel, June. 2010. “Latin America and the Caribbean Illicit Drug Trafficking and U.S. Counterdrug Programs.” *Library of Congress, Congressional Research Service* R41215. Retrieved from <http://www.fas.org/sgp/crs/row/R41215.pdf>
2. “National Drug Threat Assessment 2009.” 2008. U.S. Department of Justice, National Drug Intelligence Center Q0317-005. Retrieved from <http://www.justice.gov/ndic/pubs31/31379/index.htm> Note: this is the latest information available of wholesale drug profits.
3. Ibid.
4. Seelke et al., “Latin America and the Caribbean Illicit Drug Trafficking and U.S. Counterdrug Programs.”
5. “Mexico Under Siege”. 2010. *LA Times*, Retrieved from <http://projects.latimes.com/mexico-drug-war/#/its-a->
6. Seelke, et al., “Latin America and the Caribbean Illicit Drug Trafficking and U.S. Counterdrug Programs.”
7. Baker, Peter. 2010. “Calderon Admonishes Bush on Thorny Issues.” *Washington Post*. A-9. Accessed March 10, 2011. <http://www.washingtonpost.com/wp-dyn/content/article/2007/03/13/AR2007031300169.html>.
8. Cook, Colleen W., and Claire Ribando Seelke. 2008. “Merida Initiative: Proposed U.S. Anti-crime and Counterdrug Assistance for Mexico and Central America.” Congressional Research Services. RS22837. <http://fpc.state.gov/documents/organization/103694.pdf>

9. Grayson, George W. 2010. *Mexico: Narco-violence and a failed state?* New Brunswick, N.J.: Transaction Publishers.
10. Ibid.
11. Seelke, Clare R. 2010. "Merida Initiative for Mexico and Central America: Funding and Policy Issues." *Library of Congress, Congressional Research Services* R40135.
12. Cooke & Seelke, "Merida Initiative: Proposed U.S. Anti-crime and Counterdrug Assistance for Mexico and Central America."
13. "The Merida Initiative Fact Sheet." 2009. U.S. Department of State, Bureau of International Narcotics and Law Enforcement Affairs. Retrieved from <http://www.state.gov/p/inl/rls/fs/122397.html>
14. Seelke, "Merida Initiative for Mexico and Central America: Funding and Policy Issues."
15. "Merida Initiative the United States Has Provided Counternarcotics and Anti-crime Support But Needs Better Performance Measures." 2010. Government Accountability Office. GAO-10-837. Retrieved from <http://www.gao.gov/new.items/d10837.pdf>
16. Seelke, "Merida Initiative for Mexico and Central America: Funding and Policy Issues."
17. "Merida Initiative the United States Has Provided Counternarcotics and Anti-crime Support But Needs Better Performance Measures," GAO.
18. Ibid.
19. Ibid.
20. Ibid.
21. Villiers Negroponte, Diana. 2009. "The Merida Initiative and Central America: The Challenges of Containing Public Insecurity and Criminal Violence." *Foreign Policy at Brookings*: 3. Retrieved from http://www.brookings.edu/papers/2009/05_merida_initiative
22. Ibid.
23. Grayson, George W. 2010. *Mexico: Narco-violence and a failed state?* New Brunswick, N.J.: Transaction Publishers.
24. "How to Stop the Drug War." 2009. *The Economist*, March 5.
25. "The Continued Standstill in Reducing Illicit Drug Use." 2009. Research and Policy Analysis Group of Carnevale Associates, Retrieved from [http://www.carnevaleassociates.com/Drug percent20Policy_Budget percent20Mismatch.pdf](http://www.carnevaleassociates.com/Drug%20percent20Policy_Budget%20Mismatch.pdf)
26. Villiers Negroponte, "The Merida Initiative and Central America: The Challenges of Containing Public Insecurity and Criminal Violence."
27. "National Drug Assessment 2010." 2010. U.S. Department of Justice, National Drug Intelligence Center 2010-Q0317-001. Retrieved from <http://www.justice.gov/ndic/pubs38/38661/index.htm>
28. Meyer, Maureen. 2007. "At a Crossroads: Drug Trafficking, Violence and the Mexican State." Washington Office on Latin America 13. Retrieved from http://www.wola.org/index.php?option=com_content&task=sectionp&id=1&Itemid=2&topic_filter=Mexico&subtopic_filter=
29. Ibid.

30. Villiers Negroponte, "The Merida Initiative and Central America: The Challenges of Containing Public Insecurity and Criminal Violence."
31. Olson, Eric L., and Wilson, Christopher E. 2010. "Beyond Merida: the Evolving Approach to Security Cooperation." Wilson Center, University of San Diego, Trans-Border Institute, Retrieved from <http://www.wilsoncenter.org/topics/docs/Beyondpercent20Merida.pdf>
32. Ibid.
33. Ibid.
34. Ibid.
35. Villiers Negroponte, "The Merida Initiative and Central America: The Challenges of Containing Public Insecurity and Criminal Violence."
36. "National Drug Assessment 2010." 2010. *U.S. Department of Justice, National Drug Intelligence Center* 2010-Q0317-001. Retrieved from <http://www.justice.gov/ndic/pubs38/38661/index.htm>
37. Ibid.
38. Coleman, Michael. 2010. "People of world influence." *The Washington Diplomat*. 2010. Accessed March 10, 2011. <http://www.thedialogue.org/page.cfm?pageID=32&pubID=2476>.
39. Olson & Wilson, "Beyond Merida: the Evolving Approach to Security Cooperation."
40. Meyer, "At a Crossroads: Drug Trafficking, Violence and the Mexican State."
41. Coleman, "People of world influence."
42. Klimer, Beau. 2010. "Insights on the Effects of Marijuana Legalization on Prices and Consumption." Santa Monica, C.A.: RAND. <http://www.rand.org/pubs/testimonies/CT351/>.
43. Ibid.
44. Ibid.
45. Meyer, "At a Crossroads: Drug Trafficking, Violence and the Mexican State."
46. Ibid.
47. Cole, Thomas B. 2009. "Mexican Drug Violence Intertwined With US Demand for Illegal Drugs." *JAMA : the Journal of the American Medical Association*. 302 (5): 482.
48. Ibid.
49. Ibid.
50. Villiers Negroponte, "The Merida Initiative and Central America: The Challenges of Containing Public Insecurity and Criminal Violence."
51. Ibid.

The Impact of the Global Financial Crisis on Sub-Saharan Africa

Odinakachi J. Anyanwu

The purpose of this paper is to examine the impact of the global financial crisis on the growth and development of sub-Saharan Africa and to discuss the policy implications of the crisis. Understanding the impact of the global financial crisis on sub-Saharan Africa is of critical importance because of the continent's severe volatility. Sub-Saharan Africa is home to the largest number of low-income countries in the world; more than fifty percent of the population lives on less than US \$1.25 per day.¹ The region is also plagued with country-specific political problems, which are at risk of exacerbation by increasing levels of poverty. However, it is important to note that conditions in sub-Saharan Africa are not uniform; they vary by country. The World Bank reports that the sum GDP per capita of the top ten wealthiest countries in Africa is 25.2 times the GDP per capita of the poorest ten countries.² The economic disparity between countries highlights the variability in the experiences of individual countries, as well as the necessity for country-specific policy responses to the impacts of the global financial crisis.

A number of economic institutions including the World Bank and International Monetary Fund (IMF) had unanimously projected that the financial crisis would have an acute negative effect on various socio-economic indicators in sub-Saharan Africa.³ Levels of unemployment, poverty and infant mortality were expected to increase and a decrease in health levels, leading to a higher risk for conflict and strife, was anticipated.⁴ Foreign direct investment, foreign aid, remittances, and export revenue – all major sources of income in Africa – were also expected to suffer. The

Odinakachi J. Anyanwu is a Pepperdine University MPP 2012 candidate specializing in Economics and International Relations. He obtained his BA in Economics cum laude with departmental and institutional honors from Bucknell University in 2009.

potential effect of depletion in income sources in the various economies in Sub-Saharan Africa was also a concern. Unfortunately, many of these fears materialized in 2009 and 2010.

These negative impacts on sub-Saharan Africa proved to be the more disheartening because Africa had experienced consistent regional economic growth prior to the crash. Sub-Saharan African countries had maintained relatively high growth rates in the last decade leading into 2007; the average growth rate was 6.1 percent.⁵ According to the IMF, this was the highest growth rate Africa has seen in more than thirty years.⁶ Though the progressive growth rate in sub-Saharan Africa was a welcome improvement, it was still below the targeted rate set by the UN's Millennium Development Goals (MDGs).⁷ The MDGs include: lowering the number of people living on less than \$1.00 a day and the percentage of people suffering from hunger, both by 50 percent, and achieving full and productive employment. These goals are set to be accomplished by 2015.⁸ The target growth rate set by the MDGs commission, under the United Nations, is 7 percent; the financial crisis was clearly a detraction to the moderate progress of sub-Saharan Africa's growth rate.

THE DEPTH OF THE CRISIS IN SUB-SAHARAN AFRICA

The previous section briefly discussed the global financial crisis' projected impact on sub-Saharan Africa. This section will explore in more detail the actual impact of the global financial crisis on economic growth; the financial sector; the terms of trade; foreign direct investment; capital inflows; remittances; official development aid; poverty; and unemployment.

As expected, the GDP growth rate in sub-Saharan Africa declined from 6.1 percent in 2007 to 4.9 percent in 2008, and then dipped to 1.6 percent in 2009.⁹ The variation in the economic conditions of sub-Saharan African countries is also manifested in the GDP growth rate. Oil producing and exporting countries experienced 2.5 percent GDP growth, while non-oil producing countries experienced 0.5 percent GDP growth in 2009.¹⁰ Since expectations were that the global economy would begin to stabilize, GDP growth for sub-Saharan Africa was expected to rebound to 4.3 percent in 2010.¹¹ In actuality, due to recent recovery in the global economy, the GDP

growth for sub-Saharan Africa rebounded to 5.0 percent in 2010, and is expected to grow at 5.5 percent in 2011.¹²

One sector that is important to consider in this study is commodity exports, as it provides an integral source of revenue for African economies. Some countries are overly dependent on commodity exports. In 2009, the world economy contracted by 2.2 percent and developed economies experienced a 3.5 percent decline in GDP.¹³ As a result of the economic ailments of the financial crisis, export demand in Africa experienced a sharp decline. Total world trade volume decreased by 12.4 percent in 2009, and consequentially, African commodity prices fell.¹⁴ Commodity prices in sub-Saharan Africa had been experiencing a boom in the pre-crisis period, due to the relatively high growth in the region during that period. In sub-Saharan Africa, energy, food, and metal prices increased by 329 percent, 102 percent, and 230 percent, respectively between June 2003 and July 2008, but then decreased by 64 percent, 30 percent, and 46 percent respectively between June 2008 and February 2009 as a result of the financial crisis.¹⁵

The region as a whole experienced a negative export growth of 4.9 percent in 2009.¹⁶ Sub-Saharan Africa has had a current account deficit, because exports have declined by 30 percent relative to imports. Africa's current account balance for 2009 was a deficit of 3.2 percent, charting new territory for a region that participates heavily in trade.¹⁷ The spread in the shared current account deficit among countries in Africa varied: land locked countries experienced an 8.9 percent deficit and oil importing countries experienced a 6.2 percent deficit, while oil-exporting countries only experienced a 0.7 percent deficit in their current account.¹⁸ A restoration of trade and exports will require gains in the global economy, because exports and trade are dependent on demand. As countries begin to experience recovery from the financial crisis, trade volume export demand and commodity prices will rebound.

A global economic crisis is, by its nature and as indicated by its name, primarily financial. Developed countries experienced a more direct impact on their financial sector as a result of the crisis because of their deep integration with global financial markets. The financial sector in sub-Saharan Africa, however, is less developed, which has led to minimal

exposure to the ailments of complex financial instruments, distressed assets, and the implosion of the sub-prime mortgage lending market that ignited the crisis.¹⁹ Only the very few sub-Saharan African countries with more globally integrated financial sectors experienced direct shocks to their financial system. Sub-Saharan Africa as a whole experienced shock more directly in “real” areas. The decrease in global economic growth resulted in a reduction in demand for sub-Saharan African exports, which in turn drove commodity prices and export revenue down. Sub-Saharan African countries are heavily dependent on exports and export revenue. As highlighted above, this shift in export demand and commodity prices is not favorable for African economies in the least.

The crisis also had an adverse effect on the inflow of capital in sub-Saharan Africa, similar to its effects on trade. In 2007, prior to the global economic crisis, net foreign direct investment (FDI) inflows to sub-Saharan Africa were approximately \$25 billion, and they continued to grow during 2008.²⁰ In fact, 2008 saw a record high in FDI inflow of \$87.6 billion, up from \$69.2 billion in 2007.²¹ The United Nations Conference on Trade and Development (UNCTAD) reports that FDI inflows to the sub-Saharan African region had declined by 67 percent in 2009.²² FDI flows in sub-Saharan Africa have been directed mostly towards service sectors with high diversification opportunities, which have been a great contributor to growth in Africa.²³ Yet, with liquidity drying up in the global economy, FDI and overall capital inflows will likely decline. The IMF reports that risk aversion has reduced FDI and reverses portfolio inflows as investors flee to more liquid assets. An upward change in FDI inflows into sub-Saharan Africa will also depend heavily on the recovery of advanced economies.

As advanced economies become more inwardly focused, responding internally to the shocks of the financial crisis, aid to sub-Saharan Africa has decreased. Official Development Assistance (ODA) aid is extremely important in African economies. Decreases in ODA flow adversely impact countries in sub-Saharan Africa: more than ten percent of Gross National Income (GNI) in twenty-three sub-Saharan African countries is accounted for by ODA flows during 2004-2008, and more than twenty percent of GNI in ten countries.²⁴ Though discussion surrounding the apparent problem of

aid dependency in sub-Saharan Africa is not the focus of this paper, these countries' dependence on aid is reason for worry, as the financial crisis is expected to have caused a decrease of \$22 billion in ODA flows in 2009.²⁵ The lack of fully developed social welfare programs makes the prospect of lost aid to sub-Saharan African countries in such a volatile time calamitous.

Just as other forms of capital inflow in sub-Saharan Africa suffered, the flow of remittances into the region was also affected. It is apparent that as the entire global economy contracted, remittances to Africa saw an incidental decrease. In conjunction with pre-crisis growth in sub-Saharan Africa, remittances had also experienced significant growth; they grew from \$11.2 billion in 2000 to \$40.8 billion in 2008.²⁶ The significance of remittances for Africa is indisputable, as they have been proven to be a powerful poverty reduction mechanism for many countries in the region. The importance of remittances in sub-Saharan Africa is manifested in the high degree of their dependency in a number of African countries. In ten of these countries, remittances accounted for five percent of their GDP in 2008, and the spread varied among those countries: Lesotho (27.3 percent), Togo (10.1 percent), Senegal (9.8 percent), Cape Verde (7.7 percent), Liberia and Guinea-Bissau (7 percent), and the Sudan (5 percent).²⁷ Recent data indicates that these inflows to Africa declined by seven percent in 2009.²⁸ This decline is problematic because many countries use the remittances directly for food purchase, school fees, and health care.

Due to limited data on poverty rates, it is difficult to gauge the actual impact of the financial crisis on poverty.²⁹ However, the IMF reported the financial crisis would have caused the number of people living below \$1.25 a day to increase by an additional seven million, and a further three million in 2010.³⁰ Additionally, it was also estimated that there would be 30,000 to 50,000 additional infant deaths in sub-Saharan Africa as a result of the global economic crisis.³¹ The projection of an increase in infant death is expected to result from the decline in provisions, and lack of necessary nutrition, due to the contraction in economic growth and the consequent decrease in income per capita. In addition to high poverty rates, the unemployment rate in sub-Saharan Africa is excessively high as well, having risen above ten percent in 2009.³² This sobering reality sheds light on the very tangible

effects of the financial crisis on the socioeconomic plight of the people living in Africa. The vital necessity for adequate and effective policy responses to the impact of the financial crisis for sub-Saharan Africa is evident.

POLICY RECOMMENDATIONS

The previous section discusses select areas that have been affected by the global financial crisis, though other sectors have suffered as well. In the midst of the changing economic conditions in sub-Saharan Africa, it is necessary that policies be implemented in order to absorb the short-run shock of the crisis and to ensure growth and recovery in the long run. Though, due to the unique nature of individual countries and their economies, it is difficult to prescribe what should be done in Africa to ensure economic growth in the entire region, some generally applicable policy recommendations can be made.

First, it is imperative that protectionist trade policies not be adopted in sub-Saharan Africa as a temporary economic development measure. These policies may appear attractive in the short run, as a means of sheltering specific economies in the sub-Saharan African region from further external harm. However, changes in commodity prices and export demand will be dependent on the recovery of the entire global economy. Therefore, policies that close out the rest of the global economy in trade would be harmful in the long run, when the global economy recovers.

Arguments in favor of protectionist policies may stem from the assessment that it was due to the region's burgeoning openness that sub-Saharan Africa was infected by the financial crisis—a crisis that stemmed from developed countries' conflict with the sub-prime mortgage lending implosion and not from any activity in less developed countries. Sub-Saharan Africa's economic activity was not a contributing factor to the financial crisis, yet it suffered its ills. While the argument for protectionism in light of the financial crisis may appear to be logically sound, it is flawed economic policy for a region that wishes to see long-term economic growth. In the long run, any reduction of the liberalization of sub-Saharan African economies, which are already volatile, will have additional long-term effects on the recent pre-crisis growth that Africa has experienced.

Second, it is also important to implement policies in the region that target the high unemployment rate, which has been exacerbated by the economic crisis. Focusing on employment will not only serve as a mechanism to reduce poverty in the face of the financial crisis, but it will also guarantee long-term economic growth as the economy is stimulated by those already employed. Policies that result in the creation of labor-intensive jobs would be optimal for growth and recovery in the economies of sub-Saharan African countries.

Finally, policies that address the impact of the global economic crisis on human development and social welfare should also be a primal focus. Every form of aid is extremely necessary in this period of time and should be maintained for the sake of softening the harsh impact of the crisis on Africa. Furthermore, indigenous social safety nets need to be developed, which can be tapped into during potential crises similar to this one. The welfare of Africa's children and poor should not be solely dependent on aid from other countries that have a responsibility to attend to the negative impact of the global economic crisis in their respective economies. A reserve should be developed by individual African economies in preparation for crises large and small that might have an adverse effect on the already poor within the region. Overall, policies generated by individual countries, and those suggested by non-governmental organizations, must be tailored to the particular needs, characteristics, and conditions in each country in order absorb the shocks of the global financial crisis and prepare for the eventual restoration of the global economy.

CONCLUSION

The global financial crisis, as we have seen, has had a significant impact on the region of sub-Saharan Africa. The impact of the global financial crisis on sub-Saharan Africa is a poignant case because of the present volatility that exists within the region. Africa had experienced relatively substantial economic growth before the global financial crisis, and it is important that Africa continue to grow in order to meet MDGs and further alleviate poverty. While the bulk of its recovery will be dependent on recovery on the global scale, this present lull in the economy provides an

opportunity for Africa to implement effective economic policies that are specific to each country in order to ensure internal long-term economic growth. It is important that African countries steer away from protectionist policies, that they target the high unemployment in the region, stimulate domestic economic growth, and implement long-term economic policies that guarantee the continuation of growth once the global economy has recovered. However, it is clear that recovery in sub-Saharan Africa is linked to recovery in the global economy. Once the global economy is restored, sub-Saharan Africa will also rebound.

ENDNOTES

1. "Economic Report on Africa 2010: Promoting High-level Sustainable Growth to Reduce Unemployment in Africa 2010." Economic Commission for Africa, Addis Ababa, 2010.
2. World Bank. *Africa - 50 Things You Didn't Know About Africa*. <http://go.worldbank.org/IH6NLHRGY0> (accessed November 2010).
3. Fosu, Augustin, and Wim Naudé. *The Global Economic Crisis Towards Syndrome-Free Recovery for Africa*. Discussion Paper, New York: United Nations University-World Institute for Development Economics Research, 2009.
4. Ibid.
5. Economic Commission for Africa. "Economic Report on Africa 2010: Promoting High-level Sustainable Growth to Reduce Unemployment in Africa 2010."
6. International Monetary Fund. "Regional economic outlook: Sub-Saharan Africa: resilience and risks." (Intl Monetary Fund) October 2010.
7. United Nations. United Nations Millennium Development Goals. 2010. www.un.org/millenniumgoals/ (accessed November 2010).
8. Economic Commission for Africa. "Economic Report on Africa 2010: Promoting High-level Sustainable Growth to Reduce Unemployment in Africa 2010."
9. Ibid.
10. Ibid.
11. Ibid.
12. International Monetary Fund. "World Economic Outlook: Update" (Intl Monetary Fund) January 2011.
13. Ibid.
14. Ibid.
15. Fosu, Augustin, and Wim Naudé. *The Global Economic Crisis Towards Syndrome-Free Recovery for Africa*. Discussion Paper, New York: United Nations University-World Institute for Development Economics Research, 2009.
16. Economic Commission for Africa. "Economic Report on Africa 2010: Promoting High-level Sustainable Growth to Reduce Unemployment in Africa 2010." Economic

Commission for Africa, Addis Ababa, 2010.

17. Ibid.

18. Ibid.

19. Economic Commission for Africa. "Economic Report on Africa 2010: Promoting High-level Sustainable Growth to Reduce Unemployment in Africa 2010."

20. Massa, Isabella, and Dirk Willem te Velde. *The Global Financial Crisis: will successful African countries be affected?* Overseas Development Institute, 2008.

21. Economic Commission for Africa. "Economic Report on Africa 2010: Promoting High-level Sustainable Growth to Reduce Unemployment in Africa 2010."

22. United Nations Conference on Trade and Development (UNCTAD). "Transitional Corporations, Agricultural Production and Development." *World Investment Report 2009*, 2009.

23. Massa, Isabella, and Dirk Willem te Velde. *The Global Financial Crisis: will successful African countries be affected?* Overseas Development Institute, 2008.

24. Economic Commission for Africa. "Economic Report on Africa 2010: Promoting High-level Sustainable Growth to Reduce Unemployment in Africa 2010."

25. Ibid.

26. Ibid.

27. Ibid.

28. Ibid.

29. Ibid.

30. International Monetary Fund. "Regional economic outlook: Sub-Saharan Africa: resilience and risks."

31. Friedman, Jed, and Nobert Schady. "How many more infants are likely to die in Africa as a result of the global financial crisis?" Working Paper, World Bank, Washington, D.C., 2009: 9.

32. Economic Commission for Africa. "Economic Report on Africa 2010: Promoting High-level Sustainable Growth to Reduce Unemployment in Africa 2010."

HOPE *worldwide* Indonesia Positive Choice Program

Jillian Kissee

According to the World Health Organization, Indonesia has the fastest growing HIV epidemic in Southeast Asia. In the provinces of Papua and West Papua, the epidemic has reached the general population at a prevalence rate of 2.4 percent which is twelve times the national average. It is clear that an increased effort to combat the HIV/AIDS epidemic must be put in place. HOPE *worldwide* is a United States-based organization with satellites all over the world serving others based on country specific needs. An HIV prevention program called Positive Choice was created by HOPE *worldwide* to educate young people about sex and how to make positive and healthy choices to avoid sexually transmitted diseases (STDs) or further, HIV/AIDS. Positive Choice has been implemented in places like the United States, Ivory Coast, and Jamaica. The programs are similar in objective; however, they vary to adapt to the particular environment, culture, and specific obstacles that each country faces in their fight against HIV/AIDS.

This document provides recommendations and guidance for HOPE *worldwide* Indonesia's implementation of Positive Choice. It discusses the current HIV situation; obstacles the country faces in implementing a school-based HIV-drug prevention program; criteria for the start-up, approach, and implementation of Positive Choice; and finally recommendations for further action. On the basis of extensive field research, it is recommended that HOPE *worldwide* institute a curriculum-based HIV-drug prevention pilot program in Jakarta, the province with the third highest rate of HIV

Jillian Kissee is a Pepperdine School of Public Policy 2011 candidate in International Relations and Economics. This paper resulted from her internship with HOPE *worldwide* Indonesia during which she provided consultation to the Country Director on the development of an HIV-drug prevention program in schools in Jakarta.

infections in the country. This program should be rooted in evidence-based effective practices which incorporate the Abstinence, Be faithful, and Condom use (ABC) approach as well as life-skills education. The purpose of this program is to increase the knowledge of adolescents about HIV/AIDS and ways to prevent transmission and to provide them with the skills needed to translate this knowledge into positive life choices. With the proper development and implementation of this pilot program in Jakarta, Positive Choice will be a powerful tool in the overall national strategy to combat the spread of HIV/AIDS.

METHODOLOGY

The research described in this document is a necessary component to the development of Positive Choice. The recommendations provided are specific to the needs of Indonesia; they are based on research of best program practices, interviews in the field, and a sex and drug behavioral survey conducted at high schools in Jakarta. The survey was administered at three private and one government-operated senior high-schools in Jakarta, and 217 responses were recorded.*

The purpose of survey conducted in Jakarta was to gather data on students' attitudes, knowledge, and behavior regarding sexual intercourse and drug use. Due to the limited length of time given for the completion of this assignment and the time of year that this assignment was undertaken, the survey was constrained by some limitations. It was conducted in the month of June, which affected the stock of schools available for the survey because many schools were finishing or had finished their terms. Due to the sensitive nature of the survey, it was not possible to randomly select the schools that participated. The schools that were most likely to participate were those that already had an established and good relationship with HOPE. In sum, school participation was limited to 1) those that were in session; 2) those that agreed to have the survey conducted in their school; and 3) those that had a positive relationship with HOPE.

The survey responses may also be limited due the sensitive subject

* The survey was conducted independently from Pepperdine University and its results were solely for the use of HOPE.

matter and resources available at the school. In two out of the four schools, there were a large number of students in one area without adequate space to spread out. This lack of privacy may have affected students' inclination to answer questions completely honestly. Students benefited from completing the survey by participating in a question and answer session about the United States.

INDONESIA'S HIV SITUATION CONTINUES TO WORSEN

Indonesia is a unique country because it comprises over 17,000 islands, and its roughly 350 ethnic groups make for an environment of great cultural diversity.¹ It is the most populous Muslim country on the planet, but also contains hundreds of tribes that hold onto traditional beliefs and practices, and its urban capital features mega-malls and skyscrapers. This multiplicity means that there can be no uniform way to deal with the HIV/AIDS epidemic in Indonesia. Among the provinces with the highest HIV prevalence are Papua and DKI Jakarta. These two provinces contrast sharply with each other, since the former is sparsely populated and still maintains tribal behaviors while the latter is densely populated and has had a wider exposure to the broader world. Because of Indonesia's diversity, methods for combating HIV/AIDS differ in each region, creating the need for a complicated national strategy.

According to the United States Agency for International Development (USAID), Indonesia has the fastest growing HIV infection rate in Southeast Asia.² For the first few years following the onset of the disease in 1987, HIV infection rates were steady and low. At the turn of the millennium, Indonesia saw a dramatic increase in HIV infection rates, as the number of injecting drug users increased dramatically. Since the spike in infections, Indonesia has not been able to reverse those numbers. According to the World Health Organization, AIDS cases were reported from sixteen provinces in 2000; by the end of 2009, thirty-two of the thirty-three provinces reported infections.³ The number of people who reported AIDS cases increased from 5,321 in 2005 to 8,194 in 2006. The estimated number of adults and children living with HIV was 93,000 in 2001 and 270,000 in 2007, making the prevalence in the adult population (aged

fifteen through forty-nine) increase from 0.1 percent to 0.2 percent in the respective years.⁴ This rapid growth in the number of infections, as well as the geographic spread of the disease in only the past decade, illustrates its aggressive nature.

The current situation across Indonesia is a concentrated epidemic in which HIV prevalence is above five percent in four key subpopulations: injecting drug users (IDUs), female sex workers, men who have sex with men, and “warias” (or transvestites/transgender persons). The situation in the provinces of Papua and West Papua is much different and more serious. The virus has already spread into the general population, as unsafe sexual intercourse is the almost exclusive mode of transmission.⁵ With the sparse population and difficulty of communicating behavior-changing messages, HIV prevention efforts do not produce optimal results. While the epidemic is considered low-level among the general population with the HIV prevalence rate at 2.4 percent among the adult population, it is significantly above the national average of 0.2 percent.

According to Asian Epidemic Modeling (AEM), HIV prevalence among Indonesian adults is projected to increase from 0.22 percent in 2008 to 0.37 percent in 2014. It is predicted that new infections among IDUs decrease from forty percent in 2008 to twenty-eight percent in 2014 and sexual transmission will rise from forty-three percent to fifty-eight percent.⁶ The AEM projection is agreed upon by experts in the field, and was supported by the 2008 Report on the Global AIDS Epidemic.⁷ Sexual transmission of the disease can increase the risk that the epidemic will enter the general population as it has in Papua. AEM indicates a need to encourage the use of condoms—a task made more difficult by the many religious leaders who denounce what they see as the “condomization” of society.⁸

Without an increased effort in the overall HIV/AIDS strategy, these projections will almost certainly become reality. According to the 2010 United Nations General Assembly Special Session on HIV/AIDS (UNGASS) report, prevention efforts remain focused on key populations with high HIV prevalence. However, in order to prevent HIV from spreading into the general population, as it has in Papua, prevention efforts

should be expanded to reach other people, especially the youth. Young people can be at risk in a number of situations if they are not equipped with the knowledge and skills to deal with the pressures involving sex, drugs, and general hardships of life. The World Health Organization (WHO) published a report in 2006 asserting that young people are at the center of epidemics around the world. This is true in Indonesia, where twenty to twenty-nine year olds have a greater number cumulative AIDS cases than any other age group.⁹

Numerous studies done on school-based sex education programs have given significant evidence of the benefits of widespread implementation. Spending on these programs in Indonesia is insufficient. Of the total AIDS spending (USD 49,563,286) in 2008-2009, spending on HIV prevention accounts for USD 24,703,080 or about fifty percent of the total budget; however HIV prevention for youth in school is only USD 592,689 or about two percent of the total prevention budget.¹⁰ In 1997, the Indonesian Ministry of National Education increased its effort in the fight against HIV/AIDS by initiating school-based Life Skills-based HIV Education (LSE) which was used on a “limited basis.”¹¹ To date, it is not included in the national education agenda; however, it is in the initial stages of integration into the national curricula.

A study done in 2005 by Douglas Kirby of ETR Associates explored the effects of curriculum-based programs on sexual and reproductive health (RH) knowledge, attitudes, and behavior and identified common characteristics that successful programs shared in their curriculum. It evaluated eighty-three sex and HIV/AIDS education programs for youth implemented in both developing and developed countries. Two-thirds of the programs had the desired impact on one or more of the sexual behaviors measured.¹² Thirteen of the eighteen programs in developing countries had a positive impact (i.e. delaying sexual debut or decreases sexual activity among those sexually active); none of them had a negative impact. The study maintains that “curriculum-based RH/HIV education can be effective in widely differing geographic areas, various cultural settings, and among youth of different income levels and both sexes.”¹³ Curriculum is defined as an “organized set of activities or exercises ordered in a developmental fashion and designed to enable its target audience to

obtain specific knowledge, skills, and/or experiences.”¹⁴ The results of the study concluded that there are seventeen characteristics that almost all of the successful programs incorporated at some level.

HOPE FACES CHALLENGES IN DEVELOPMENT STAGE

Gathering support from stakeholders for the implementation of a school-based HIV-prevention program is likely to be the largest obstacle that HOPE faces. Opposition may arise from numerous sources: the Ministry of Education, National AIDS Commission (NAC), and local schools. Without the consent of the most influential entities, implementation will be impossible. It is critical that the Positive Choice program be a collaborative effort so as to maintain support throughout its operation. The Ministry of Education, NAC, and local schools must agree on the need for the program, the objective, the goals, and the messages transmitted through the program. By collaborating throughout the development and implementation of the program, support is more likely to remain constant.

As in many Asian cultures, the subject of sex is taboo in Indonesia. Overcoming the stigma associated with sexual issues is a challenge. According to the International Center for Islam and Pluralism, many Muslim religious leaders are vehemently opposed to condom promotion. At the extreme, some believe that HIV/AIDS is a curse from God and those infected must be punished.¹⁵ The UNGASS 2010 report states that the number of adults with accepting attitudes towards people living with HIV is approximately nine percent.¹⁶ These strong sentiments, which are often accompanied by stigma and discrimination towards those infected, are not unique to the Muslim community but are present in many others. Consequently, gathering support for an HIV-prevention program offering education in disease avoidance is expected to be a challenge.

To gain the Muslim community’s support, it will be important to speak with ulamas (key religious leaders) who are very influential. Explaining the program’s purpose and goals while asking for their input and perspective is an appropriate start to gaining their support. Once achieved, the ulamas’ support will play an integral part in implementing the program, particularly in the private schools which are predominately

Muslim.

Parents can also be skeptical of information of this kind being disseminated at school, believing that the information will cause their children to become more likely to engage in risky behaviors. Research shows that curriculum and school-based HIV prevention programs do not increase promiscuity.¹⁷ It is important to try to include parents in the discussion of the development of Positive Choice, and to give them evidence that if correctly developed and implemented, the program will most likely be a powerful tool in providing youth with the knowledge and skills needed to make positive decisions relating to sex and drugs.

Another significant issue that HOPE faces is the diversity of schools existing in Indonesia. There are three main categories of schools: international, private, and public (or government run) schools. International schools have the opportunity to implement a more liberal curriculum. Private schools are less flexible than international schools regarding curriculum; however, they have more liberty than public schools because parents finance the students' tuition. Government run schools will likely be the hardest places to implement an HIV-prevention program, as they are the most constrained by the policies of the Ministry of Education. With such diversity, it will be difficult to implement a "one model fits all" program. A flexible program that can adapt to different types of schools is necessary.

A successful Positive Choice program must also overcome the setbacks of school-based programs. Those people who do not go to school cannot be left out, since they are most likely the youth facing the highest risk. Therefore, it is recommended that HOPE utilizes its already well-established Saturday Academy program to implement a Positive Choice program that is age-appropriate to the children in attendance. Saturday Academy is a program that provides education to children who do not have the opportunity to go to school because they live on the street or in slums. It is an invaluable program because it reaches out to future generations that otherwise would fall through the cracks of society. In the development of an HIV prevention program for schools, the ultimate goal is to increase the knowledge of adolescents about HIV/AIDS and ways to

prevent transmission, as well as provide them with the skills needed to translate the knowledge into positive life choices.

ESTABLISHING CRITERIA FOR APPROACH AND CONTENT

In developing appropriate content for a Positive Choice program in Indonesia, it is important to understand the needs and the culture of the youth. As HIV incident rates are continuing to increase and transmission by sexual intercourse is becoming more dominant, there is an urgent need to focus on the population that serves as a link from the sub-populations with high HIV prevalence rates to the general population. According to the 2008 UNAIDS Report on the Global AIDS Epidemic, the future of countries experiencing concentrated epidemics will be “determined by the frequency and nature of links between highly infected subpopulations and the general population.”¹⁸ In many respects, a school-based HIV education and prevention program can serve as an effective front to combat the spread of the disease.

It is difficult to identify the linkages from the subpopulations to the general population. According to a USAID official in Indonesia, conversations with sex workers have identified the most common customers of the industry. These are taxi drivers, migrant workers such as truckers, and sea and airport authorities.¹⁹ USAID and other government agencies already implement direct intervention to these subpopulations, by setting up clinics at workplaces, dispensing free condoms, and offering free blood testing. School-based programs can offer a more thorough strategy since many of the clients of sex workers have received at least a high-school education.

Not only do the links to the general population normally attend school, so do some sex workers and injecting drug users. According to a woman who is directly exposed to the sex working industry, though some sex workers come to Jakarta from other islands, many of the young girls who are sex workers are between the ages of thirteen and twenty-five and do attend school.²⁰ She mentioned one in particular who goes to high school during the day and is a sex worker at night. Numerous interviews with university students also revealed that some girls pay for

school by selling their bodies at a nightclub or a karaoke establishment.²¹ As for injecting drug users, drugs know no boundaries and young people get involved for a number of reasons, most of them consistent with users in other developed and developing countries. According to interviews with people who were once injecting drug users, many children grow up in environments inundated by drugs.²² Individuals' surrounding environment and hardships can play a role in drug addiction, independent of socio-economic status.

A school-based prevention program can offer other benefits for the general young population. It would facilitate conversation among adults and students about sexuality, the risks of being sexually active, and using drugs. According to the survey conducted for this report, when students were asked if they had someone in their life with whom they felt comfortable talking freely about sex and the risk of STDs, forty-seven percent responded with "no," and eighteen percent responded with "don't know" – a total of sixty-five percent unable to respond with a "yes" to the question. According to the 2010 UNGASS report, the percentage of young people (aged fifteen through twenty-four) who both correctly identified ways of preventing sexual transmission of HIV and rejected major misconceptions about HIV transmission was approximately fourteen percent for males and females.²³ According to the survey findings, thirteen percent responded negatively that a condom can help prevent the transmission of HIV and another twenty percent said that they did not know if it could. This lack of knowledge and existent stigma makes young people more vulnerable to sexually transmitted diseases.

ELEMENTS OF THE PROGRAM

Numerous reasons support a school-based HIV-drug prevention program. Some young people in the most vulnerable sub-populations (i.e. sex workers and injected drug users), as well as those likely to serve as a link to the general population, attend or have attended school in their life, making this type of program implemented on a wide scale a powerful tool for prevention. Because the number of HIV cases originating from sexual transmission is increasing, it is important to further advocate condom use. There is a need to dismantle the strong stigma towards sex and

increase students' knowledge of sex. In light of these established needs, it is appropriate to incorporate the ABC values for a comprehensive HIV prevention program.

The program must be focused, follow a logical sequence, and teach the lessons that will be the most effective in producing positive results according to the given needs. According to Kirby et al., the most common sequence among school-based programs included basic information about pregnancy and HIV/STDs (including susceptibility and severity); behaviors to reduce vulnerability; knowledge, values, attitudes, and beliefs involving these behaviors; and the skills needed to perform these behaviors.²⁴ The main targets of Indonesia's national strategy for sexual and reproductive health education include:

- 1) to increase knowledge among young people about reproductive health and safe sex, 2) to promote and facilitate a change of attitude among young people, including to increase respect for the rights of others, and 3) to provide young people with the knowledge, skill, and motivation to behave in a safe manner relative to their reproductive health.²⁵

In accordance with the national strategy and the country's needs, the program must possess these three main components.

The program must increase the knowledge of reproductive health and safe sex among young people.²⁶ As reported earlier, there is a significant lack of knowledge among students regarding the prevention of STDs and HIV. Education should include information about HIV prevention through condom use and testing, how the disease is transmitted and progresses, and its treatment. The curriculum may also improve knowledge about the risks and damage drug use can cause. The results of the survey conducted suggest that many students reported not having anyone to talk to about sex and the dangers of HIV/AIDS. Creating an environment that encourages questions, participation, and interaction will relieve some stress within the environment, thereby enhancing the quality of education. The facilitator must be available for all questions and must also directly include those who are not actively participating so as to incorporate as many people as

possible into the learning experience.

Any HIV prevention program with the goal of increasing knowledge must also strive to change behavior to actually have an effect on the epidemic. Based on the needs assessment of the country, it is important that the program promotes the following behaviors: delayed initiation of sex; reduced number and frequency of partners; reduced or prevent drug use; and reduced stigma, measured by attitudes towards those who are infected and assessing the comfort level of talking about sex.

The most celebrated mode of inducing behavior change is life skills education. Life skills education is strongly promoted by the United Nations Children’s Fund (UNICEF) and the World Health Organization (WHO) as an essential component to a school-based HIV/ AIDS prevention program. Providing life skills is an important tool in translating increased knowledge of HIV/ AIDS into desired changed behavior. The definition of life skills provided by the WHO is “abilities for adaptive and positive behavior that enable individuals to deal effectively with the demands and challenges of everyday life.”²⁷ UNICEF makes the assertion, based on research-based evidence, that “shifts in risk behavior are unlikely if knowledge, attitudinal- and skills-based competency are not addressed.”²⁸

According to a 2003 USAID study which reviewed lessons learned from Life Skills programs in Sub-Saharan and West Africa, data suggested that life skills learned within these interventions have led to a delay in initiating sex among young people and also improved other HIV-related behaviors like violence or drug and alcohol use.²⁹ Life skills should be a major component of this program because students will be taught to explore alternatives to difficult situations, weigh pros and cons, and will be helped to make sound decisions as everyday problems arise—the precise goal of Positive Choice. WHO divides a core set of life skills into three components: thinking skills, social skills, and negotiation skills.

Thinking skills involve the dissemination of reproductive health, STD, and HIV/ AIDS information as well as developing the ability to think critically and to make positive choices when life presents a dilemma involving risky behavior. Other elements of thinking skills are self-awareness, social awareness, goal-setting, problem solving, and decision-making.³⁰ Both creative and critical thinking skills will be beneficial for

those students who may be tempted to find — or may already have found — work in the sex industry, by helping them to practice thinking about the future and setting goals. Critical thinking about values and goals in one’s life may help youth to see that there are alternatives to engaging in such behavior.

Social skills are necessary for building positive relationships. They include working together with peers, listening and communicating effectively, and taking responsibility and coping with stress.³¹ Social skills can help open the communication lines between adults and young people about hardships in their life, perhaps helping them to seek guidance. Having effective communication among adolescents and with adults is important in the prevention effort.

Negotiation skills help adolescents to assertively reject risky behavior that lead to STDs or HIV. It is important that young people know their own values, and that they establish self-awareness and self-esteem.³² With an increased sense of self, one can be firm in one’s beliefs and be more equipped to reject pressures like sexual activity or drug use. According to the findings from the Indonesian survey described above, seventeen percent of students feel pressure from the people around them to engage in sex. Negotiation skills will be useful in handling this pressure.

The incorporation of these elements in the Positive Choice program will lead towards the fulfillment of the national goal for reproductive health, “to provide young people the knowledge, skill, and motivation to behave in a safe manner relative to their reproductive health.”³³

ELEMENTS FOR IMPLEMENTATION

Many logistical questions must be answered for the program’s successful implementation, including: where within Indonesia HOPE should conduct the program; at what grade level the material should be taught; who should conduct the program; how long the program should be; what curriculum should be used; and how sustainability will be accomplished.

Jakarta, like Indonesia as a whole, is experiencing HIV infection rates that increase each year. It is the province with the third highest HIV infection rate. According to Indonesia’s Ministry of Health, the number

of AIDS cases per 100,000 people has continued to grow. In 2006, the prevalence was 28.15 per 100,000 people (when the national average was 3.61); in 2008 it was 30.52 (when the national average was 7.12); and in 2009 was 31.67 (when the national average was 8.66).³⁴

In addition to the need for increased prevention effort in Jakarta, piloting Positive Choice in this city makes the most sense for HOPE because its resources are already well established in the area. HOPE has well developed relationships with various government and international schools in the Jakarta area, which will become quite valuable when trying to find a suitable school in which to implement the pilot program. These advantages will prove invaluable in the early stages of developing a Positive Choice program. The main goal will be to have a Positive Choice program that optimizes HOPE's capacity to implement the program and the number of schools willing to participate. A successful Positive Choice program will likely open the door for other government or non-government agencies to implement programs of their own using the effective characteristics of Positive Choice.

According to Kirby et al., 2005, nine of the ten programs that measured and found behavioral effects for two or more years were either multi-year programs or sessions provided over two or three years. Another type of program provided most sessions during the first year and then offered refresher sessions in subsequent months and even years later.³⁵ Determining the exact timetable of the program will take further collaboration between the Ministry of Education and HOPE, as well as an assessment of the capacity of HOPE Indonesia to implement it.

According to UNICEF, sex education programs are optimally introduced "as soon as possible."³⁶ In local field interviews, the most common recommendation was to begin the program with thirteen-year-olds. Positive Choice Jamaica implements their program in the seventh through ninth grades. However, the final age of participants in Positive Choice in Indonesia will be determined along with the curriculum, since it must be age appropriate, as a result of a consensus among stakeholders, particularly the Ministry of Education and local schools. According to the 2010 UNGASS report, only secondary schools in Indonesia offer sex education.³⁷ Consequently, HOPE can expect to implement the program in

secondary schools.

An already well-established HOPE program implements a teacher-training program, which imparts information on disaster preparedness and relief. Having this system already in place will make it easier to implement a teacher-training portion of the Positive Choice program, to ensure that teachers are both able and willing to facilitate it. Teachers chosen to participate should demonstrate enthusiasm and believe in the program, and should be committed to its goals and objectives. A supervisor should monitor and evaluate the quality of teaching in the program. If teachers do not meet the set standards, the school should insert a trained volunteer who can take over facilitation of the program.³⁸ As suggested by the “Standards for Curriculum-Based Reproductive Health and HIV Education Programs” published by Family Health International, teachers should feel comfortable to teach all portions of the curriculum; if they are not, guest speakers should teach that particular lesson.

Kirby et al., found that, among the seventeen characteristics of effective curricula with desirable effects on HIV reduction was the employment of “instructionally sound teaching methods that actively involved the participants, that helped participants personalize the information.”³⁹ Some teaching methods included skits, role-playing to practice assertively saying “no,” problem solving activities, homework assignments to talk to parents or adults, visits to drug stores, condom demonstrations, and quizzes. It is recommended that HOPE Indonesia follow the Positive Choice model that is implemented in Jamaica, as it is full of interactive activities and lessons. The program incorporates a variety of different interactive lessons including classroom group work; simulations of difficult decision-making situations; exercises to uncover peer perceptions; and interaction with parents to get them involved in their child’s sex education.

Among the most important elements of Positive Choice is the monitoring and evaluation of the effects of the program. Reports must provide a detailed account of the curriculum, any changes made to the program, and details of the evaluation methods. They will not only document the progress of the program, but will also contribute to the archive of effective school-based HIV prevention programs that may help

other countries in similar situations. Pre-tests and post-tests of participants need to be conducted in addition to follow-up tests months later to measure long term effects. If possible, randomized controlled trials are extremely beneficial in evaluation of effectiveness. Consulting a university to assist in the formation of an appropriate evaluation system is highly recommended. Among the indicators to be measured are: initiation of sex; frequency of sex; number of sexual partners prior to survey; frequency of condom use; contraceptives in general; frequency of drug use; comfort level in speaking or negotiating sex; perceptive of peer norms involving sexual behavior; values on sex and abstinence; and knowledge on HIV/AIDS and risks of contraction.⁴⁰

The implementation of Positive Choice will be dependent on funding. Donors must be reassured of the credibility of the program and its promising effectiveness, since it is rooted in extensive research of the HIV situation in Indonesia, the needs of the country, and the best preventative practices. Continued funding will be heavily reliant upon evidence of a beneficial impact of the program. Therefore, it is critical that the pilot program implement a rigorous monitoring and evaluation system to ensure that the practices and activities are in fact effective – so that if they are not, changes may be made accordingly. If there is a positive impact, the results should be documented and published to advertise the program's worth. As Positive Choice gains momentum, there may be a chance for public funding.

CONCLUSION

There is no time like the present for implementing an HIV-drug prevention program in Indonesia, as the national government verbally and financially supported an increased effort by increasing the budget in 2006 of \$11 million to \$73 million USD in 2009.⁴¹ Due to the decentralization of the government, the real challenge will lie in obtaining support from local entities. By keeping evidenced-based research at the center of the program, and making necessary changes if results suggest ineffectiveness, it is quite possible that HOPE can pioneer a successful Positive Choice program in Jakarta with the hope of opening doors to other organizations to help

in sex education and HIV prevention. With a stronger emphasis on HIV prevention education, in combination with the current national strategies in place, perhaps Indonesia will become closer to reversing its increasing HIV infection rates.

ENDNOTES

1. <http://www.usaid.gov/pubs/bj2001/ane/id/> USAID, accessed January 15, 2011.
2. <http://indonesia.usaid.gov/en/programs/health>
3. http://www.ino.searo.who.int/en/Section4/Section16_88.htm World Health Organization, accessed June 3, 2010.
4. http://apps.who.int/globalatlas/predefinedReports/EFS2008/full/EFS2008_ID.pdf World Health Organization, accessed June 3, 2010.
5. National AIDS Commission 2009, "Republic of Indonesia Country Report on the Follow-up to the Declaration of Commitment on HIV/AIDS," (UNGASS) Reporting Period 2008-2009, pg. 8.
6. *Ibid.*, pg. 12.
7. 2008 Report on the global AIDS epidemic, UNAIDS/WHO, July 2008. Pg. 11; Interview with USAID, June 2, 2010.
8. Interview with International Center for Islam and Pluralism, June 9, 2010.
9. Ministry of Health, *Statistik Kasus HIV/AIDS di Indonesia*, June 2010, pg. 1.
10. National AIDS Commission 2009, "Republic of Indonesia Country Report on the Follow-up to the Declaration of Commitment on HIV/AIDS," (UNGASS) Reporting Period 2008-2009, pg. 40.
11. *Ibid.*, pg. 60.
12. Parker, Chris; Finger, William; "School-Based Reproductive Health and HIV Education Programs – An Effective Intervention", Family Health International, March 2007, pg. 1.
13. *Ibid.*, pg. 7.
14. *Ibid.*
15. Interview with International Center for Islam and Pluralism, June 9, 2010.
16. National AIDS Commission 2009, "Republic of Indonesia Country Report on the Follow-up to the Declaration of Commitment on HIV/AIDS," (UNGASS) Reporting Period 2008-2009, pg. 18.
17. Baldo M, Aggleton P, Slutkin G, "Does sex education lead to earlier or increased sexual activity in youth?" International Conference on AIDS, 1993 Jun 6-11; 9:792 (abstract no. PO-D02-3444).
18. UNAIDS Report on the Global AIDS Epidemic 2008, pg. 100.
19. Interview with USAID, June 2, 2010.
20. Field interview, June 27, 2010.
21. Interview with medical students, May 31, 2010.
22. Field interview, June 25, 2010.

23. National AIDS Commission 2009, "Republic of Indonesia Country Report on the Follow-up to the Declaration of Commitment on HIV/AIDS," (UNGASS) Reporting Period 2008-2009, pg. 17.
24. Kirby, Douglas; Laris, B.A.; Rolleri, Lori; "Impact of Sex and HIV Education Program on Sexual Behaviors of Youth in Developing and Developed Countries," Family Health International Youth Research Paper Series, 2005 pg. 40.
25. National AIDS Commission 2009, "Republic of Indonesia Country Report on the Follow-up to the Declaration of Commitment on HIV/AIDS," (UNGASS) Reporting Period 2008-2009, pg. 46.
26. Ibid
27. Surjadi, Charles, "Life Skills Education Manual," Professor of Public Health and Preventive Medicine at Jaringan Epidemiology Nasional, 1.
28. Ibid.
29. Tiendrebeogo, Georges; Meijer, Suzanne; Engleberg, Gary; Africa Consultants International, "Life Skills and HIV Education Curricula in Africa: Methods and Evaluations" USAID SD Publication Series Technical Paper No. 119, July 2003.
30. Surjadi, Charles, "Life Skills Education Manual," pg. 28.
31. Ibid., pg. 2.
32. Ibid.
33. National AIDS Commission 2009, "Republic of Indonesia Country Report on the Follow-up to the Declaration of Commitment on HIV/AIDS," (UNGASS) Reporting Period 2008-2009, pg. 46.
34. Ministry of Health, *Statistik Kasus HIV/AIDS di Indonesia*, 2006, 2008, 2010.
35. Kirby, Douglas; Laris, B.A.; Rolleri, Lori; "Impact of Sex and HIV Education Program on Sexual Behaviors of Youth in Developing and Developed Countries," pg. 36.
36. UNICEF website http://www.unicef.org/lifeskills/index_10486.html, Accessed July 1, 2010.
37. National AIDS Commission 2009, "Republic of Indonesia Country Report on the Follow-up to the Declaration of Commitment on HIV/AIDS," (UNGASS) Reporting Period 2008-2009, pg. 115, 140
38. Senderowitz, Judy; Kirby, Douglas; "Standards for Curriculum-Based Reproductive Health and HIV Education Programs," Family Health International, 2006, pg. 42.
39. Kirby, Douglas; Laris, B.A.; Rolleri, Lori; "Impact of Sex and HIV Education Program on Sexual Behaviors of Youth in Developing and Developed Countries," Family Health International Youth Research Paper Series, 2005 pg. 33.
40. Ibid., pg. 24.
41. National AIDS Commission 2009, "Republic of Indonesia Country Report on the Follow-up to the Declaration of Commitment on HIV/AIDS," (UNGASS) Reporting Period 2008-2009, pg. 5

Bilingual, ESL, and English Immersion: Educational Models for Limited English Proficient Students in Texas

Kelly Faltis

Education of limited English proficient (LEP) students is important for domestic economic growth, the cohesion of society within the United States, and for maintaining US competitiveness in the global economy. Ineffective education of LEP students might have detrimental effects on the economic future of the new immigrants, the education of English speaking students, and the US economy as a whole. A majority of the estimated 5.3 million LEP students within the United States are Hispanic.¹ Given this large population, finding the best model to educate LEP students is an important policy goal. Texas has the second largest LEP population, next to California, of which ninety-nine percent are Hispanic.² Because Texas schools have a broad range of English as a second language (ESL) and bilingual education models, the state is a good place to analyze the policy question: which model or group of models are best for educating LEP students?

HISTORY OF BILINGUAL EDUCATION IN THE UNITED STATES AND TEXAS

Since the 1800s, teachers have had the difficult task of teaching both English and non-English speaking students within one classroom. Solutions to meet both the needs of LEP students and English proficient students have been varied. For example, one school in St. Louis, in 1870, taught kindergarten in German for children of German immigrants.³ However, during World War I, “English only,” otherwise known as the “sink or swim” method,

Kelly Faltis will receive her Masters in Public Policy with a specialization in Economics and State and Local Government in 2011. Prior accomplishments include the 2006 Woman Entrepreneur of the Year for opening and running her own bakery/catering business. She since has sold the business to work in Water and Land Use Policy Analysis.

became the norm across the United States.⁴ Eventually, high drop-out rates and lack of attention to the needs of LEP students caused frustration in the growing Hispanic community.⁵ During the civil rights era of the 1960s, Latino political activists pushed for legislation to require schools to provide some form of bilingual education for LEP students.⁶ The Elementary and Secondary Education Act (ESEA) was passed in 1965, as part of President Johnson's Great Society.⁷ The ESEA funded essential programs, which included bilingual education. Then, federal legislators passed the Bilingual Education Act of 1968 (BEA) which required schools to offer bilingual education programs.⁸ To comply with the BEA, states implemented many different forms of bilingual education.⁹

The policy debate did not end there. Many teachers, parents, educators, and researchers questioned the effectiveness of bilingual education when test scores and English language acquisition did not drastically improve, and in some cases did not improve at all.¹⁰ Bilingual education is expensive; finding the most effective use of education funding is a critical part of the policy debate. In 1998, Californians used the initiative process to pass Proposition 227, which gave a statewide mandate for schools to provide a one-year structured English immersion program.¹¹ Although bilingual education continued in districts protected by a former Supreme Court Ruling (*Lau v. Nichols*), California schools were to teach English to LEP students and quickly transition them into mainstream classrooms.¹² On average, LEP test scores improved; however, critics note the difficulty in measuring language acquisition by a quick snapshot.¹³ The anti-bilingual education movement spread to Arizona and Massachusetts, where voters approved a modified form of Prop 227.

Texas is now one of only four states (the others are Illinois, New Jersey, and New York) to require bilingual education.¹⁴ The 1973 Bilingual Education and Training Act mandates that schools with twenty or more LEP students per grade level in a district must have a bilingual program.¹⁵ According to the 2009-2010 PEIMs data collection by the Texas Education Agency (TEA), a total of 817,074 students are enrolled as LEP students. Of those, 57.3 percent are in bilingual programs and 38.1 percent are in ESL programs.¹⁶ While the number of LEP students in middle school is

quite large, it declines significantly by twelfth grade. Both the transition of students into mainstream classes and the drop-out rate account for the declining trend in LEP enrollment.¹⁷

Although bilingual education has many avid supporters, Texas also has a movement to repeal its bilingual education laws in favor of some form of an English Immersion program. Texas has been a stronghold for the bilingual movement. While some schools report successful programs in bilingual education, the results are mixed overall. The future of the education of LEP students in Texas will be relevant to the current and future policy debate on bilingual education in the United States. This paper will analyze the effectiveness of English language acquisition programs offered to LEP students in Texas and offer a policy recommendation.

LITERATURE REVIEW

Empirical research shows mixed results on the effectiveness of bilingual education. While a meta-analysis by Keith Baker and Christine Rossell shows that bilingual education does not benefit LEP students,¹⁸ Jay Greene found that bilingual education had an overall positive effect.¹⁹ Greene's meta-analysis excluded many studies without a control group and only included studies within the United States. Baker and Rossell critique Greene's research because he left out a number of high quality studies of French immersion in Canada which showed positive results.²⁰ Researcher Jesus Jose Salazar comments on the problems with most current empirical models in bilingual research, stating that "one has a better chance of obtaining a statistically significant difference by simply flipping a coin, where the odds improve to 50 percent."²¹ In other words, finding statistical power is still a challenge for most researchers of bilingual education.

Yet, several frequently cited longitudinal studies analyze outcomes of the three most prevalent models of bilingual education. The purpose of all three models is to eventually "transition" the students into a mainstream classroom, and allow students to become fluent-English-proficient (FEP). There are two fundamental differences between these models: the length of time before the student is transitioned and the percentage of time English is spoken in the classroom. Structured English Immersion (SEI) models

transition LEP students to FEP status after only one to three years. Teachers of early-exit programs speak the primary language for the beginning part of the day and English for the remaining hours.²² Late-exit teachers speak the primary language for a “minimum of forty percent of their total instructional time in Spanish (Spanish language arts, reading, and other content areas such as, mathematics, social studies, and/or science).”²³

A 1991 longitudinal study conducted by David Ramirez, et al., and released by the US Department of Education, followed over 2000 LEP students enrolled in similar programs in five different states.²⁴ Inconsistent with the models’ theories, few of the students transitioned to mainstream classes before five years. However, as expected, the study found that students in the late-exit model were much slower to be reclassified as FEP students. Furthermore, it also found that “students in all three instructional programs improved their skills in mathematics, English language, and reading as fast or faster than students in the general population.”²⁵ The early-exit and English immersion programs were equally effective. Finally, the study found greater parental involvement in the late-exit strategy. By the end of sixth grade, the late-exit students who had the most time learning their primary language also learned English more quickly than the general population. The study suggests that becoming bilingual is a learning asset for LEP students in the long-term.²⁶

Another federally funded study, conducted by Wayne Thomas and Virginia Collier, researched LEP students in five school districts across the US.²⁷ LEP students from the Houston, Texas district performed best in a two-way, bilingual immersion program (TWBI) which both teaches English speaking students Spanish (or a different second language depending on the school), and Spanish-speaking students English.²⁸ The study compared the results of the TWBI program and a one-way bilingual program which contains only LEP students learning English and their primary language, and measured them against a transitional bilingual program (also known as early-exit or late-exit). By eighth grade, all three groups had similar results, with some former LEP students performing better than native English speaking students. Students in an ESL program performed relatively well until the ninth grade. By eleventh grade, the TWBI group performed

better than the others.²⁹ Since parents can sign a waiver to place their child in mainstream classes, the study also compared results from the three groups to students who had been waived. The waived students performed worse than the others, especially in high school.³⁰ Thomas and Collier do acknowledge that there may be socioeconomic factors that differentiate waived students from those in the TWBI program.³¹

Critics of bilingual education generally cite the research of Christine Rossell. The results of her research differ from the two studies previously mentioned. Rossell specifically critiques the 1991 longitudinal study stating, “the biggest shortcoming is that Ramirez, et al. never compare the achievement of children in the late-exit bilingual education program—the one with the most Spanish instruction—to that of the children in the immersion and early-exit bilingual programs.”³² She additionally critiques their failure to include LEP students in a mainstream classroom with ESL teacher support. Her recommendation for Ramirez is to use “percentage of English used in instruction” as an independent variable and achievement as a dependent variable, after controlling for other student characteristics.³³ Her suggestion is reasonable and would improve the study.

In 2009, Rossell conducted a study titled, “Does Bilingual Work? The Case of Texas.”³⁴ She compared student achievement test scores for the third through the fifth grades, since bilingual education is mandatory in elementary school. Students in grades six through eight can choose between a bilingual and ESL program, and high schools are only required to provide ESL. For students in grades three through five, the study finds a strong negative trend in the reading, math, and English writing performance of bilingual students. In science scores, Rossell found a gap of six percentage points between students enrolled and not enrolled in bilingual education.³⁵ Rossell cites a former 2002 study she performed, and a 2001 study by Valentina Bali of Michigan State University, which both found positive effects on sheltered English immersion programs in California after the passage of Proposition 227.

In long term studies, such as Thomas and Collier’s study of LEP students in Houston, Texas, the effects of bilingual education seem promising.³⁶ However, Rossell’s research in Texas had a larger sample size

and looked at achievement tests for her results. She found the opposite result and strong significance in her tests on elementary students, which might reasonably prevail through higher grades.

The necessary application of theoretical models in the construction of research designs poses a difficulty in determining the effectiveness of a program: theoretical models often function differently than originally envisioned when applied. Not all schools have the financial resources to support a certified bilingual or ESL teacher. Even if there is funding available, rural areas may not have a supply of trained educators, and may need to either certify one of their own teachers or let the program suffer. Research on a model may suffer if it is not correctly applied, or a “good” model may not work if taught by a “bad” teacher. If a community lacks support systems for parents and students, then program effectiveness might also be skewed. Additionally, other variables, such as student-to-teacher ratio, class size, funding, material availability, parental involvement, and poverty levels may all play a role in the success of a program.

Research conducted by James Cummins raises an important consideration for understanding how LEP students learn. Many LEP students may be able to speak “conversational” English; however, learning academic English can take more time.³⁷ Tests may not address the time it takes for an LEP student to understand academic language and therefore may underestimate the actual content that the LEP student has learned. Texas addresses this concern by offering assessment tests in Spanish until at least the sixth grade.³⁸ Cummins’ research suggests that students may need follow-up for several years to strengthen their academic English.

Overall, the empirical evidence is divided; each study looked at different samples across the United States using different achievement measures and found different results. More research will be needed to look at the long-term effects of bilingual educational models. Texas recently improved its education data system by separating results not just by bilingual or ESL programs, but dividing them into more specific model categories. In the near future, researchers will have a better opportunity to look at the effectiveness of each specific program relative to Texas.

COMPARING MODEL OUTCOMES

A study titled “Age and Rate of Acquisition of Second Language for Academic Purposes,” conducted by Virginia Collier, suggests that LEP students who “arrived” at a school when they are ages twelve through fifteen had the “greatest difficulty and were projected to require as many as six to eight years to reach grade-level norms in academic achievement when taught entirely in the second language.”³⁹ LEP students who were eight to eleven years of age performed the best. However, some students start school when they are very young, and Texas offers pre-kindergarten programs to assist LEP students before they even start school. The students Collier researched may or may not have had prior schooling before they “arrived” at school, at differing ages. No model can fully compensate for limited schooling.⁴⁰

In looking at the bilingual models, late-exit and dual immersion, many researchers ask whether or not learning the primary language will also help in learning English. In a paper titled, “Monolingual and Bilingual Acquisition: Learning Different Treatments of that-trace Phenomena in English and Spanish,” Virginia Gathercole analyzes that question by looking at results from three different studies. She concludes that the language acquisition of English and Spanish are “independent,” and that “bilingual children initially lagged behind their monolingual peers in linguistic development, but that they began closing the gap by fifth grade.”⁴¹ This research would suggest that bilingual models in early education might not be as effective as models teaching only one language, such as English immersion.⁴² However, in Thomas and Collier’s study, bilingual two-way/dual immersion programs outperformed the others, which suggests a different outcome.⁴³

Based on the mixed results of so many different studies, no model can be declared a winner conclusively. However, within Texas, some models show better results than others—as evidenced by the research of Rossell, who found that the bilingual models in Texas did not perform well.⁴⁴ Multiple researchers, have questioned the effectiveness of transitional models.⁴⁵ Although most of their research finds better results with sheltered or structured English immersion, Baker and Rossell do occasionally find a

positive result from bilingual education.⁴⁶

In addition, a 2004 study by the Arizona Department of Education found English immersion programs outperforming bilingual programs in Stanford-9 standardized test scores.⁴⁷ California results also show improved test scores.⁴⁸ However, determining causality is difficult, since other students' test scores also improved. Additionally, the lack of longitudinal data across California makes an econometric study difficult. At least, test scores did improve and did not decrease. English immersion has a strong possibility of success.

Statewide drop-out rates add information regarding outcomes for LEP students. The most recent rates available from the Texas Education Agency are for the 2008-2009 school year. For grades seven and eight, LEP students totaled 66,083 students. The majority of students transitioned to mainstream classes (and are no longer LEP students) by grade seven, and seventy-eight percent of LEP students remain in ESL programs. Drop-out rates for those in ESL programs are 0.4 percent for grades seven and eight, compared to drop-out rates of 1.4 percent for LEP students who are not serviced. While the drop-out rates for students of bilingual programs is zero, only 0.6 percent of students are in bilingual programs in grades seven and eight. By grades nine through twelve there is a total of 92,267 LEP students, of which 75.2 percent are in ESL programs. The drop-out rate is 4.2 percent for ESL/content-based LEP students, and 4.7 percent for ESL/pull-out LEP students, as compared to a drop-out rate of 7.4 percent for LEP students receiving no services. This figure may capture a lack of parental encouragement or participation for LEP students who have elected not to participate in an ESL program.⁴⁹

While the drop-out rates are relatively low in seventh through eighth grades, those in the ESL program fared better than those without any services. Ninth through twelfth grades experienced a similar trend, with slightly better results for those in an ESL/content-based program. Although drop-out rates are higher in grades nine through twelve, this is to be expected based on wider trends for high school students and other socioeconomic factors. Students who are still in a program by this grade might have economic challenges, family demands, or other learning

disabilities that have kept the student from joining mainstream classes. In this case, the drop-out rate would already account for students who are more likely to drop-out. The lack of bilingual students in grades 9-12 makes a comparison to ESL programs impossible. Regardless, ESL students fare better than non-serviced LEP students.⁵⁰

Table 1: LEP Education Models in Texas

<i>Texas LEP Models</i>	<i>Description</i>
Dual immersion/ two-way	Both English and Primary Language Taught, students of two different language groups in same classroom (i.e. English & Spanish), Goal of bilingual and biliterate, transition to mainstream classroom in 6-7 years
Dual immersion/ one-way	Like Two-Way, except only one group (i.e. Spanish speaking students) is taught both languages
Transitional bilingual/late-exit	English & Primary Language Taught, goal of full academic language proficiency in English and primary language, transition to mainstream classroom in 6-7 years
Transitional bilingual/ early-exit	English & Primary Language Taught, Emphasis on learning English and transitioning to mainstream classroom, 2-5 years, non-academic subjects may be taught in English
ESL/content- based	English only, ESL instruction with a full-time teacher, subjects taught in English, no time limit
ESL/pull-out	English only, part-time ESL teacher available for support, students are in mainstream classes

Data Source: Texas Education Agency

Texas state law currently mandates the availability of bilingual education for elementary students, and a choice of bilingual or ESL for middle school students. High schools must have ESL. However, within those broad categories, some schools offer more than one type of bilingual or ESL program. The type of program offered may vary based on the legal requirements or on the needs of the student population.⁵¹ Most programs fall into the six models provided in Table 1 above.

LEP MODEL CRITERIA

The primary criterion for a successful LEP model is effectiveness. A measure of success must be determined for a calculation of effectiveness. Texas already does a good job, giving statewide assessment tests and recording the results in a data bank. Previous studies have pointed to the importance of long-term results over one or two year snapshots of student achievement. Consequently, a successful model will produce consistent, successful, empirically verified results over time.

One factor which is sometimes left out of empirical research, is the cost of LEP education. According to the 2009-2010 Budgeted Financial Data from the Texas Education Agency, Texas budgets \$1.2 Billion for all bilingual/ESL programs—an average of \$253/per student.⁵² Cost is an important factor, especially during a deep recession with federal and many state budgets running a deficit. Cost-effectiveness is especially important to the taxpayers and to schools, since it frees funding for other priorities in education and may prevent taxes from being increased or a teacher from losing pay. Immigration will continue to play a role in the cost of education. Determining the most effective way to educate the incoming students without wasting money is important now and will remain so.

Cultural norms and values are an important consideration when determining an appropriate model. Is the goal to teach English or to teach two languages simultaneously? Will time spent learning one language take away from time learning English? Do educational learning theories and cognitive development support bilingual education or English immersion? A determination of the priority and goal of education for LEP students, as appropriate to cultural norms and goals within the US, is relevant to the selection of the best model. Based on awareness of opportunities that learning English provides, many parents of Hispanic students want their children to learn English and quickly assimilate into a mainstream classroom.⁵³ Other parents and educators believe in equally preserving an immigrant student's primary culture and teaching English.

Finally, a successful program must also be politically and economically feasible. In rural or poor schools funding may be an issue, and rural areas may have a shortage of qualified teachers. Alternatively,

there might also be too few LEP students in a school to justify spending limited resources on a separate program. Is it likely that any necessary changes will be made to current state law?

POLICY ALTERNATIVES FOR LEP STUDENTS IN TEXAS

After reviewing studies, Texas drop-out rates, and other academic research, no one model appears unambiguously more beneficial than others; further econometric studies, which analyze a longer time frame than prior studies in Texas have, should be undertaken. However, based on current information, Texas can make some improvements. The following policy alternatives offer means of improving educational outcomes for LEP students in Texas. All are statewide measures and would require some form of legislation:

1.) Effective Bilingual/English Immersion: Introduce statewide legislation to require that either a two year SEI program or bilingual program be available for LEP students. This legislation would abolish mandatory bilingual education in Texas. English immersion programs should be modeled after research and the best SEI programs in Arizona, California, and Massachusetts. Students will have follow-up ESL resources available outside of class, after the two year SEI program. Counties should offer a recommendation and review of research for parents to choose a program for their child. Transitional programs that fall behind other bilingual/ESL programs should be changed into the new SEI program. Well implemented bilingual programs will remain. This alternative will serve as a pilot study that could allow future research and comparisons between the effectiveness of bilingual models and SEI models.

2.) Accountability: Allow the current system to continue with some relatively minor changes, most notably the introduction of legislation to set up a statewide LEP accountability system. Schools that are underperforming may need their programs to be adapted. The system should analyze why a school is failing, and recommend improvements to be made within a given time frame. Furthermore, the analysis system should research why programs fall behind: is it because of lack of resources, socioeconomic

factors, a shortage of certified teachers, or is the program not correctly implemented? Incorrectly implemented programs should be modified as recommended by the accountability analysis. Since language acquisition may take time to show progress, schools should be given directives to be sure LEP students are not falling behind other LEP students from other school districts.

3.) SEI-Only: This alternative would require legislation to change all LEP models to a two year SEI program. Again, follow-up services would be offered for students after leaving the program. Parents could opt in for one more year, if they believe their child needs more time. The SEI programs would be modeled after the most successful programs and methodologies in other states.

FUTURE OUTCOMES OF LEP STUDENTS IN TEXAS

Creating more effective programs is a goal of all three policy alternatives. Arizona and California have seen standardized test scores increase for LEP students. Adding a two-year SEI program in place of poorly performing bilingual or ESL programs would increase the effectiveness of education for LEP students.⁵⁴ An SEI program can specifically focus on increasing a student's ability to speak English first.⁵⁵ Then, they can quickly move into mainstream classes which focus more on content. Since learning detailed academic information can be difficult in a short period of time, an SEI program gives students more of an opportunity to learn English before stressing academic content.⁵⁶ The empirical research reported successful results in the long-term for some bilingual programs. Given this information, the Optional SEI alternative and the Accountability alternative would allow only well-implemented programs to continue. Effectiveness would be observed over time.

Effectiveness is a decided goal, but may not be the main political driver. Cost was a significant reason for California, Arizona, and Massachusetts' voters approval of English immersion programs. Most voters will vote in favor of cost-reducing measures. The accountability measure might initially increase costs, but would hopefully decrease costs by eliminating wasteful programs. The optional SEI alternative would

incur some initial costs to structure the legislation and the program, but evidence shows that SEI programs cost less than most bilingual programs.⁵⁷ Additionally, replacing ESL/pull-out programs with SEI would further reduce costs. ESL/pull-out programs require additional ESL teachers and added costs to operate. SEI has been shown to be cheaper than ESL/pull-out programs.⁵⁸ The SEI-only option would definitely reduce education costs for Texas.

None of the policy alternatives fully address cultural arguments. For this reason, allowing parental choice at the local level is important. The goal of dual immersion programs is to maintain the primary culture while encouraging the cultural norms of the United States. The first two alternatives allow dual immersion to continue, so long as it is successful. Some parents may choose for cultural preservation to happen in their home rather than at school. Other parents might lobby their district to offer a bilingual program or SEI. Districts can decide which program is most economically and politically feasible based on the desires and needs of their populations. SEI focuses on quickly teaching English and assimilating the student in a mainstream classroom. Therefore, the SEI alternatives would allow parents a choice to assimilate their children. Furthermore, the SEI-only alternative would relieve schools of the burden of years of state-funded bi-cultural education. Although some flexibility exists with the implementation and curriculum choices for SEI models, the state mandate to pay for years of dual cultural programs would end. Instead, parents might decide to maintain cultural teaching within the home or by extra-curricular school activities.

Removing the mandate for bilingual education would also allow for more flexibility at the local level. For the optional SEI alternative, districts could choose which program or programs fit their budget and work best for their student population. Most likely, larger districts would maintain both a bilingual program and an SEI program. Some have called bilingual education a modern day form of segregation.⁵⁹ The SEI-only option would restrict local choices, but it would end school segregation that starts in elementary education and continues for years. By allowing an SEI program for students, parents can opt for the more efficient SEI program.

Changes in one state may also affect another state. Texas may implement a change that encourages other states to change or the English immersion movement may spread from other states. Christine Rossell, whose research supports a well implemented English immersion program, has suggested an amendment to Prop 227 which would allow a two or three year English immersion program in the place of the current one year, quick transition to mainstream classes. Such a move in California or another state might make a change in Texas more politically feasible. Both advocates of bilingual education and English immersion would likely be open to arguments for improving the effectiveness of current programs. However, the SEI alternatives would most likely receive criticism from bilingual program advocates. Some Californian teachers and principals, who were formerly bilingual supporters, changed their minds once they saw the results from the structured English immersion program.⁶⁰ The accountability alternative would have less political friction, and would provide for incremental improvement. Given the recent budget shortfall for education in Texas, voters might be more likely to opt for legislation which would reduce cost while maintaining effective education.

While all three options are politically feasible, the accountability alternative may not be economically feasible. The state has few education administrators available to check the accountability of LEP programs. Adding a specified staff may or may not be affordable. However, given the importance of educating LEP students and their future employment outcomes, the accountability alternative seems necessary. If inefficient programs were streamlined by allowing schools to offer English immersion in place of poorly operating bilingual programs, more money would be available for implementing an accountability system. In this case, the first alternative would help make the second alternative economically feasible. Additionally, a current accountability system and mandated standardized testing already exists in Texas; however, the current system would need to be improved by establishing a metric to evaluate and compare LEP program outcomes. This could be done without creating a new agency, and could be implemented through the Texas Commissioner of Education.⁶¹

RECOMMENDATION

To improve outcomes for LEP students, Texas should adopt a combination of the Optional SEI Alternative and the Accountability Alternative. Based on cost and preliminary results from Arizona and California, Texas should look at implementing SEI programs, especially in schools with larger Hispanic populations.⁶² Allowing SEI programs could improve education for LEP students for several reasons. First, an SEI program would separate LEP students for only two years with the goal of quickly integrating the students into mainstream classrooms. The SEI program would focus on students' learning the English language first, before expanding the level of content knowledge.⁶³ Students would have an opportunity to receive follow-up support after the transition. Both measures allow successful bilingual models to remain operating. Since the empirical literature is still divided, no one method would be state mandated. Texans would be allowed to choose which method they believed to be best in terms of cost, efficiency, and student results. By offering parental choice, cultural decisions will be kept at the local level.

Texas should also work at implementing accountability measures. Any models that lack successful outcomes should be analyzed and possibly dismantled or changed to improve their function. Most ESL pull/out programs and poorly performing bilingual programs should be replaced with an SEI program. In the long run, educational costs will decrease, and LEP students' educational outcomes and job opportunities will increase. The accountability measure will be able to analyze the needs of the school district at the local level. If a lack of qualified teachers is the cause of failing programs, the accountability measure would have the flexibility to offer a rewards system to encourage educated professionals to seek further training.⁶⁴

Overall, the recommended alternatives would improve the current system in Texas. With a well-run educational campaign illustrating the costs and the benefits, voters might be more likely to implement both programs. Feasibility is important, and the accountability measure offers an incremental way to improve the current system. The SEI program provides a swift alternative that has had preliminary success in raising test

scores in Arizona, California, and Massachusetts. By implementing these two options together, Texas will serve as a unique test case for the rest of the United States. Its well-recorded data system and accountability testing will allow future research to better compare LEP model alternatives. While the three alternatives listed above are all good choices and would improve the Texas education system, the two recommended options would provide an incremental and cautious approach. They would mitigate the huge economic cost and cultural burden placed on schools responsible for educating the new immigrants, and capitalize on the valuable resources brought to the United States by immigration. Ultimately, however, the future of LEP students in Texas is in the hands of the electorate.

ENDNOTES

1. Estimate from U.S. Department of Education, <http://www.nclae.gwu.edu/t3sis>.
2. Christine Rossell, "Does Bilingual Education Work? The Case of Texas," Texas Public Policy Foundation, September 2009, <http://www.texaspolicy.com/pdf/2009-09-RR01-bilingual-rossell.pdf>.
3. "School: The Story of American Public Education," PBS.org, accessed November 1, 2010, http://www.pbs.org/kcet/publicschool/roots_in_history/choice_master2.html.
4. "Do You Speak American?" Public Broadcasting Service, <http://www.pbs.org/speak/words/sezwho/socialsetting>. English submersion or "sink or swim" meant students were placed in mainstream classes with very little or no help.
5. David Nieto, "A Brief History of Bilingual Education in the United States," *Urban Ed Journal*, 61, no. 1(2009): 61-65. <http://www.urbanedjournal.org/archive/>.
6. *Ibid*, 61-65.
7. Eric W. Robelen, "40 Years after ESEA, Federal Role in Schools Is Broader than Ever," *Education Week*, 24, no. 31(April, 2005): 1, 42.
8. Nieto, A brief history, 61-65.
9. *Ibid*.
10. Rossell, Does Bilingual Education Work, 1-24.
11. David J. Ramirez, David J. Pasta, Sandra D. Yuen, David K. Billings, David K. Ramey, Dena R., "Executive Summary of the Final Report: Longitudinal Study of Structured English Immersion Strategy, Early-exit and Late-exit Bilingual Education Programs for Language-minority Children," as prepared for the United States Department of Education under Contract No. 300-87-0156, San Mateo, CA: Aguirre International, February, 1991: 1-40. Structured English Immersion (SEI) is a program where teachers maximize use of English in classroom and English is taught at an appropriate level to the needs of the LEP students.
12. National Association for Bilingual Education, <http://www.nabe.org/files/LauvNichols.pdf>.

13. Edward Sifuentes, "Education: Proposition 227: 10 years later," *North County Times* (Escondido, CA), November 8, 2008, http://www.nctimes.com/news/local/sdcounty/article_ec5de000-1999-580b-86a1-40ba1d26934f.html.
14. Rossell, *Does Bilingual Education Work*, 1-24.
15. <http://www.tea.state.tx.us>. LEP students are sometimes called English Language Learners (ELLs) in some research. Texas Education Agency uses the term LEP students.
16. Texas Education Agency, http://www.tea.state.tx.us/index.aspx?id=2147484907&menu_id=680&menu_id2=797&cid=2147483656.
17. Data from Texas Education Agency, accessed October 2010, <http://www.tea.state.tx.us>.
18. Christine Rossell and Keith Baker, "Bilingual Education in Massachusetts: the Emperor Has No Clothes Boston," (MA: Pioneer Institute, 1996): 1-10. <http://www.eric.ed.gov/PDFS/ED416674.pdf>.
19. Jay P. Greene, "A Meta-Analysis of the Effectiveness of Bilingual Education," March 2, 1998. <http://www.languagepolicy.net/archives/greene.htm>.
20. Rossell and Baker, *Bilingual Education in Massachusetts*.
21. Jesus Jose Salazar, "A Longitudinal Model for Interpreting Thirty Years of Bilingual Education Research," *Bilingual Research Journal*, 22, no. 1(1998): 1-12, http://www.usc.edu/dept/education/CMMR/text/salazar_longitudinal_model.pdf.
22. See Table 1 for definitions of the most prevalent bilingual educational models.
23. Ramirez, *Longitudinal Study*, p.2.
24. Ramirez, *Longitudinal Study*.
25. *Ibid*,
26. *Ibid*, 1-40.
27. Wayne Thomas and Virginia Collier, "A National Study of School Effectiveness for Language Minority Students' Long-Term Academic Achievement", UC Berkeley: Center for Research on Education, Diversity and Excellence, (2002): 1-335, <http://escholarship.org/uc/item/65j213pt>.
28. See Table 2.
29. Thomas and Collier, *A National Study*.
30. *Ibid*
31. *Ibid*.
32. Christine Rossell, "Nothing Matters? A Critique of the Ramirez, et. al. Longitudinal Study of Instructional Programs for Language Minority Children," *Bilingual Research Journal*, 16, no. 1 & 2. (Winter & Spring 1992): 2, 159-186.
33. *Ibid*.
34. Rossell and Baker, *Bilingual Education in Massachusetts*. They also studied the effect of French Immersion programs in Canada and found them to be effective.
35. Rossell, *Does Bilingual Education Work*, 1-24.
36. Thomas and Collier, *A National Study*.
37. James Cummins, "The Role of Primary Language Development in Promoting Educational Success for Language Minority Students." In (Ed. California Department of Education) *Schooling for Language Minority Students: A Theoretical Framework*. Los Angeles, CA: California State University, Los Angeles.

38. Texas Education Agency, <http://www.tea.state.tx.us>.
39. Virginia P. Collier, "Age and rate of acquisition of second language for academic purposes," *TESOL Quarterly*, 21, (1987): 617-641.
40. Ibid.
41. D. Kimbrough Oller and Rebecca E. Eilers, *Language and Literacy in Bilingual Children*, (Buffalo, NY: Multilingual Matters LTD, 2002), 220-254.
42. Ibid, 253.
43. Thomas and Collier, A National Study.
44. Rossell, Does Bilingual Education Work, 1-23.
45. Rossell and Baker, Bilingual Education, 1-10.
46. Ibid.
47. Eugene Judson and Margaret Garcia-Dugan. "The Effects of Bilingual Education Programs and Structured English Immersion Programs on Student Achievement: A Large Scale Comparison." (Arizona Department of Education, 2004): 1-11, <http://epsu.asu.edu/epru/articles/EPRU-0408-66-OWI.pdf>.
48. Ibid, 1-11.
49. Texas Education Agency, <http://www.tea.state.tx.us>. Drop-out rates are available on website.
50. Ibid.
51. Ibid. Texas law dictates a school containing at least 20 or more LEP students in a grade must provide bilingual education. Schools with less than 20 must provide ESL.
52. Ibid.
53. Rossell, "Does Bilingual Education Work," 1-24.
54. Ibid.
55. Judson and Garcia-Dugan, "Effects of Bilingual Education," 1-11.
56. Cummins, Role of Primary Language.
57. Christine Rossell, "It's time to replace Texas' bilingual education policy," *Houston Chronicle*, September 3, 2009. <http://www.cron.com>.
58. Ibid.
59. Amy Stuart Wells, "Hispanic Education in America: Separate and Unequal," *Eric Clearinghouse on Urban Education*, 59(1989), <http://www.ericdigests.org/pre-9214/hispanic.htm>.
60. Rossell, Does Bilingual Education Work, 13.
61. Texas Education Agency, <http://www.tea.state.tx.us>.
62. Greene, A Meta-Analysis. Texas already test-piloted SEI programs in a study in El Paso and found the programs successful. However, it was not referenced due to the lack of a control group as recognized in Greene's meta-analysis.
63. Kevin Clark, "The Case for Structured English Immersion," *Supporting English Language Learners*, 66, no. 7(2009): 42-46.
64. Patricia Gandara, Julie Maxwell-Jolly, and Anne Driscoll, "Listening to Teachers of English Language Learners: A Survey of California Teachers Challenges, Experiences, and Professional Development Needs," (2005): 1-26, <http://www.cftl.org/documents/2005/listeningforweb.pdf>.

Here and Back Again: US National Security Interest in the Arab/Israeli Conflict

Miriam Keim

Since its declaration of sovereignty in 1948, Israel has fought frequent wars with its Arab neighbors – the Six Day War, the War of Attrition, and the First and Second Lebanon Wars, just to name a few. Numerous peace treaties have been drafted, signed, and sometimes enforced. However, even with the concerted efforts of members of the international community including the United States and the United Nations, a final settlement establishing regional peace has not been attained. Disagreements range from Israel's right to exist to the delineation of the borders for the proposed two states. Political leaders on both sides have agreed to, disagreed with, kept, and broken numerous promises and plans.

It would be easy to characterize the Arab/Israeli conflict as simply a religious disagreement: fiery rhetoric, often fueled by religious beliefs, is preached by both sides as to the legitimacy of the existence of Israel. Religion cannot be completely removed from the equation, as many contested sites, particularly in Jerusalem, have deep religious significance to Jews, Muslims, and Christians alike. However, the main motivator behind the conflict is land, with both Israelis and Palestinians claiming their rights to the area now known as Israel, as well as the disputed Occupied Territories, including the West Bank and the Gaza Strip.¹

Any workable plan for establishing peace must take into account the disparities between the two populations which live in such close proximity, but have starkly different standards of living. Israel is a first world country with a functioning economy and a government acknowledged by most of the

Miriam Keim (M.P.P. 2011) received her BA in Liberal Arts from St. John's College in Annapolis, Maryland. At Pepperdine University she specialized in International Relations and American Politics.

world. The Palestinians are split into two groups, in Gaza and the West Bank, and there are many more still in refugee camps in neighboring countries. Both Gaza and the West Bank have semi-functioning governments, but they are unable to work together and much of the international community is opposed to working with Hamas in its current form. In 2006, pushed by the Bush Administration to hold democratic elections, Palestinians in the Gaza Strip decided to throw out the corrupt Fatah Party and instead award control to Hamas, “the largest and most influential Palestinian militant movement.”² Originating in the Muslim Brotherhood, the organization is responsible for terrorist activity throughout the West Bank and Gaza, including targeted killings of members of the defeated Fatah Party.

Economic growth cannot be overlooked in the peace process. Israel’s GDP is estimated at \$206.9 billion, whereas the West Bank and Gaza’s GDP is closer to \$12.79 billion.³ Encouraging news has recently been released by the World Bank concerning economic growth in both the West Bank and Gaza: “In the first half of 2010, the economy of WB&G continued to rebound and the International Monetary Fund (IMF) projects that real Gross Domestic Product (GDP) growth will reach eight percent in 2010.”⁴ Both areas still have considerable ground to cover before they can be competitive with Israel, but compared to where there were just ten years ago, at the beginning stages of the second intifada, the advance is significant.

In an ideal world, both Israeli and Palestinian leaders would like their respective citizens to have exclusive control over the land now occupied by Israel. It is possible that ardent Zionists and extreme members of various Palestinian parties, including Hamas, the Palestinian Liberation Organization (PLO), and Hezbollah, will never agree to anything other than complete control. Yet, since the United Nations Special Committee on Palestine (UNSCOP) first examined the issue, the policy of a “two-state solution” has been seen by many as the answer to the conflict. The United States has supported this position. President Obama, in his speech at Cairo University declared: “the only resolution is for the aspirations of both sides to be met through two states, where Israelis and Palestinians each live in peace and security.”⁵ George Mitchell, the US Special Envoy for Middle

East Peace, has echoed the President's commitment to this solution in subsequent interviews.

US ATTEMPTS AT DIPLOMATIC INTERVENTION IN THE CONFLICT

In 1978, US President Jimmy Carter helped facilitate an Israeli-Egyptian peace treaty with the signing of the Camp David Accords. While the success of the Camp David Accords was important at the time, the world was of a different geopolitical power structure. The USSR was still a strong force; it would not enter Afghanistan and begin its slow decline in power for another year, and the dynamics of a bipolar world system were still locked in by the fierce battle between Washington and the Kremlin.

At the time of the signing of the Oslo Accords in 1993, the political atmosphere of the world had changed. The USSR was no more, and independent states were establishing themselves again in Eastern Europe. The United States had successfully rallied world support and secured the Security Council's blessing for President George H.W. Bush's decision to invade Iraq and push Saddam Hussein out of Kuwait. Ready to tackle peace in the Middle East, an invitation to Israeli and Palestinian leaders was extended:

After extensive consultations with Arab states, Israel and the Palestinians, the United States and the Soviet Union believe that an historic opportunity exists to advance the prospects for genuine peace throughout the region. The United States and the Soviet Union are prepared to assist the parties to achieve a just, lasting and comprehensive peace settlement, through direct negotiations along two tracks, between Israel and the Arab states, and between Israel and the Palestinians, based on United Nations Security Council Resolutions 242 and 338. *The objective of this process is real peace.* (Emphasis added)⁶

With this notice, the first post-Cold War peace attempts were launched. Negotiations stalled and President Bush was replaced by President Bill Clinton, but eventually both the Israelis and the Palestinians agreed to sit down and

talk in January 1993. Nine months later, Prime Minister Yitzhak Rabin and Yasser Arafat signed the historic Oslo Accords on the White House lawn. With this, Israel recognized Arafat's Palestinian Liberation Organization as the representative of the Palestinian people and signalled its willingness to negotiate with them. Arafat in turn "acknowledged Israel's right for a safe and peaceful existence."⁷ The PLO was now in charge of selecting an interim government for a Palestinian state. Finally, almost 60 years after the UN's original two state plan, peace was near.

Despite efforts from the Clinton Administration, this plan too was fated for more conflict:

The Clinton team focused intensely, even obsessively on keeping the Israeli-Palestinian tack alive and maintaining momentum in the talks, but at the expense of debilitating actions by the parties – Palestinian violence and incitement, Israeli Settlement expansion, Palestinian Authority (PA) corruption and constant backsliding by both sides – that ultimately overwhelmed and defeated the process.⁸

While President Clinton continued pursuing peace, several other meetings were arranged and publicized over his presidency, and the situation in Israel continued to deteriorate. With the Al-Aqsa, or Second Intifada, starting in late 2000, the final months of President Clinton's presidency were marred by the reports of violence throughout the region.

The environment that greeted President George W. Bush had deteriorated drastically since the signing of the Oslo Accords. Additionally, some felt that "the Bush 43 approach to the conflict lack both commitment and a sense of strategic purpose."⁹ The administration was not pulled towards Jerusalem, but instead set their sights further east, to Iraq and Saddam Hussein. Following the attacks of September 11, 2001, President Bush chose to focus first on Afghanistan, and then Iraq. In the midst of the Second Intifada, American interest at the top level was pulled away from Israel and towards a different target. Like his successor, though, Bush was not able to stay away from the conflict long and in 2003, "The Quartet" – the United States, the European Union, Russia, and the United Nations – released a "Roadmap for Peace." Announced soon after US troops

overthrew Saddam in Iraq, the plan set forth “an ambitious three-stage, performance based plan to stabilize Israeli/Palestinian relations, bolster Palestinian institutions, and move the parties back to negotiations over a two-state settlement.”¹⁰ Now, while engaged in building a democracy in Iraq, the United States would also be encouraging the same activity with the Palestinians.

This plan lead up to the 2006 elections in the West Bank and Gaza through which Hamas won control of the Gaza Strip. Their conclusion unforeseen, the elections highlighted the dangers of democratic societies: sometimes the voting population wants someone who is an unimaginable or undesirable choice in the perspective of outside powers. Fatah, although corrupt and an unsavory ally for the United States, was a known quantity. Not only was Hamas a new system to learn, but its penchant for terrorist acts caused diplomatic headaches for the United States. Because US laws against financing terrorism prevented giving money to the government in charge, the Roadmap to Peace now had a new obstacle to surmount in order to build Palestinian civil society with the hopes of a two state solution.

Another change to the peace process came with the November 2004 death of Yasser Arafat, long time leader of the PLO, cosigner of the Oslo Accord, and a revered figure throughout the Palestinian population. He was mourned throughout the Arab world, but Israelis greeted his death as an event that might lead towards an eventual peace. However, just a little over a year after Arafat’s death, Israeli Prime Minister Ariel Sharon suffered a major stroke from which he never recovered. With new leadership for both sides in place, the Roadmap was approached again, but as of yet few significant gains have been made. This is due in large part to the lack of a valid leader for all Palestinians, creating a situation in which there is no one head to negotiate with.

President Barack Obama ushered in a new age of diplomacy with his inauguration in 2009. Recently, direct talks have been attempted, but little has come from them. In the short time that he has been in office, Obama has faced many of the same roadblocks that stood in the way of his predecessors. The building of Israeli settlements continues to stir tensions in Jerusalem and the West Bank, while rockets from Gaza are fired more

often than Israelis are comfortable with. Issues that have been discussed since the first attempts at a peace and a two state solution are still present today. Where should the borders be drawn? Will right of return be enforced? How does an independent state of Palestine exist, when it is split in half by its neighbor? And the more modern question, how can a Palestinian state that is internally divided be united?

US STRATEGIC INTERESTS IN THE CONFLICT

The United States has financially and diplomatically supported Israel since its inception, but it also has a strong interest in the Arab community. The instability that the Israeli/Palestine conflict contributes to the region greatly hinders positive development and seriously threatens peace efforts. This instability is a particular concern for US national security, as some of the grievances expressed by terrorist organizations in the Muslim world stem from America's involvement and support of Israel.¹¹

Perhaps the most pressing issue currently is the Iranian regime's attempts to secure nuclear technology. Despite assurances from Iran that the nuclear technology it is developing will be for energy purposes only, many in the international community remain unconvinced that their true aim is not to secure nuclear weapons. The recent Wikileaks scandal has shown that this fear is held not only by Western countries, but also by Muslim countries such as Saudi Arabia.¹² No country is more worried about the threat of a nuclear Iran than Israel. Faced with overwhelming threats from other Arab countries in the past, Israel has won militarily. A nuclear attack would be different and much harder to defend against. The existence of the program, coupled with Iranian President Mahmoud Ahmadinejad's calls for the destruction of Israel, has led to ever-increasing tension in the region. While the US and other international powers have worked to halt Iran's nuclear developments, Iran's willingness to capitalize on this tension only increases instability.

President Obama has promised to drawdown troops from both Iraq and Afghanistan in the coming years. On August 31, 2010 the last official US combat troops left Iraq, although over 50,000 "non-combat" troops are still on the ground.¹³ These troops are supposed to be redeployed by

2011, although the date of their final departure may depend on the ability of Iraqi forces. Similarly, in Afghanistan, the Obama administration has begun training local security forces to take over combat duties, with the hopes of redeploying American troops from the country by 2014.¹⁴ Even with troop withdrawals, the threat of terrorism remains high in the region, with increased activity being seen in Yemen and Pakistan.

If the United States was successful in helping bring a resolution to the Arab/Israeli conflict, Middle Eastern aggression against the United States might lessen. In past peace attempts, the Arab League was heavily invested in any action on the Palestinians' part and would undoubtedly be involved in approving and implementing any two-state plan that would lead to peace. If sincere, the Arab League's commitment to peace between the Israelis and the Palestinians would represent an ideological shift in most of its members' thoughts towards the existence of Israel. If granted assurance that their right to exist was acknowledged by the Arab League members, Israel could feel more secure. Palestinians, backed by fellow Muslim states and much of the West, could begin to build their own state. Stability between the Israelis and Palestinians, and acceptance by Arab states of the existence of Israel would allow the United States to focus more of its attentions in other areas of the Middle East, and would potentially increase the effectiveness of its foreign policy in the region.

AMERICAN USE OF MILITARY AND HARD POWER

The US military is the strongest fighting force in the world, providing troops not only for its own missions, but also to supplement the forces of multilateral organizations, such as NATO and the United Nations. In Afghanistan, even with coalition forces in place, American troops outnumber those from any other single country.¹⁵ With military superiority over every other country, the United States could in theory use this power to solve conflicts around the world. Korea, Vietnam, and Bosnia are three examples of the use of "hard power" with varying degrees of success and failures.

Despite the United States' ability to use military power, it is difficult to find many calls for such power to be used in the Arab/Israeli debate.

Hard power has not been seen as a serious option for US responses to various Israeli actions, ranging from expanding settlements to blockading Gaza to full scale invasions. Besides the difficulties of fighting troops armed with one's own technology and well trained at using it, the domestic backlash that a US president would face for ordering such an attack could be catastrophic to any future political goals.

Former Israeli Ambassador to the United States, Moshe Arens, in an interview dated April 3, 2010, proclaimed that "the Obama administration's leverage is beginning to sound like 'hard power'—brutal even—to get Israel to toe the line."¹⁶ He referred to the Obama administration's objection to new settlements being built in Jerusalem, a development that was announced while Vice President Joe Biden was visiting the country. A month later, WorldNetDaily announced that "a US plan envisions stationing international troops along Israel's border with a future Palestinian state...."¹⁷ However, the details of this plan are far from brutal, as it envisions international peace keepers watching the borders, similar to UN forces in the Sinai on the border between Egypt and Gaza, and on Israel's northern border with Lebanon. Far from the combat troops we see pictures of in Iraq or Afghanistan, these troops would resemble the lightly armed, if armed at all, blue helmets we so often see in Africa.

AMERICAN USE OF SOFT POWER AND PUBLIC DIPLOMACY

Regardless of the exact reason, the United States has traditionally not engaged in "hard power" with regards to the Arab/Israeli conflict. Consequently an examination of its policy becomes a search for the use of "soft power" instead. Soft power, or the ability of a "country to get what it wants by attraction rather than through coercion," is a concept first set forward by Joseph Nye in order to explain why the United States was as successful in its diplomacy as it came to be.¹⁸ In Nye's words "this attractive, or 'soft' power, stemmed from American culture, values, and policies that were broadly inclusive and seen as legitimate in the eyes of others."¹⁹ In others words, the United States relies on other people wanting to be like Americans, or at least accepting their way of life.

To this end, American government agencies, especially the State

Department, rely heavily on the tools of soft power: “public diplomacy, broadcasting, exchange programs, development assistance, disaster relief, military-to-military contacts.”²⁰ Public diplomacy, a term that has been used frequently relative to the WikiLeaks release, “refers to government-sponsored programs intended to inform or influence public opinion in other countries; its chief instruments are publications, motion pictures, cultural exchanges, radio and television.”²¹ While one might wonder if public diplomacy sometimes crosses into the realm of propaganda, the concept allows for a break from traditional diplomacy. Instead of interacting solely on the official diplomatic level, the United States uses public diplomacy to reach the citizens of the country it is trying to influence directly, by “winning the hearts and the minds” of the people.

But how does a nation apply public diplomacy or soft power in a country that is already so similar to itself? Israel is a democracy, and its people enjoy many of the same freedoms held by inhabitants of the United States. The attractiveness of American culture to a Pole at the end of the Cold War, is bound to have been considerably higher than it is for a man walking down the street in Tel Aviv today. The use of soft power with the Palestinians is problematic as well, because the United States is seen as pro-Israel within the Arab world. Indeed, President Obama in his speech in Cairo stated:

America’s strong bonds with Israel are well known. This bond is unbreakable. It is based upon cultural and historical ties, and the recognition that the aspiration for a Jewish homeland is rooted in a tragic history that cannot be denied.²²

Despite this, American authority has often been inserted as a mediator in the conflict, particularly in the unipolar world that followed the collapse of the Soviet Union. The issue facing American diplomats in the Arab/Israeli conflict is not one of trying to win the Palestinians over, convincing them of the benefits of the United States. In the same speech, President Obama also laid out an American understanding of the Palestinian struggle:

On the other hand, it is also undeniable that the Palestinian

people – Muslims and Christians – have suffered in pursuit of a homeland. For more than 60 years they've endured the pain of dislocation. Many wait in refugee camps in the West Bank, Gaza, and neighboring lands for a life of peace and security that they have never been able to lead. They endure the daily humiliations – large and small – that come with occupation. So let there be no doubt: The situation for the Palestinian people is intolerable. And America will not turn our backs on the legitimate Palestinian aspiration for dignity, opportunity, and a state of their own.²³

Indeed, one of the biggest hurdles to overcome is not feelings towards Americans, but instead to Israelis, still seen as the occupiers who have stolen Palestinian lands. US national security interests in the region may desire peace in order to obtain stability, but how does an outside power contribute to changing the feelings of citizens in internal struggle who are not necessarily opposed to the outside force?

The answer to both of the above dilemmas seems to be coercive power. This author would argue that American policy has adopted neither a solely hard or soft power position, especially in its dealings with Israel. Elements of both exist. Soft power efforts are used within the West Bank and Gaza. The Israeli diplomatic visits to the United States before the 1967 war, to gauge whether they would receive US support or military opposition if need be, show the importance of American military power in the region. While the United States may not send its own troops into battle in Gaza to fight Hamas rockets, it does not necessarily spring into action to halt Israeli military campaigns, tacitly allowing damage to be done by Israeli forces in retribution for attacks against their country. One could argue that this lack of action is in itself the exercise of a type of hard power.

One form of power does speak to both the Israeli and the Palestinian/ Arab worlds. "For policymakers, foreign assistance plays a key role in advancing US foreign policy goals in the Middle East."²⁴ Monetary assistance has tremendous effects on American power in the region. This funding, given in various forms to both the Israeli and Palestinian governments, falls somewhere in between the use of hard and soft power;

a coercive power, if we may.

For the Israelis, American financial assistance has been crucial to its existence. According to the Congressional Research Service:

Since 1976, Israel has been the largest annual recipient of US foreign assistance and is the largest cumulative recipient since World War II. Strong congressional support for Israel has resulted in Israel's receiving benefits that may not be available to other countries. For example, Israel can use US military assistance for research and development in the United States and for military purchases in Israel. In addition, all US foreign assistance earmarked for Israel is delivered in the first 30 days of the fiscal year. Other recipients normally receive their aid in staggered installments at varying times. According to the Obama Administration's 2011 Congressional Budget Justification (CBJ) for Foreign Operations, "US assistance is also aimed at ensuring for Israel the security it requires to make concessions necessary for comprehensive regional peace."²⁵

US military assistance to Israel is especially important to note. Before the 1967 war, France was the primary supplier of Israel's military supplies, but due to pressure from the Arab community, Charles de Gaulle ended his country's assistance. This void was filled by the United States, which, since President Eisenhower, had been committed to ensuring Israel's safety. During the Cold War, Israeli pilots flew Western planes against the Soviet-made MiGs provided to their Arab enemy. Just as the United States was committed to Israel's military preponderance then, it remains committed to a militarily strong Israel that maintains "its qualitative military advantage [which] enhances security by preventing regional conflict and builds the confidence necessary for Israel to take calculated risks for peace."²⁶

The United States also provides funding for Palestinian authorities, but in a much smaller amounts and with a much more restricted distribution. From the report cited above:

Since the death of Yasser Arafat in November 2004, US

assistance to the Palestinians has averaged about \$388 million a year. During the 1990s, US foreign aid to the Palestinians averaged approximately \$75 million per year. Most US assistance to the Palestinians is provided through USAID's West Bank and Gaza program. USAID allocates funds for projects in sectors such as humanitarian assistance, economic development, democratic reform, improving water access and other infrastructure, health care, education, and vocational training (currently most, if not all, funds for the Gaza Strip are dedicated to humanitarian assistance and economic recovery needs). By law, US assistance to the West Bank and Gaza Strip, as well as for all other aid recipients, must be vetted and audited to ensure that no US funds are provided to or through any individual, private or government entity, or educational institution that advocates, plans, sponsors, engages in, or has engaged in, terrorist activity.²⁷

While funding for the Palestinians has increased significantly, it still reaches nowhere near the more than \$3 billion granted to Israel on a yearly basis. Additionally, unlike Israel, Palestinians do not receive military aid or the generous allowances for research and development of military technology. Instead, they received funds for humanitarian assistance, economic development, and other infrastructure issues. Highlighted in the passage above is another problem faced by American diplomats and policy makers: the presence of Hamas in the Gaza Strip.

In 2006, prompted by the Bush Administration to hold the elections, Palestinians in the Gaza Strip decided to no longer be governed by the corrupt Fatah Party, and instead awarded control to Hamas, the "the largest and most influential Palestinian militant movement"²⁸ Because it is labeled a "foreign terrorist organization" by the US State Department, no American funds can be delivered to the Hamas-run government in Gaza.²⁹ Since the majority of the funding comes through USAID, a government organization often associated with soft power, US assistance to the West Bank and Gaza looks much more like aid given to other developing countries around the

world. And, as with other developing countries, Palestinians receive aid from sources other than the United States:

The EU is currently the largest multinational donor to the Palestinian Authority. On 19 January the Palestinian Prime Minister and a representative of the Commission signed an agreement to pay EUR 158.5 million in support of the Palestinian Authority's recurrent expenditure for 2010.³⁰

The presence of this foreign money raises an important question for American foreign policy. If stability in the Arab/Israeli conflict is an important goal for the United States, is it wise to allow greater assistance to be given by another government? While one might hope that the European Union has goals similar to the United States for its security, is the American position weakened because the Palestinian community receives significantly less US aid money than is granted to Israel? With the United States still spearheading peace efforts, it seems unlikely that the EU has usurped American importance in the eyes of the Palestinians, but seeds have been sown.

CONCLUSION

In an age in which Russia and China are both amassing power and resources and are relatively unlikely to worry about the side activities of governments that they partner with, the United States runs the threat of being replaced in its importance if it is unable to increase its standing within the Arab world. While America has acted as an important mediator of the conflict in the past, the rise of other powers allows the possibility that the United States will no longer be the driving force behind future peace accords. This is a dangerous situation for the United States; it must use its resources to combat that possibility.

As US national security strategy advances, "in the present strategic environment, defined most notably by the threat from al Qaeda, the broader struggle against Islamist militancy and the ongoing challenges of the U.S. occupation of Iraq, Arab/Israeli peacemaking has become even more important."³¹ With troop drawdowns in Iraq and Afghanistan,

Iranian nuclear threats, radical Islam continuing its spread throughout the Middle East, and the United States' ever present need for energy, stability will be at a high premium. While there is no unitary solution to the ills of the Middle East – the region is far too diverse for that to be possible – the United States must prioritize what conflicts it *wants* to have an impact on, with some consideration to what conflicts it *can* have an impact in.

The Israeli/Palestinian debate will not disappear. It will not dwindle down or become able to be pushed away when inconvenient. Instead, the Arab/Israeli conflict is of strategic interest to the United States, and America's close relationship with Israel ensures that this will remain the case. To preserve the credibility of the United States in the Arab world, and to manage the conflict, the United States will have to decide how to employ its hard and soft powers in more effective manners

If the Arab/Israeli question is of strategic interest to the United States, how then should it proceed in shaping the conflict and any resolution towards peace? Above all the United States must determine what level of resolution it will be able to achieve that will allow for stability. With years of grievances suffered by both sides, it may be generations before any meaningful conflict transformation occurs, before Israelis and Palestinians accept each other and allow for open democracies to exist side by side. For the immediate future, the goal of conflict management is more attainable.

ENDNOTES

1. Beinun, Joel and Lisa Hajjar. "Palestine, Israel, and the Arab-Israeli Conflict: A Primer." Middle East Research and Information Project. [http://www.merip.org/palestine-israel_primer/Palestine Israel_Primer_MERIP.pdf](http://www.merip.org/palestine-israel_primer/Palestine%20Israel_Primer_MERIP.pdf) (accessed November 30, 2010).
2. Council on Foreign Relations. Hamas. August 27, 2009. <http://www.cfr.org/publication/8968/hamas.html#p1> (accessed November 30, 2010).
3. CIA. CIA World Factbook: West Bank. November 10, 2010. <https://www.cia.gov/library/publications/the-world-factbook/geos/we.html> (accessed November 30, 2010).
4. The World Bank. The Underpinnings of the Future Palestinian State: Sustainable Growth and Institutions. Economic Monitoring Report to the Ad Hoc Liaison Committee, The World Bank, 2010.
5. White House Office of the Press Secretary. "Remarks by the President on a New Beginning." Cairo University. Cairo, Egypt. June 4, 2009. <http://www.whitehouse.gov/>

- the-press-office/remarks-president-cairo-university-6-04-09 (accessed November 30, 2010).
6. U.S. Embassy in Israel. "Letter of Invitation to Madrid peace Conference." October 30, 1991. <http://www.usembassy-israel.org.il/publish/peace/madrid.htm> (accessed November 30, 2010).
 7. "Oslo Accords." The Knesset. http://www.knesset.gov.il/lexicon/eng/oslo_eng.htm (accessed November 30, 2010).
 8. Kurtzer, Daniel C., and Scott B. Lasensky. *Negotiation Arab/IsraeliArab/Israeli Peace*. Washington, D.C.: United States Institute of Peace Press, 2008.
 9. Ibid
 10. Ibid
 11. Djerejian, Edward P. *Changing Minds Winning Peace: A New Strategic Direction for U.S. Public Diplomacy in the Arab & Muslim World*. Submitted to the Committee on Appropriations, U.S. House of Representatives, Washington, D.C.: The Advisory Group on Public Diplomacy for the Arab and Muslim World, 2003.
 12. Sanger, David, James Glanz, and Jo Becker. "New York Times." November 28, 2010. <http://www.nytimes.com/2010/11/29/world/middleeast/29iran.html?pagewanted=all> (accessed November 30, 2010).
 13. Gilmore, Gerry J. "U.S. combat troops to leave Iraq by August 2010, Obama says." U.S. Army. February 27, 2010. <http://www.army.mil/-news/2009/02/27/17607-us-combat-troops-to-leave-iraq-by-august-2010-obama-says/> (accessed November 30, 2010).
 14. Baker, Peter, and Rod Nordland. "New York Times." November 14, 2010. <http://www.nytimes.com/2010/11/15/world/asia/15prexy.html> (accessed November 30, 2010).
 15. Farmer, Ben. "US troops in Afghanistan surpass number in Iraq ." The Telegraph. May 25, 2010. <http://www.telegraph.co.uk/news/worldnews/asia/afghanistan/7762893/US-troops-in-Afghanistan-surpass-number-in-Iraq.html> (accessed November 30, 2010).
 16. Leibowitz, Ruthie Blum. "Is Obama Using 'Hard Power' to 'Get Israel to Toe the Line'?" Pajamas Media. April 3, 2010. <http://pajamasmedia.com/blog/is-obama-using-hard-power-to-get-israel-to-toe-the-line/?singlepage=true> (accessed November 30, 2010).
 17. Klein, Aaron. "Obama plan: Global troops to protect Israel; Previous international forces failed duties, allowed terrorists to re-arm." WorldNetDaily. May 25, 2010. <http://www.wnd.com/?pageId=158321> (accessed November 20, 2010).
 18. Nye, Joseph. "Smart Power." In *Democracy: A Journal for Ideas*. Issue 2, Fall 2006. <http://www.democracyjournal.org/article2.php?ID=6491&limit=0&limit2=1000&page=1> (Accessed November 30, 2010)
 19. Ibid
 20. Ibid
 21. US Department of State, *Dictionary of International Relations Terms*, 1987, p. 85
 22. Obama, Barack. "Remarks by the President on a new beginning ." The White House. June 4, 2009. <http://www.whitehouse.gov/the-press-office/remarks-president-cairo-university-6-04-09> (accessed March 2, 2011).
 23. Ibid
 24. Sharp, Jeremy M. "US Foreign Assistance to the Middle East: Historical Background, Recent Trends, and the FY2010 Request." Congressional Research Service. July 17, 2009.

- <http://www.fas.org/sgp/crs/mideast/RL32260.pdf> (accessed November 30, 2010).
25. Ibid
26. Ibid
27. Ibid
28. Council on Foreign Relations. Hamas. August 27, 2009. <http://www.cfr.org/publication/8968/hamas.html#p1> (accessed November 30, 2010).
29. U.S. State Department. Foreign Terrorist Organizations. November 24, 2010. <http://www.state.gov/s/ct/rls/other/des/123085.htm> (accessed November 30, 2010).
30. European Parliament. Parliamentary questions. February 16, 2010. <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+WQ+E-2010-0496+0+DOC+XML+V0//EN> (accessed November 30, 2010).
31. (Kurtzer and Lasensky, 26)

Unions Matter

John S. Thomas

Unions invested heavily in the last statewide election in California. It is worthwhile to examine the correlation between the political candidates' campaign war chests and union political funding. Meg Whitman, while largely self-funded, suffered a massive defeat at the hands of Jerry Brown. A credible argument can be made that Jerry Brown's message resonated, while Whitman was simply out of touch with the average California voter. On the surface this might be true, but digging deeper into the campaigns reveals another story. Jerry Brown was the beneficiary of over \$30 million spent by unions on negative advertising against Meg Whitman, highlighting her negatives throughout the election season.

The ability of unions to spend significant amounts of money has an even more profound impact on local elections. Looking at the 2009 and the 2011 municipal elections in the city of Los Angeles, it is undeniable that these groups affect election outcomes. In 2009 alone, unions spent nearly \$2.4 million to support their candidates of choice and to denigrate the opposition. By two and a half weeks before the March 8 2011 election, unions had spent over \$1.7 million, despite there being no major marquee races, such as City Attorney or Mayor, on the ballot.

During the hotly contested Los Angeles City Attorney race in 2009, Carmen Trutanich was the recipient of over \$964,000 in supportive independent expenditures, though nearly \$300,000 in union expenditures was also spent in attacking his candidacy. His opponent, former Councilman Jack Weiss, received \$287,000 in positive independent expenditures. Each campaign spent close to \$1.5 million dollars during a bitterly fought runoff.

John S. Thomas earned a BA from Southern Methodist University and received his MPP from Pepperdine's School of Public Policy. He is the founder and principal of Thomas Partners Strategies, a political consulting and strategy firm based in Los Angeles. Thomas managed the successful election campaign of Los Angeles City Attorney Carmen Trutanich.

It is easy to recognize the benefit of having an extra million dollars spent on one's behalf. It is very unlikely that Carmen Trutanich would have won the election, in a city that leans heavily Democrat and does not favor outsiders, without the support of local law enforcement unions. The impact of union spending is significant in large state-wide elections, but it is felt even more strongly in district elections for City Council and other local-level offices in Los Angeles.

In 2011, unions targeted current incumbent Councilman Bernard Parks by spending over \$400,000 in support of a virtually unknown opponent, Forescee Hogan-Rowles. Parks is armed with only \$131,000 to combat the massive union spending. The unions chose to support Hogan-Rowles almost exclusively as revenge against Councilman Parks who has been less than sympathetic toward their issues. Will Parks manage to hold onto his seat? The power of incumbency is strong and it will be interesting to see if Parks prevails despite the massive spending against him. One fact is certain: that Parks has a significant challenger can be solely attributed to unions.*

The power of union money is even greater in less popular races, such as for school board in the Los Angeles Unified School District. On average, a successful school board candidate will raise \$45,000 during his entire campaign. In 2011, unions spent over \$300,000 in independent expenditures for each candidate they supported, to ensure their victory. A candidate for school board simply cannot yell loudly enough to equal the firepower the unions lay down. If a candidate is lucky, he will be able to send three mailers to his district. Meanwhile, unions are easily able to produce thirty mailers during the same time period. Candidates pray they do not come into the crosshairs of the unions and can only dream of being buoyed by a large media blitz on their behalf. Unions make candidates' campaigns for school board largely irrelevant. A candidate for office does not necessarily have to have more money than his opponent; he just must have enough to compete. However there are cases when opposition funding is insurmountable. Being outspent six-to-one by unions prevents

* Bernard Parks won the March 8 election in Los Angeles City Council District 8, with a lead of 1,076 votes and almost seven percentage points over Forescee Hogan-Rowles.

a candidate from putting up a credible fight.

Is it possible to win a campaign against a candidate who is the darling of a union? Yes. However, the odds are certainly stacked against the candidate who is not the beneficiary of significant independent expenditures. No matter how qualified the candidate, how in-tune the message is with the current voters' mood, if there is not enough ammunition to spread the message, the campaign can easily be toppled by a less than sympathetic union.

Against Doom and Gloom

Michael Crouch

The Rational Optimist

By Matt Ridley

HarperCollins, 2010, 448 pp.

\$26.99 (Hardcover)

Popular economic literature has been overcome by competition for trendy titles and unique subject matter. After all, authors dealing with topics other than the current financial crisis must provide publishers a reason to put out the book, and prompt readers to want to look at it. Yet, Matt Ridley seems to rise above it all in his most recent book, *The Rational Optimist: How Prosperity Evolves* (excepting, perhaps, his provocatively titled prologue). Ridley, a journalist by trade, has previously written about the fields of genetics and evolution and his skills make him a natural at answering two questions: how did we get to such prosperity as we have today, and where are we going? His title asserts his straightforward approach to the subject at hand: he offers a view of the future through the lens of the past. Ridley's tone gives evidence of his journalism background; he uses the assembly of facts as a platform, from which he offers a cohesive explanation. Avoiding spiraling intrigue, Ridley's research leads us to answers about our future.

For those familiar with the literature surrounding the question that *The Rational Optimist* seeks to answer, one of the first authors to come to mind as a counterpoint is Jared Diamond. In his Pulitzer winning work *Guns, Germs, and Steel*, Diamond seeks to answer the question of why the past happened as it did, whereas Ridley shows the relevance of the past and explains why we can count on our current trajectory. Conscious of a strong current of writers who have looked back on a prosperous past only

Michael Crouch is a student in the Pepperdine School of Public Policy specializing in Economics. He is also a graduate of Harding University with a degree in Economics.

to predict a dim future, Ridley sees the past and the future in a common narrative. The increase of prosperity over time suggests to him that it would be silly not predict more of the same. Ridley admits that this prosperity has often come at an undesirable cost, but claims that humans have a tendency to right the path, to towards prosperity with a yet clearer virtue.

The book begins by giving the reader statistics that are truly mind-blowing to those who have never considered them. Ridley informs us that it takes half of a second for the average worker to earn enough wages to pay for an hour of artificial light today; this fact may not be so stunning as the realization in 1800—about 200 years ago—the same task would have taken over 6 hours worth of earned wages. To get the same amount of light from a lamp in 1750 BC would have taken over fifty hours of work!

In his prologue, entitled “When Ideas Have Sex,” Ridley lays out the book’s basic premise: human interaction on a grand scale leads to prosperity. The idea of trade—that one entity (whether an individual, a corporation, or country) with a particular specialization might trade with another entity possessing another type of expertise—was one of the greatest catalysts leading to modern prosperity. In a section entitled “If trust makes markets work, can markets generate trust?” Ridley tears down some of the popular images of trade in order to illustrate the true structure that trade creates: cooperation. He highlights the role of global trade through the ages in continuously bringing prosperity and higher living standards to every corner of the globe, even as detractors from Homer (who despised Phoenician traders) to Martin Luther (who believed usury to be a sin) to George Clooney (whose character in *Michael Clayton* sought to point out the worst of what business can do) have continuously torn it apart. The spontaneous order that comes from human interaction and the trading of ideas is better than the baseness of revenge that man is so often prone to.

A good portion of the book is devoted to understanding the implications of the Malthusian Trap. Ridley explains why the population booms of past centuries were not only possible, but also good. While the expansion in food production is the reason for the remarkable increase in population, the impact that prosperity had on the family was life-changing and life-saving. Improvements in medicine have allowed women the peace

of mind of knowing that their children will most likely live to see their tenth birthdays, and also allowed for higher wages for families and cultures that wish to keep higher birth rates by choice. The book then covers the rule of law, farming, energy, invention and technology, in an attempt to understand the “grand equation” that has given us the developed life that we expect today. Each evolving aspect of life, each idea, has—for lack of a better term—sex with other ideas, interweaving such that our complex society is built on the shoulders of sustainable specialization.

Ridley’s discussion of the climate seems to have been written with a smile. He does not claim that theories about global warming or global cooling or global climate oscillations are untrue, but rather calls out the exaggeration that writers tend to use to get their stories published. Ridley’s plain looking book, with its plain title, tries to make the current debate not about politics, but rather about the “alarmist” mentality that seems to pervade both sides of the climate debate. He contradicts claims that malaria will spread northward because of changing ecosystems, citing that the disease was present in the north before and was eradicated.

The Rational Optimist concludes with a few predictions about the future, and the fear that some people attach to it. Ridley addresses Africa and the troubles surrounding development, focusing on barriers to entry for African entrepreneurs, and the constant barrier to prosperity that African governments have proven to be. Having covered the value of the rule of law earlier in the book as it relates to the building of ordered societies, it is no surprise that this is the chief priority the book presents for the future of Africa. According to one economist, Africans are owners of over \$1 trillion in “dead capital”—assets that cannot be used for investment because they are not deemed legal by bureaucratic governments. But, the future is bright, Ridley argues. Whether it is caused by increased government accountability, new avenues of exchange, cell phones, or innovations that arise organically within Africa, the hope of future generations can be bright—brighter than any have imagined—if the African people are given freedom.

Ridley’s ideas about the future are, well, rational. Perhaps remembering the promises of old Star Trek movies that we would be

travelling at warp speed by now, he makes no bold claims about the future, but rather promises that the best is yet to come. As the pattern of history has shown an upward trend, man should expect the same: more competitive companies that better meet our needs, the luxuries of life at cheaper prices, and better communication across the world. Ridley does not predict the end of war, but he does foresee a global community that is brought closer together by trade and interaction through peaceful exchange. He does not predict an end to poverty — there is no egalitarian future — but he does see a rising tide for all ships. Some may rise higher and make the other ships look relatively worse off, but the rising living standards of the poor give cause for a positive outlook. While other authors insist that the future must take a turn for the worse, Ridley offers simply that the only rational conclusion from the data we have available is of an optimistic, upward trajectory towards a greater, more prosperous world.

In his 1828 Debating Society speech on perfectibility, John Stuart Mill stated: “I have observed that not the man who hopes when others despair, but the man who despairs when others hope, is admired by a large class of persons as a sage.”¹ Perhaps this is what troubles Ridley most. Those who predict doom and gloom, those who say action must be taken, those who tower their “expertise” over the many are seen in their time as wise men. Luckily for us, Ridley attempts to prove Mill wrong. He wishes to turn the tide on those who would make the common man look down upon where he has come from and depress his vision of where he might go. Smile; there is reason to be optimistic.

Endnotes

1. In *The Collected Works of John Stuart Mill, Volume XXVI — Journals and Debating Speeches Part I*, ed. John M. Robson (Toronto: University of Toronto Press, London: Routledge and Kegan Paul, 1988.)



PEPPERDINE
POLICY REVIEW

School of Public Policy
Pepperdine University
24255 Pacific Coast Highway
Malibu, CA 90263-7490
phone: (310) 506-7490
PPR@pepperdine.edu

<http://publicpolicy.pepperdine.edu/policy-review/>