

Vol. 10, No. 1, Fall 2006

THE CURRENT

The Public Policy Journal
of the Cornell Institute for Public Affairs

Hegemony and Homogeneity

Vongai Kandiwa

Immigration Reform?

Tarik Michael Carter

The Present “State” of Bottle-Bills

Benjamin Deitchman

The Rise of African NGOs

Yukako Sakabe et al.

The United Nations, Civil Society, and Global Development (Interview with Adrienne Germain)

Micah Gell-Redman

Commercial Data Brokers and the Government

Laura C. Bondesen

Addressing Global Warming

Ty Gorman

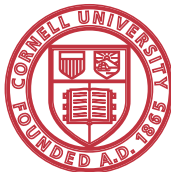
Book Review: *The Great Influenza*

by John Barry

Dan Patry

Interview: Mayor Anthony Williams

Linston Wilson Terry

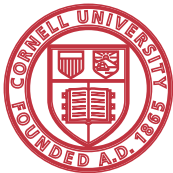


Cornell University
Cornell Institute for
Public Affairs

THE CURRENT

The Public Policy Journal
of the Cornell Institute for Public Affairs

Volume 10, Number 1
Fall 2006



Cornell University
Cornell Institute for
Public Affairs

THE CURRENT

The Public Policy Journal
of the Cornell Institute for Public Affairs

Editor-in-Chief Caren Kang

Managing Editor Micah Gell-Redman

Articles Editors Diego Dilettoso
Benjamin Fenwick
Joachim Goller
Carly Hamaguchi
Kubilay Kavak
Amanda LaBelle

Views & Reviews Editors Cafer Bicer
Matthias Brown
Hannah Mongiat

Executive Editors Tahseen Alam
Kajal Gulati
Afshan Khoja
Julie Mace
Leila McNeill
Sean Miskell

Research Editors Jenny Hwang
Gena Kim
Suhna Lee
Sandy Min
Andrew Sauer
Stella Su

Associate Editors John Barrett
Matthias Brown
Jennifer Cheung
Amanda LaBelle
Krishna Poudel
Charity Tubalado

Business Editors Rima Bhattacharyay
Derrick Clarke
Katherine Park
Deeptha Umapathy

Notes from the Field Editors	Helmut Laner Leila McNeill
Notes from the Lectern Editor	Benjamin “Sky” Brandt
Technology Development Editor	Lilian Ng
Contributors	Kanika Arora Rima Bhattacharyay Rami Chami Denise Ziobro
Faculty Advisor	Dr. Jerome Ziegler
Professional Development Advisor	Thomas J. O’Toole

Core Faculty of the Cornell Institute for Public Affairs

David B. Lewis, *Director of the Cornell Institute for Public Affairs*
 Nancy Chau, *Associate Professor of Applied Economics and Management*
 Neema Kudva, *Assistant Professor of City and Regional Planning*
 Daniel P. Loucks, *Professor of Civil and Environmental Engineering*
 Theodore J. Lowi, *John L. Senior Professor of American Institutions*
 Kathryn S. March, *Associate Professor of Anthropology*
 Christine Ranney, *Associate Professor of Applied Economics and Management*
 Norman Uphoff, *Professor of Government*
 Jerome M. Ziegler, *Professor Emeritus in the Dept. of Policy Analysis and Mgt.*

Staff of the Cornell Institute for Public Affairs

Thomas J. O’Toole, *Executive Director for Professional Development*
 Judy Metzgar, *Administrative Manager*
 Lisa Jervey Lennox, *Assistant Director for External Relations*
 Cheryl Miller, *Administrative Assistant*
 Jennifer Evangelista, *Administrative Assistant*

Mission Statement

As the academic journal of the Cornell Institute for Public Affairs (CIPA), *The Current* provides a platform for public policy discourse through the work of CIPA fellows and their mentors, with contributions from the public affairs community.

Editor's Note

"Never doubt that a small, group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has." Margaret Mead

A group of some thirty students dedicated to providing a medium for public policy discourse, *The Current* members are proud to present the fall 2006 edition. As our membership doubled this past fall, we worked to improve the journal's operations and expand the circulation of *The Current* within Cornell University and with other notable public policy programs. To strengthen the quality of the journal, we restructured the evaluation process of the article submissions. Furthermore, to enhance awareness of contemporary public policy issues discussed across the globe, we have begun to recruit columnists to author editorials on issues surrounding several geographical regions, such as Southeast Asia and Latin America.

For this edition, we focused on publishing articles and interviews that would invite our readers to think critically about contemporary international issues. For instance, featured in the issue are the following: an article cautioning against the perception that sub-Saharan Africa is one homogenous entity, an article analyzing the factors that impact the creation of non-governmental organizations in sub-Saharan Africa, and an interview with the President of the International Women's Health Coalition discussing the status of women's health in the international community.

We also included articles that shed light on contemporary national issues such as the immigration reform and the bottle bill legislations. The article on immigration reform analyzes the guest worker program that was proposed in the Senate under the Secure America and Orderly Immigration Act of 2005. Furthermore, the renewed commitment to the environment that has fanned across the country, partly due to the documentary *An Inconvenient Truth*, inspired our staff to publish an article that discusses the history of the bottle bill legislations.

Finally, we are honored to publish an exclusive interview with a prominent public policy figure, Mayor Anthony Williams of Washington, D.C. In the interview, he shared with us his experiences in serving the public. We would like to thank Linston Terry, an alumnus of the Cornell Institute for Public Affairs, for the interview.

This fall edition could not have been completed without the dedication and commitment of our Editorial Board; they spent numerous hours reading and re-reading the submissions. Moreover, the completion of this edition is largely due to the commitment of our entire staff in meeting deadlines and responding to demanding requests. We would especially like to thank all the authors that submitted their articles to *The Current*. As always, special thanks to Faculty Advisor Dr. Jerome M. Ziegler and the CIPA administrative staff for their guidance in addressing the needs of the journal.

We hope that our readers enjoy the articles, editorials, and interviews presented in this fall edition. More importantly, we hope that they motivate our readers to make a change.

Caren Kang

The Current reflects the diverse political, cultural, and personal experiences of CIPA fellows and faculty. The views presented are not necessarily the opinions of *The Current*, the Cornell Institute for Public Affairs or Cornell University.

Contents

[Articles]

- I. Hegemony and Homogeneity**
The Socioeconomic Differentiation of African Countries Since the 1960s 1
by *Vongai Kandiwa*
Cornell University
- II. Immigration Reform?**
An Analysis of a U.S. Temporary Worker Program 17
by *Tarik Michael Carter*
Cornell University
- III. A March of Nickels and Dimes for Recycling** 31
A Study of the present "State" of Bottle-Bills
by *Benjamin Deitchman*
George Washington University
- IV. The Rise of African NGOs** 47
Functional or Opportunistic Response?
by *Yukako Sakabe, Vongai M. Kandiwa, Parfait M. Eloundou-Enyegue*
Cornell University
- V. The United Nations, Civil Society, and Global Development** 63
Interview with Adrienne Germain, President of International Women's Health Coalition
by *Micah Gell-Redman*
Cornell University

[*Views & Reviews*]

- Commercial Data Brokers and the Government** 79
*Policies to Promote the Security and Privacy
of Personal Information*
by *Laura C. Bondesen*
Georgetown University
- Taking the Long View** 91
*Addressing Global Warming and
Impoverishment Through the World Bank*
by *Ty Gorman*
Cornell University
- Book Review: *The Great Influenza* by John Barry** 103
by *Dan Patry*
Cornell University
- Interview with Mayor Anthony Williams of
Washington, D.C.** 109
by *Linston Wilson Terry*
Capital City Fellow,
Cornell University Alumnus

Hegemony and Homogeneity: *The Socioeconomic Differentiation of African Countries Since the 1960s*

Vongai Kandiwa

ABSTRACT:

This paper examines the socioeconomic differentiation of African countries since the 1960s. Contrary to hegemonic constructions of sub-Saharan Africa (SSA) as fairly similar, an analysis of existing economic data suggests that African countries have become increasingly differentiated since the 1960s - the time when most gained independence from colonial rule. Whereas this evidence cautions against viewing SSA as a homogenous entity, multivariate analysis suggests continued similarity within sub-clusters defined by colonial experience and sub-region, for instance. Such sub-clusters are recommended as groups within which policy analysts could legitimately generalize their findings or policy practices.

Global development institutions often face the challenge of applying policy lessons across national contexts. This challenge is particularly salient in sub-Saharan Africa, where institutions such as the United Nations and the World Bank currently strive to achieve the Millennium Development Goals. Most practitioners recognize that achieving these ambitious Millennium goals² will require the most efficient policies and the application of “best practices” revealed by experience. The problem, however, is that the “best practices” in one country do not necessarily apply in another, yet planners do not have the luxury of multiple replication before making policy choices. Therefore, they must make pragmatic inferences about cross-country similarities.

The central question in this research is whether sub-Saharan African countries today remain similar enough to warrant classification as a single region. If not, are there any easily identifiable clusters that could be treated as fairly homogenous? Despite warnings from careful analysts, many continue to debate African realities from a vantage point of homogeneity. This blanketing is most evident among journalists and casual analysts, but it is certainly not rare among social scientists or policy analysts who use insights from one country to inform understanding of, or practices in, other African countries. There are pragmatic reasons, of course, for such generalizations. While acknowledging the uniqueness of each country, analysts constrained by resources must often use the

limited knowledge available from a few countries to make inferences about larger regions. Furthermore, African countries in the early 1960s exhibited socio-economic features that were, not surprisingly, fairly comparable owing to relatively similar colonial experiences, geographic proximity, and location within the global order. The question is whether these similarities persist today.

This question is timely in light of global transformations in the last half century. From 1960 to today, the farm population in the sub-Saharan region has declined from 86.2 to 64.5 percent, fertility has declined by more than 20 percent, and the percentage of urban population has risen from 13.8 to 35.5 percent.³ The resulting demographic convergence of Africa with the rest of the world has been duly noted, but analysts have also observed internal differences among African countries, starting from vanguard countries (Kenya, Zimbabwe, Ghana, Botswana) where fertility has now declined by about 30 percent, to other countries, such as Congo and Niger, that have yet to begin their transitions. Such differences warrant a re-examination of the continued salience of sub-Saharan Africa as a homogenous region: Do African countries maintain enough similarities to be considered comparable for analytical purposes?

One can answer this question by using a simple criterion often used in statistical taxonomy, namely, comparison of between- and within-country inequalities: "Do African countries resemble each other more than they resemble other countries?" Stated otherwise, do differences *within* Africa pale in comparison to differences *between* Africa and other regions? Thus, this paper (a) looks at socioeconomic inequality among African countries and how it has changed since the 1960s,⁴ and (b) compares the performance of sub-Saharan Africa with other regions in the last four decades since independence.

The socioeconomic data used in this comparison comes from three sources: the Penn World Tables, the World Bank, and the United Nations. The Penn World Tables are a common data source for economic and demographic analysis. Generated at the Center for International Comparisons at the University of Pennsylvania,⁵ they are obtained by extrapolations from successive benchmark studies and contain income and population statistics for about 167 countries, including forty eight sub-Saharan countries⁶ from 1950 to 2000. While data were missing for a few (6) countries and the most recent years, this database covers a large enough share of the population in SSA to give a representative picture of the socioeconomic trends in the region. To complement the data from the Penn World Tables, this study also draws from World Bank⁷ statistics on variables such as aid flows, GDP per capita, total fertility rate, total urban population, and urban growth rate. Finally, information from the United Nations is used to classify countries into specific regions and official language groups.⁸

Using data from these sources, the study examines three issues: (1) How does sub-Saharan Africa, as a region, compare socioeconomically with other world regions and how has this comparison changed over time? (2) How much socioeconomic inequality exists between African countries and how much has this inequality changed over time? (3) If African countries have become more dissimilar, are there any discernible sub-units that form relatively homogenous sub-clusters that can be considered comparable for analytical purposes?

The rest of the paper is structured as follows. The first part considers the arguments for “blanketing,” i.e. viewing African countries as a homogenous region. The second part looks at empirical evidence against that case and then ends with comments and caveats on policy implications from the study’s findings.

A CASE FOR BLANKETING

Defensible arguments can be made for viewing the sub-Saharan region as homogenous and for generalizing experiences and policies across countries. One pragmatic argument is the difficulty and cost of replication. While acknowledging the uniqueness of each country, analysts, constrained by resources, often use the limited knowledge available from studying a few countries to make inferences about larger regions. Furthermore, African countries in the early 1960s exhibited similar socioeconomic features in light of their relatively similar colonial experiences. Additionally, since the 1960s these countries have undergone a wave of comparable transformations, despite some differences in timing and intensity. Such transformations included steady urbanization, economic downturns and structural adjustments beginning in the 1980s, an HIV epidemic in the 1990s, and an onset of fertility transitions, i.e., a marked decline in birth rates that was, in some cases, accompanied by transformations in family structure. These common experiences should, a priori, reinforce pre-existing similarities in the region. Further cementing similarity are the processes of globalization and the presumed “flattening” of the world as posited by Thomas Friedman.⁹ These various arguments are discussed in turn.

I. Common History

Shortly after independence in the 1960s, countries in sub-Saharan Africa seemed qualitatively similar. Their agricultural economies were extroverted and organized to meet the production needs of the colonial powers. Where significant mineral and other natural resources were found, they were often exported in raw form for further processing in Europe. As a result, most African countries inherited economies with weak industrial bases. The majority of the population was dependent

on agriculture for food and livelihood, and less than a fifth of the population in the region lived in cities.

After independence, these countries began to experience steady rural out migration. By 2000, more than a third of the population resided in cities, compared to a tenth four decades earlier. Most are also now undergoing substantial changes in birth and mortality rates. In addition, the economic crises of the 1980s led all SSA countries to implement structural adjustment programs with variable intensity and success, causing scientists from the International Food Policy Research Institute (IFPRI) to call some of these reforms “A Road Half Traveled.”¹⁰ Lastly, African countries share the common burden of bearing the brunt of the current HIV/AIDS epidemic. The UN’s “Aids Epidemic Update”¹¹ reported that of the three million people that died of AIDS in 2000, 2.4 million or 80 percent were Africans. In fact, this region was home to 70 percent of all adults and 80 percent of the children living with HIV. Countries in this region also continue to face similar difficulties in accessing anti-retroviral drugs. Together, these factors reinforce the appearance of homogeneity across sub-Saharan Africa.

II. A Flattening World

The blanketing of all sub-Saharan African countries can also be understood in the context of a presumably flattening world. There is now an intense debate over whether global income inequality is increasing or declining. The evidence on this subject is mixed.¹² Contrary to popular belief, a key study by Firebaugh and Goesling shows a steady decline in global income inequality over recent decades.¹³ Friedman likewise argues on the basis of qualitative evidence that globalization leads to a “flatter” world where everyone can compete in the global economy. Moreover, Firebaugh and Goesling (2004) note that SSA countries lag behind other regions. Such a lag can be seen as evidence of commonness among countries in this region.

To the economic convergence noted by Firebaugh and Goesling, Wilson (2001)¹⁴ adds evidence of demographic convergence, whereby the world is continually becoming more similar in its fertility and mortality trends. Using data from three time periods 1950-55, 1970-75, and 2000, Wilson observes a striking pattern of fertility convergence, mainly spurred by a sharp decline in fertility in developing countries. The median human being lived in a country or region where total fertility was 5.4 children in the 1950-55 period. Fertility rates in developing countries ranged from 4 to just below 8 children, whereas fertility rates in most of the West and Soviet bloc were between 2 to 3 children. By the 1970s, total fertility rates had fallen to just 3.6 and the median human being lived in a country or region where fertility was 2.3. Predictions show that in 2010, most people will live in places where fertility will fall below replacement levels. In the 1950s only one small country,

Luxembourg, had a fertility level below 2 (1.98). By 2000, almost 40 percent of the world's population will live in countries where total fertility falls below this level. Therefore, while at one point it was useful to distinguish between countries and world regions in terms of fertility, today the patterns are so intermingled that low fertility levels are no longer unique to high-income countries.

The convergence noted in fertility was also evident in mortality, at least until the advent of the HIV pandemic. Wilson observes that in the 1950s, the median person lived where life expectancy was below 45 years and a small percentage of the global population lived in regions where life expectancy was between 50 and 60 years and the inter-quartile range was 26. In the 1970s, however, the median person lived in a region where life expectancy was 63 years - 18 years more than the previous two decades! By the turn of the new millennium, the median human being lived for 68 years, while the gap between the quartiles had now reduced to 8 years. The only region that seemed to lag behind, however, was sub-Saharan Africa, where life expectancy was 56 years or less.

III. Africa's Lag

One ostensible argument for Africa's uniqueness on the global scene (and implicitly Africa's homogeneity) is the growing gap between Africa and other world regions. As such, it is important to examine the socioeconomic differences between sub-Saharan Africa and other world regions, and observe how these differences have changed over time. The first comparison (Figure 1) focuses on gross national income per capita. Figure 1 shows GNI ratios, i.e., comparisons of GNI per capita within SSA as a whole against the world average GNI per capita. A ratio of 1 indicates parity, whereas a ratio of 2, for instance, indicates that the GNI in the corresponding region is twice as high as that of sub-Saharan Africa. These ratios are calculated for the entire 1965-2000 period. The results indicate that African economies fared poorly when compared to the world average. Between 1985 and 1990, the GNI per capita in SSA was about four times lower than the world average. The 1980s witnessed a significant increase in the income gap between people in SSA and most other regions. Between 1980 and 2000, the gap between SSA and the world average increased from four times to more than ten times.

Figure 1: Comparison of Economic Growth: SSA versus World

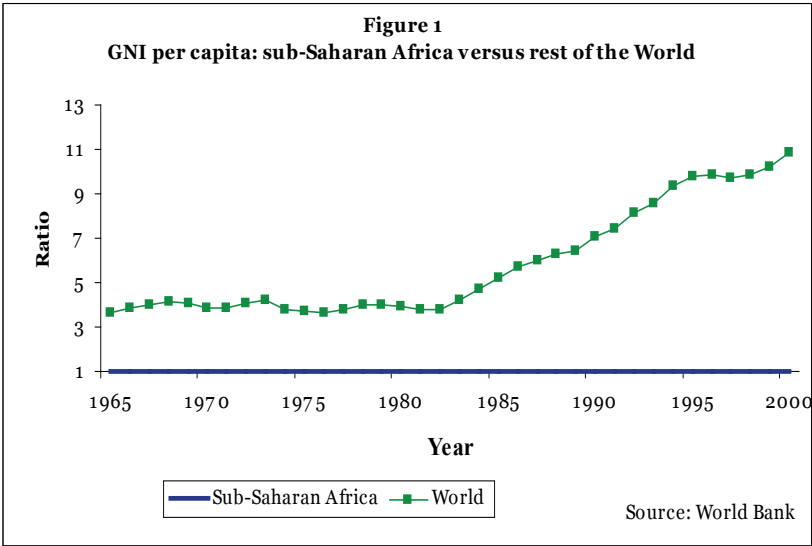
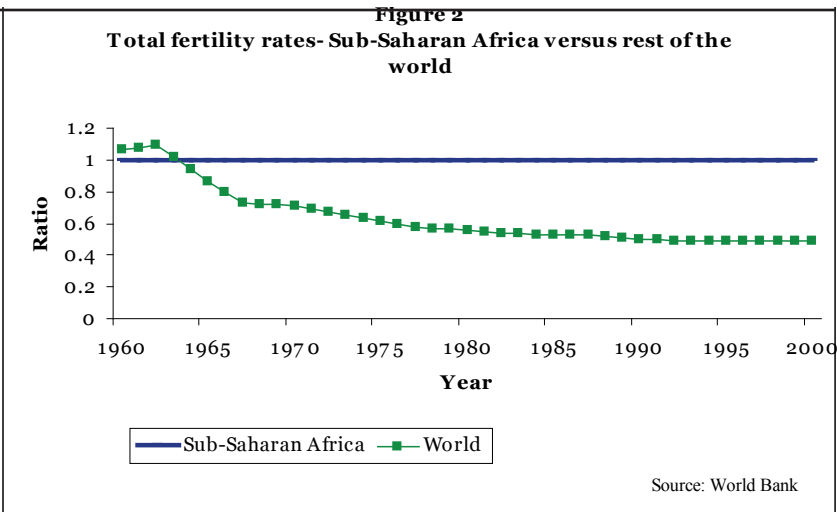


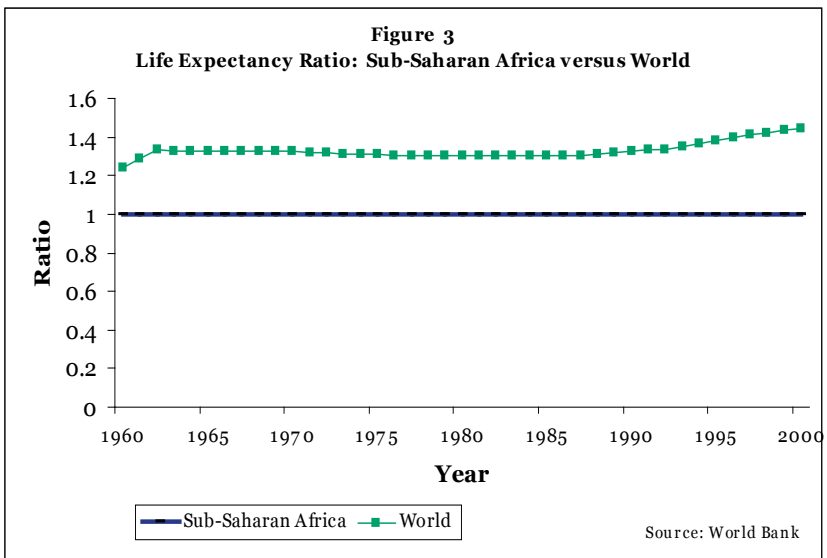
Figure 2 makes a similar comparison using total fertility rates (TFR), i.e., the average number of births per woman. The trends are striking: fertility in sub-Saharan Africa continues to be higher than the world average. At present, an average woman in SSA gives birth to at least 50 percent more children than a woman elsewhere.

Figure 2: Total Fertility Rates, SSA versus World



Life expectancy provides an additional indicator of welfare. While advances in medical sciences and increased food availability have raised the global life expectancy since 1960, the question is whether these gains have been widely shared. Specifically, have African countries narrowed their gap in survivorship? Today, the average person born in a high-income country can reasonably expect to live until 80, while his or her counterpart from Latin America and the Caribbean may live up to 75. Figure 3 outlines the changing trajectories of sub-Saharan Africa and the world. Between 1960 and 2000, the average person in the world lived for almost 1.3 times the average person in SSA, and this gap in welfare seems to have slightly increased since the 1990s. Similarly, the average person in Latin America and the Caribbean has consistently lived at least 1.4 times longer than the average person in SSA.

Figure 3: Life Expectancy Ratio: Comparing SSA and the World



Overall, across these social and economic indicators, SSA fared poorly compared to other regions in the world. At times, this disparity leads journalists and policy analysts to view the region as a uniform entity. Yet, as will be argued below, there is a strong case against such blanketing.

A CASE AGAINST BLANKETING

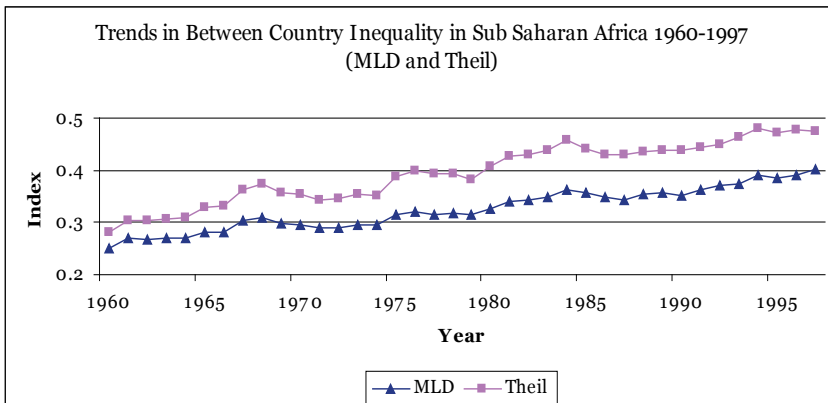
Although sub-Saharan Africa lags behind other regions, on average, this does not imply that all African countries do so. Internal inequalities between African countries are therefore worth exploring.

I. Differentiation Within African Countries

The inequalities among African countries were assessed by using standard measures of inequality, including the Gini, the Theil, the Mean Logarithmic Deviation (MLD), and the Squared Coefficient of Variation (CV).¹⁵ The Gini index is derived from the Lorenz curve and its value ranges between 0 and 1. A value of zero means equitable distribution and 1 reflects total inequality, or one country controls all income resources while others have none. Gini is most sensitive to changes in the middle of the distribution. The Theil index is an entropic measure of inequality. Its value ranges between 0 and $\log n$, where n is the total number of subgroups being compared (in this case, n refers to 41 countries). Therefore, the index varies from 0 to $\log(41)$ or 1.6. Zero represents no inequality, and if one country is controlling all resources then the index rises to 1.6. This index is most sensitive to changes at the top of the distribution. MLD ranges from 0 to 1, and like the Gini coefficient, zero represents total equality, whereas one represents total inequality. The squared coefficient of variation is a measure of dispersion about the group mean. CV tends to be more symmetric and expresses inequality in more relative terms, that is, in comparison to the overall level of GDP per capita.

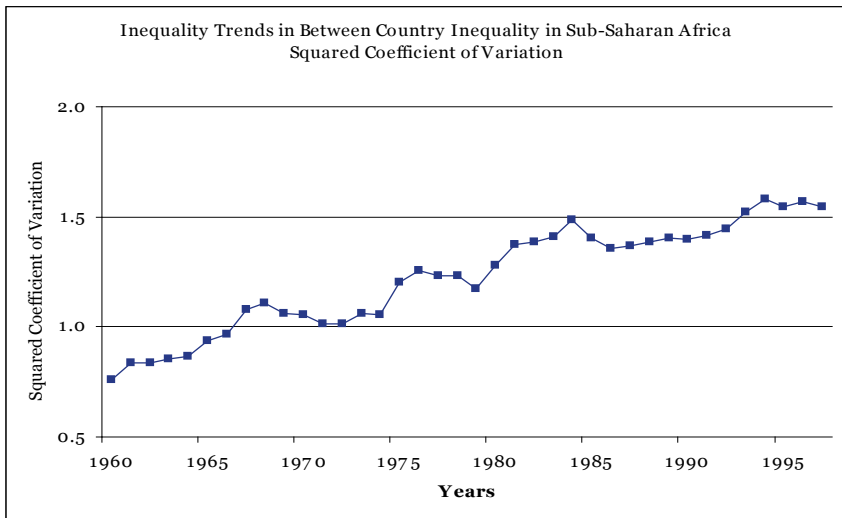
By monitoring the levels of historical variation in these indices, one can assess the trends in inequality within Africa over the last half century. This study particularly seeks to evaluate the changes at the two extreme ends of the distribution. In essence, it explores how the poorer countries have converged towards some of the better-off countries. The MLD and Theil indices make it possible to make such a comparison. Results show that according to the MLD measure, the level of inequality in the region has gradually increased over time (see Figure 4). The Theil index follows a similar trend, suggesting that countries at the top of the sub-Saharan Africa income distribution have become more dissimilar over time.

Figure 4: Trends in between country income inequality in sub-Saharan Africa



These results show steady increases in inequality both at the top and bottom of the distribution. The 1980s in particular were a critical period for the increase in between-country inequality in sub-Saharan Africa. Even the Gini coefficient (a more comprehensive measure) shows the same differentiation across African countries. The Gini coefficient increased from 0.36 in 1962 to 0.45 in 1997, suggesting that inequality increased among countries regardless of where they fell on the regional wealth rankings. In addition, the study estimated the trends in income inequality using the squared coefficient of variation, an index that readily adjusts for level of economic performance. This coefficient of variation more than doubled between the 1960s and the late 1990s (Figure 5).

Figure 5: Between Country Inequality in SSA: Squared Coefficient of Variation



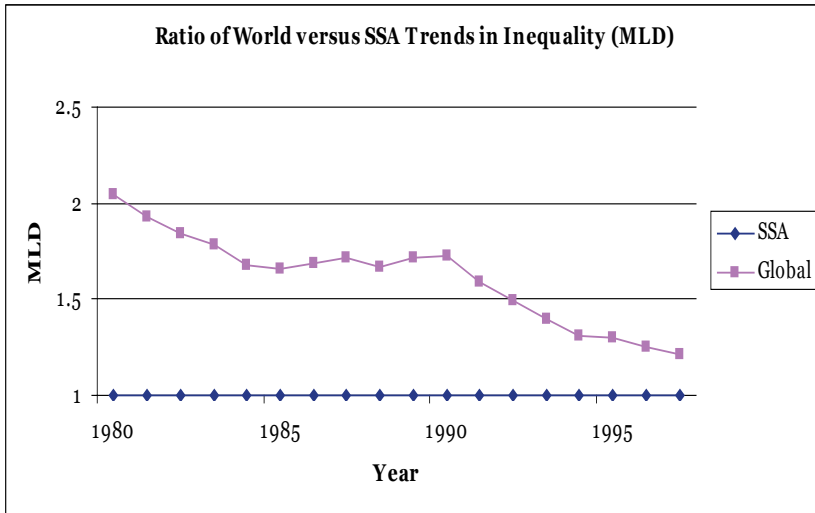
II. *Within Versus Between Inequality*

Another criterion for considering African countries a homogenous and distinct entity would be to examine whether inequalities among African countries are much smaller when compared to all the world's countries. If the ratio of overall inequality to inequality within Africa is close to 1, then there is little reason to view African countries as distinct. However, if, this ratio is large, this would justify viewing the African region as distinct.

Data from the Firebaugh and Goesling 2004 study on trends in global inequality are, for this purpose, compared to this study's estimates for inequality within sub-Saharan Africa (Figure 6). The figure shows that

while global income inequality was twice the level of SSA in 1960, by the late 1990s, the levels had almost equalized. Global between-country inequality declined to 1.5 times that of SSA by 1992; by 1997, the level had further dropped to 1.2 times that of SSA. Although Figure 6 shows data for MLD, similar results are also found with Gini and Theil indices.

Figure 6: Between Country Income inequality: Comparing Global and Sub Saharan Africa Trends



III. Clustering

While the sub-Saharan region is apparently diversifying, policy analysts still face situations where generalization across countries is needed. The pragmatic question addressed here is to see whether, within the region as a whole, there are sub-clusters of countries that can be considered fairly similar. To answer this question, the study first used decomposition analysis to examine whether the differentiation was economic or demographic in nature.¹⁶ Results show that the divergence observed at the regional level was almost solely due to uneven economic performance rather than uneven demographic transitions within countries in the sub-Saharan region. In fact, demographic factors tended to reduce inequality between countries.

More importantly, multivariate regression was used to identify and characterize the countries that made the largest contributions to this growing inequality. These analyses focused on a subset of factors, including the influence of the sub-Saharan region’s official language and colonial history, the role of foreign aid, and demographic processes such as urbanization. The results are organized within 5 models.

Models 1 and 2 show the main effects of sub-region and its variation over time, respectively. Model 3 adds the effect of colonial experience on inequality (as measured by language). Model 4 incorporates the influence of economic factors on changes in national income and national receipts of foreign aid. Model 5 includes all of the above variables plus demographic factors. To test the robustness of these results, the analyses were repeated for all four measures of inequality, though the only findings presented here pertain to the MLD measure (see Table 1 below). The results show that SSA countries were dissimilar even at the dawn of their independence in the 1960s. They also suggest that regional differences matter. While the Central and West African regions remained similar, they increasingly diverged from Southern and East African regions, which themselves have become more differentiated from each other. On average, countries in the Southern African region tend to reduce overall inequality, whereas those in the Eastern bloc do the reverse. These differences did not change over time (see model 5).

Table 1: Factors Associated with a country's contribution to inequality (MLD)

Variable	Model 1	Model 2	Model 3	Model 4	Model 5
	Geography Beta	Historical Effects Beta	Colonial Experience Beta	Economic Factors Beta	Demographic Factors Beta
Main Effects Regional					
East	0.019 [.231] ***	0.020 [.248] ***	0.018 [.223] ***	0.023 [.320] ***	0.022 [.304] ***
Central	-0.002 [-.028]	-0.005 [.060]	0.001 [.017]	0.005 [.076] †	0.004 [.067]
Southern	-0.021 [-.257] ***	-0.019 [-.234] ***	-0.027 [-.330] ***	-0.008 [-.113] †	-0.006 [-.086] †
Historical Effects					
Trend_East		-0.001 [-.020]	-0.001 [-.022]	-0.001 [-.026]	0.000 [.005]
Trend_Central		0.001 [.038]	0.001 [.042]	0.000 [.016]	0.001 [.024]
Trend_South		-0.001 [-.027]	-0.001 [-.029]	-0.001 [-.048]	-0.001 [-.036]
Trend		0.001 [.031]	0.001 [.033]	0.006 [.257] ***	0.004 [.183] ***
Colonial Experience					
French			-0.020 [-.307] ***	-0.012 [-.212] ***	-0.012 [-.204] ***
English			-0.005 [-.067] †	-0.001 [.016]	-0.002 [-.032]
Economic					
logGDP				-0.018 [-.443] ***	-0.022 [-.535] ***
logAID				-0.006 [-.293] ***	-0.007 [-.309] ***
Demographic					
Total Fertility Rate					0.000 [.015]
Urban Population (Total)					0.000 [.158] ***
Constant	0.009 ***	0.007 **	0.019 ***	0.148 ***	0.177 ***
R. Sq Adjusted	0.148	0.147	0.193	0.464	0.476
df	1661	1661	1661	1568	1541

†p <.1; * p <.05; **p <.01; ***p <.001

Numbers in parentheses are standardized Betas

The results also underscore the enduring legacy of Africa's colonial experience, as shown through language, in fostering and sustaining differentiation among African countries. French and English speaking countries tend to have lower inequality levels than countries speaking languages other than English.

Further, the study evaluated the impact of foreign aid and economic growth in fostering inequality within the region. As expected, results show aid and economic growth to be significantly and negatively

related to inequality. The analysis thus suggests that economic growth and increased aid flows tend to reduce the level of between-country inequalities in Africa. In essence, the volume and destination of foreign aid in sub-Saharan Africa is an important factor that determines the extent to which countries remain the same in the design or implementation of social and economic policies. Given the above outcomes, the role of demographic factors such as fertility and urbanization was investigated. The results indicated that both fertility and urbanization are positively associated with increases in a country's contribution to inequality with the latter being more significant than the former, even after accounting for the influence of geography, history, and economic factors.

CONCLUSION

This study examined whether sub-Saharan African countries have remained similar or whether, instead, they are diverging economically. The evidence suggests that African countries have become more dissimilar over time, at least from the socioeconomic standpoints examined here. It thus invites more caution in generalizing across contemporary African countries and viewing all nations in Africa, especially south of the Sahara, as one homogenous entity. The levels of inequality now found within Africa have grown so much that they are becoming incomparable to the levels of inequality observed in all world nations. While the present study cautions against generalizing across all countries, it nonetheless offers a pragmatic middle-ground solution to policy makers wishing to generalize across *some* countries. Specifically, the above analyses examine the sub-clusters of countries that can still be considered comparable and the factors associated with this similarity in economic performance. Findings suggest that regional clustering makes sense. Central and West Africa are distinctively different from South and East Africa, yet South and East African regions have themselves become progressively different. The analyses also show that the legacy of colonialism *per se* has not affected this differentiation, but more recent factors such as the volume of foreign aid, economic growth, urbanization, and fertility rates have helped foster this differentiation. Overall, the indicators examined here caution against universalizing a region that is diversifying. Economic and social policies and programs developed at a global level need to always recognize the particularities or nuances that exist on the subcontinent. Yet, the arguments presented here also suggest that regional sub-clusters remain a defensible domain within which policy analysts pressed for resources can generalize and transfer the "best practices" learned from one country into another.

Vongai Kandiwa is a graduate student in the Department of Development Sociology at Cornell University. Her research focuses on economic transitions, social change and inequality in sub-Saharan Africa. This paper is extracted from a larger Masters thesis defended in 2006. The author thanks the members of her thesis committee for useful feedback and for reviewing earlier drafts of this paper.

[ENDNOTES]

¹ The Millennium Development Goals adopted through a UN resolution in 2000 aimed at improving global human welfare. Countries agreed to reduce poverty and hunger, achieve universal primary education, empower women and promote gender equality, reduce child mortality, improve maternal health, eradicate endemic diseases such as HIV/Aids and Malaria, and ensure environmental sustainability. In addition, countries agreed to foster global partnerships in ways that improve the human condition.

² World Bank, , World Development Indicators (2006), <http://devdata.worldbank.org/dataonline/>

³ The 1960s are an important starting point because they marked independence from colonial rule.

⁴ A. Heston, R. Summers and B. Aten, Penn World Table Version 6.1, Center for International Comparisons at the University of Pennsylvania (CICUP), (October 2002).

⁵ The countries in the data set include Angola, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Comoros, Democratic Republic of Congo, Republic of Congo, Cote d'Ivoire, Equatorial Guinea, Ethiopia, Gabon, The Gambia, Ghana, Guinea, Guinea-Bissau, Kenya, Lesotho, Madagascar, Malawi, Mali, Mauritania, Mauritius, Mozambique, Namibia, Niger, Nigeria, Rwanda, Senegal, Seychelles, Sierra Leone, South Africa, Tanzania, Togo, Uganda, Zambia, and Zimbabwe. The countries that we exclude because of sparse data are: Djibouti, Eritrea, Liberia, Sudan, Somalia, Swaziland, and Sao Tome and Principe.

⁶ World Bank, *World Development Indicators*, (2000), <http://devdata.worldbank.org/dataonline>

⁷ Countries in the region fall into four regions, central, east, south, west. I use the UN regional classification of countries into the respective regional blocs. Central (Angola, Cameroon, Central African Republic, Chad, Congo, Democratic Republic, Congo, Republic of, Equatorial Guinea, Gabon); East (Burundi, Comoros, Ethiopia, Kenya, Madagascar, Malawi, Mauritius, Mozambique, Rwanda, Seychelles, Tanzania, Uganda, Zambia, Zimbabwe); South (Botswana, Lesotho, Namibia, South Africa); West (Benin, Burkina Faso, Cape Verde, Cote D'Ivoire, Gambia, The, Ghana, Guinea, Guinea Bissau, Mali, Mauritania, Niger, Nigeria, Senegal, Sierra Leone, Togo). There are at least nine official languages in the region: Amharic, Arabic, English, French, Malagasy, Portuguese, Somali, Spanish, Tigrinya. South Africa alone has

thirteen official languages.

⁸ Thomas Friedman, *The World is Flat: A Brief History of the Twenty First Century*, Farrah, Straus and Giroux, (2005).

⁹ M. Kherallah, C. Delgado, E. Gabre-Madhin, N. Minot, and M. Johnson, “The Road Half Traveled”; *Agricultural Market Reforms in Africa, International Food Policy Research Institute (IFPRI) Policy Brief*, (2000).

¹⁰ UNAids, *Aids Epidemic Update*, (2000).

¹¹ See A. Berry, F. Bourguignon, and C. Morrison, “Changes in World Distribution of Income Between 1950 and 1977”, *Economic Journal*, Vol. 93:331-350 (1983a); A. Berry, F. Bourguignon, and C. Morrison, “The Level of World Inequality: How Much Can One Say?” *Review of Income and Wealth*, Vol. 29: 219-241 (1983b); W.G. Peacock, G.A. Hoover, and C.D. Killian, “Divergence and Convergence in International Development: A Decomposition Analysis of Inequality in the World System”, *American Sociological Review*, Vol. 53: 838-852 (December 1988); R.P. Korzeniewicz, and T.P. Moran, “World Economic Trends in the Distribution of Income, 1965-1992”, *American Journal of Sociology*, 102 (4): 1000-10039 (January 1997); M. Jantti, “Inequality in Five Countries in the 1980s: The Role of Demographic shifts, Markets, and Government Policy”, *Economica*, Vol. 64: 415-440 (1997); T.P. Schultz, “Inequality in the Distribution of Personal Income in the World: How it is Changing and Why”, *Journal of Population Economics*, Vol. 11: 307-344 (1998); A.S. Alderson and F. Nielsen, “Globalization and the Great U-Turn: Income Inequality Trends in 16 OECD Countries”, *American Journal of Sociology*, 107 (5): 1244-1299 (March 2002). See also G. Firebaugh and B. Goesling, “Accounting for the Recent Decline in Global Income Inequality”, *American Journal of Sociology*, 110 (2): 283-312 (September 2004); G. Firebaugh, “Empirics of World Income Inequality”, *American Journal of Sociology*, 104 (6): 1597-1630 (May 1999); and P. Svedberg, “World Income distribution: Which Way”, *Journal of Development Studies*, 40 (5): 1-32 (June 2004).

¹² See note 11 for bibliographic information.

¹³ C. Wilson, “On the Scale of Global Demographic Convergence, 1950-2000”, *Population and Development Review* 27 (1): 155-171 (March 2001).

¹⁴ The four indices can be represented the following specific formulae:

$$MLD = \frac{\sum_j p_j \log(1/r_j)}{\sum_j p_j r_j (q_j - Q_j)} ; Gini = \frac{\sum_j p_j r_j \log r_j}{\sum_j p_j (r_j - 1)^2} ; Theil = \frac{\sum_j p_j r_j \log r_j}{\sum_j p_j (r_j - 1)^2} ; CV^2 = \frac{\sum_j p_j r_j \log r_j}{\sum_j p_j (r_j - 1)^2}$$

Where:

p_j indicates the share of the total SSA population living in country j;
 r_j indicates per capita income in country j divided by average income in SSA
 and r_j can be fully represented by the formula ; and

x_j is per capita income in country j. Although all four indices measure the level of inequality between African countries, they tend to capture inequality at different points in the distribution. Thus the Theil tends to capture inequality at the high end of the distribution while the MLD tends

to capture inequality at the low end of the distribution. The CV tends to be more symmetric and further expresses inequality in more relative terms, i.e., compared to the overall level of GDP per capita.

¹⁵ Following Firebaugh and Goesling (see note 11 above for citation), changes in the MLD measure can be decomposed into its income and demographic components as follows:

$$\Delta MLD = \left[\sum_j \overline{r_j} - \overline{h} \overline{r_j} \right] \Delta p_j + \left[\sum_j (\overline{p_j r_j} - \overline{p_j}) \right] \Delta \ln(r_j)$$

Immigration Reform?

An Analysis of a U.S. Temporary Worker Program

Tarik Michael Carter

ABSTRACT:

Recently, both houses of Congress have drafted legislation authorizing a temporary worker program for immigrant laborers. This article discusses the guest worker program proposed in the Senate under the Secure America and Orderly Immigration Act of 2005. It also assesses the strengths and weaknesses of the proposed program and considers its potential effects on both the U.S. labor market and the immigrant community.

United States president George W. Bush first proposed a guest worker program in May of 2004 and the issue has been hotly debated in both houses of Congress ever since. On December 17, 2005, the Border Protection, Antiterrorism and Illegal Immigration Control Act of 2005, introduced by Representative James Sensenbrenner (R-WI), passed by a margin of 239 to 182 in the House.¹ The political protests and controversy that occurred in the following months were a direct result of this bill's approach to immigration reform, particularly its emphasis on border security and its omission of substantial reforms to current temporary worker legislation.² While Congress has yet to pass any regulatory legislation that would create a temporary worker program, the Secure America and Orderly Immigration Act (SAOIA) was also introduced in the upper house in 2005 by Senators John McCain (R-AZ) and Edward Theodore Kennedy (D-MA) and is currently being considered by the United States Senate. According to its proponents, a new guest worker program that this legislation proposes would provide illegal aliens currently working in the U.S. with an equitable and legal means of participating in the U.S. economy while simultaneously reducing the incentives for other foreigners to illegally immigrate to the U.S.³

A close examination of the bill's content, however, coupled with some reasonable assumptions about how individuals and firms behave in market economies suggest that should SAOIA be ratified in its current form, its implementation would ultimately undermine its goals of reducing illegal immigration and providing a legal alternative path to employment and citizenship for immigrants. Both theoretical and historical reasons lend credence to this hypothesized outcome. First,

the language of the SAOIA and the structure of its proposed temporary worker program contain weaknesses that are comparable, and in some cases identical, to previous U.S. guest worker programs- all of which failed to be effectively implemented. Second, the authors of the bill fail to account for a basic economic assumption underlying the program; namely that firms hiring temporary workers will most likely do so in an effort to maximize their own profits, and could very well exploit foreign workers as a means to achieve this goal. Such exploitation could ultimately drive the same workers the temporary labor program depends on back into the underground economy as illegal immigrants. This article will provide a qualitative analysis of the proposed temporary worker program by scrutinizing the similarities between it and past guest worker programs and also by examining the language of the legislation. In doing so, it will be made apparent that the SAOIA currently contains limitations that will make it difficult for the temporary worker program to function effectively or achieve its stated economic and social goals.

“Temporary” Workers and U.S. Policy in the Modern Era

Guest or foreign worker programs are forms of migration policy that aim to add workers to the labor force of a country without adding permanent residents to its population. The terminology—temporary or guest worker—emphasizes the rotation principle at the heart of such programs: migrants should work one or more years abroad and then return to their countries of origin. Thus, if the demand for migrants persists, migrants should have the opportunity to work for higher wages outside their native countries, to send home remittances, and to return with new skills.⁴

Labor economist and immigration specialist Vernon M. Briggs notes in his book *Mass Immigration and the National Interest* that the first example of a modern day guest worker program implemented in the U.S. was a direct result of the Second World War. Public Law 45, part of an omnibus appropriations bill, instituted the Mexican Labor Program, more commonly referred to as the “Braceros Program” (a term literally meaning one who works with his arms).⁵ The Braceros Program was not an amendment to the nation’s immigration statutes at the time. Instead, it was established as a worker recruitment program for Mexican nationals designed to allow them to work legally in the U.S. American proponents of the program argued that the Braceros workers would return to Mexico after the planting and harvesting seasons were over each year. The employment opportunities were limited only to the agricultural sector in the southwestern U.S. This legislation specified that each worker be given special protection with respect to transportation, wages, medical service, housing, and meals. It was

stipulated that the program was to last the duration of the war. The life of P.L. 45, however, was extended to 1947, two years after the conflict had ended. It was then continued informally throughout the following years and again reinitiated in 1951 during the Korean War. This law was then extended on several separate occasions until it was terminated in 1964.⁶ The instances of worker abuse and their unintended effects on the regional agricultural and labor markets after the Braceros program was extended are still the subject of extensive controversy among supporters and proponents of guest worker programs today.

The availability of the Braceros workers to provide cheap contractual labor to growers in the region quickly resulted in the agricultural employers favoring the Braceros to local laborers.⁷ The economic effects were a reduction in agricultural worker wage levels in most localities and overall citizen worker income.⁸ Further, most U.S. firms ignored or circumvented their commitments to honor the labor protection and wage rate provisions stipulated by Public Law 45 since many of the definitions, rules, and economic penalties articulated in the bill were either too vague or not enforced at all.⁹ The result was wide scale worker exploitation. Ironically when the program ended in 1964, its effects did not and more Braceros farm workers, attracted by the promise of relatively higher wages, kept coming, albeit as illegal immigrants.¹⁰

At the same time, a program known as the British West Indies Plan was also initiated on the other side of the country. A contemporary counterpart of the Mexican Labor Program, this plan allowed the migration of black, English speaking, unskilled workers from the Caribbean to East Coast states during the 1950s. Similar to the Braceros program, the British West Indies Plan produced a variety of negative socio-economic effects including high unemployment rates among U.S. workers, unethical labor practices by firms hiring temporary workers, and racial tensions between temporary and U.S. workers.¹¹ As a result, senators from the afflicted states began to push for and eventually ratified the Immigration and Nationality Act of 1952.¹² This act is significant because it created a nonimmigrant category for the admission of temporary unskilled foreign workers for the first time in U.S. history. This established the legal distinction between the two categories of workers declared in the text of the statute. Section H-1 described professional, foreign temporary workers as belonging to the class of “nonimmigrant aliens”, provided that they engaged in a specialty occupation and either met the requirements for said occupation, or were of distinguished merit and ability.¹³ An unskilled foreign worker was defined as an alien:

(ii)(a) having a residence in a foreign country which he has no intention of abandoning, who is coming temporarily to the United States to perform agricultural labor or services...or (b) having a residence in a foreign country which he has no intention of abandoning, who is coming temporarily to the United States to perform other temporary service or labor if unemployed persons capable of performing such service or labor cannot be found in this country.¹⁴

The Immigration and Nationality Act of 1952 formed new distinctions between the *types* of temporary foreign workers allowed to enter the U.S. through the creation of new corresponding visas. New H-2 visas applied only to temporary laborers in the agricultural sector while the H-1 visas were reserved for professional and skilled workers.

The following two decades saw a drop in the overall levels of immigration to the U.S. and consequently the number of temporary laborers allowed admittance to the country, while the early 1980s saw a dramatic increase in immigration to the U.S.¹⁵ The high number of immigrants in the U.S. during the 1980s that were either illegal or unemployed was seen as a destabilizing force in the U.S. economy by citizens and congressional leaders.¹⁶ The next major transformation in U.S. alien labor policy arrived in 1986 with the signing of the Immigration Reform and Control Act.¹⁷ Its supporters argued that its effects would reduce the record unemployment thought to be caused by illegal immigration. The bill criminalized the act of knowingly hiring an illegal immigrant and established financial and other penalties for those firms employing illegal aliens. Although the law made it a crime to employ an undocumented worker, this provision has never been strictly enforced.¹⁸ Its relevance to this discussion lies in a controversial section contained in the bill which allowed alien laborers, irrespective of their legal status, to apply for and obtain permanent U.S. residency. They simply needed to show that they had resided in the U.S. illegally since January 1st 1982 or show that they had worked as agricultural workers for at least 90 days between May 1985 and May 1986.¹⁹ This not only made the Immigration Reform and Control Act the broadest immigration reform bill of its time, but also meant that it was the first reform to directly offer a legal pathway for temporary alien workers to obtain U.S. citizenship.

The Secure America and Orderly Immigration Act

The 150 page Secure America and Orderly Immigration Act suggests a wide variety of changes in US immigration law, the magnitude and

scope of which have not been seen since 1986.²⁰ If ratified, the Secure America and Orderly Immigration Act (SAOIA) also would lay the foundation for what could potentially be the largest temporary worker program in our nation's history. Before looking at the potential effects this would have on the U.S., it's essential to have an understanding of key changes proposed to current U.S. immigration law.

Structure of the Proposed Legislation

SAOIA essentially authorizes the Secretary of State to grant a temporary H-5A visa to any alien who demonstrates that he or she is capable of performing the labor or services required for an occupation and provides the consular officer in a foreign embassy with evidence of employment in the United States. This new visa has an initial authorization period of three years, and may be extended for one additional three-year period.²¹ The nonimmigrant worker would then be required to pass a criminal and security background check, pay a \$500 application fee, and undergo a medical examination.²² The alien must be employed during his or her stay in the United States, but may change employers at will. If the alien is found to be unemployed for more than 45 consecutive days, his or her period of authorized admission will terminate and the alien will be required to return to his or her country of nationality or last residence.²³

Section 305 of the proposed law stipulates the number of visas to be issued and hence the number of guest workers allowed into the U.S. It states that 400,000 H-5A visas will be made available for the first fiscal year in which the program is implemented. Of the total number of visas allocated in a given fiscal year, 50,000 must be allocated to "qualifying counties," (counties that are outside a metropolitan statistical area) and that, during the 20-year-period preceding the date of enactment of the Act, experienced a net out-migration of at least 10%. In any subsequent fiscal year, if the numerical limit is reached, quarterly adjustments will be made to the amount of visas made available.²⁴ Finally, Section 305 provides that, in allocating visas under this section, the Secretary of State may take any additional measures necessary to deter illegal immigration.

The Rights of Temporary Workers and Employer Regulations

If passed the McCain-Kennedy bill would require all employers of H-5A non-immigrants to comply with all applicable federal, state, and local laws, including laws affecting migrant and seasonal agricultural workers²⁵ and the requirements under new INA § 274E, as created by Section 402 of the Act. Section 304 provides that H-5A visa nonimmigrant aliens shall have the same rights as similarly employed U.S. workers

under applicable federal, state, and local labor and employment laws.²⁶ Workers under this program shall not be treated as independent contractors and employers will be responsible for all applicable federal, state and local taxes with respect to aliens under the H-5A program. In addition, Section 304 states that employers must provide the same wages, benefits, and working conditions to H-5A workers as are provided to similarly employed U.S. workers and stipulates that employers may not hire H-5A aliens as replacement workers during a strike or lockout.²⁷

Section 306 provides the guidelines for obtaining permanent resident status. Eligible aliens admitted under the H-5A program can become U.S. residents, either through employer-based petitions or, if the alien has maintained H-5A status in the U.S. for a cumulative total of four years, through self-petition. Applicants for adjustment under this section must be physically present in the U.S. and meet the requirements established in the Immigration and Nationality Act²⁸ or be satisfactorily pursuing a course of study to achieve such knowledge. Aliens will not be deemed ineligible for H-5A nonimmigrant status solely by virtue of the fact that they have filed for adjustment of status or have otherwise sought permanent residence in the U.S.

Special Features: Execution and Enforcement

Section 308 of the Secure America and Orderly Immigration Act would require the Secretary of Labor to direct the coordination and modification of the national system of public labor exchange services. The goal of such services would be to match essential worker employment opportunities available in United States with both U.S. and nonimmigrant workers. Employers seeking to hire new guest workers must attest that they have posted the employment opportunity in the National Job Registry for at least 30 days in an attempt to recruit U.S. workers. Employers must maintain a record of such recruitment efforts for one year and must demonstrate why U.S. workers who applied were not hired. Sections 401 and 403 of the law call for an improved entry and exit data system, advocating a “collection of biometric machine-readable information from an alien’s visa or immigration-related documents upon arrival and departure from the U.S. to determine the alien’s status.”

Perhaps the most progressive feature of the bill is that it calls for Labor Migration Facilitation Programs. Though vaguely and not explicitly defined, these programs would be designed to monitor the foreign workers’ participation in the temporary worker program and to maintain each worker’s cultural ties to his native country. This could include the facilitation and monitoring of travel between the country of origin and the U.S., or reintegration in the worker’s country of origin upon permanent return from the U.S.²⁹ The Secretary of Homeland

Security and the Secretary of Labor are also authorized to participate in the development of such programs. The Secretary of State must place priority on developing programs with foreign governments that have a large number of nationals working as temporary workers and must enter into agreements as to the administrative specifics of these Labor Migration programs within three months of the initiation of the program.

Administrative Strengths: Promoting Cultural Bonds

The SAOIA has additional provisions designed to complement the temporary worker program and simultaneously reduce illegal immigration.³⁰ Like all bills, the SAOIA has various strengths and weaknesses that are currently being assessed in Congress. The rest of the McCain- Kennedy Bill, as previously discussed, is a detailed and comprehensive proposal aimed at providing the framework for temporary workers to enter the U.S. in a legal and orderly fashion, obtain work, and repatriate to their own countries of origin. The bill's chief strengths appear to lie within its strong constituent framework and its attempts to ease the social and cultural transitions of non-skilled foreign laborers entering U.S.

The enormous administrative task of developing and implementing an inclusive guest worker program has been delegated to various executive departments such as Homeland Security and the Department of Labor. A high level of integration allows for an increased level of administrative flexibility, meaning reforms could be made to the program with relative ease, speed, and a minimal amount of bureaucratic hindrances. An example of this may be seen through the creation of Labor Management and Enforcement programs previously discussed. Yet another example can be viewed in Section 307 of the bill. This section stipulates that an "Essential Worker Visa Program Task Force" be established to study and appraise the efficacy of the guest worker program and make recommendations to Congress based on its findings no more than two years after the initiation of the program.³¹ Appointed by the President and leadership of both houses of Congress, the Task Force must submit a report evaluating a variety of aspects of the program including its development and implementation, the criteria for admission of the temporary worker, the formula for determining the yearly numerical limitation, and the program's impact on immigration, the U.S. workforce, and U.S. businesses.³²

Apart from its organizational prowess, another critical component of the H-5A worker program is that it provides a path to legalization for H-5A workers, a provision that is both humane and practical. At the end of the temporary employment period, it is anticipated that a majority of

the H-5A workers will return to their countries of origin rather than risk fines, incarceration, or deportation. Fortunately, those who set down roots in the U.S. will not be forced to break the law in order to stay and continue working and paying taxes.³³ Additionally the program allows a substantial amount of freedom to the workers, in the sense that they are not bound to one firm for the duration of their stay in the U.S. An H-5A worker may move freely from one employer to another and offer his labor and services to whomever he or she wishes.

Finally there is a concerted effort to address socio-economic concerns of the foreign worker in a manner that emphasizes the importance of obtaining cooperation from their country of origin.³⁴ Again, the uniqueness of the Labor Migration Facilitation Programs and their potential to focus on social capital remains key, particularly those provisions which help further the program's goal of reestablishing the circular (and legal) movement of labor between the U.S. and the workers' native country. Partially subsidized return trips to the foreigner's country of origin during his or her stay in the U.S. would not only emphasize family reunification, but may provide an innovative incentive for the worker to return home after his or her contract has ended. Additionally, Section 502 calls for bilateral efforts with the Mexican government to help reduce migratory pressures and costs to both the nations. It also calls for an examination of the uncompensated and burdensome health care costs incurred by the United States due to both legal and illegal immigration by facilitating the return of stable, incapacitated workers to Mexico so that they may receive long-term care in their home country. It also calls for the Mexican government to establish a program with its private sector to cover the health care needs of Mexican citizens working in the United States.³⁵

Standards and Enforcement

The proposed H-5A program, however, also contains provisions that may undermine the objectives it seeks to meet. The most glaring fissures within the statute are the sections authorizing the implementation of the computerized data system used to track the entry and exit of temporary workers. As spelled out in sections 403 and 402, the Secretary of State, in conjunction with the Secretary of Homeland Security, is authorized establish an "Employment Eligibility Confirmation System" which will use machine-readable documents that contain encrypted electronic information to verify employment eligibility of a worker within one working day after the initial inquiry. They are also authorized to make "various technical corrections and provide for the collection of biometric machine-readable information from an alien's visa or immigration-related documents upon arrival and departure from the U.S. to determine the alien's status."

These new confirmation systems, although meant to be a safeguard against labor exploitation, are rife with limitations. The first glaring omission from the bill is any mention of the manner in which start-up costs and maintenance of this system are to be covered. There is no mention as to whether or not the federal government alone would pay for the implementation and maintenance costs, or whether each individual firm will be required to pay a federal tax to help support and maintain such a system. To be fair, there are stipulations that make it a requirement for employers to update the information within the system annually and allow workers access to their information in order to update it. However, the problem with this is that there is no guarantee against circumvention. Fraudulent verification on behalf of both employer and employee is a concern left largely unaddressed by this portion of the bill. Finally, legitimate concerns about privacy rights, civil rights, and the language in which such a system would operate are left open ended, leaving tremendous room for abuse. The idea of using technology to help enforce the correct implementation of the guest worker program is a noble one, but ultimately may prove unfeasible.

Another weakness of the bill is its ability to guard against worker exploitation. Section 6 of the proposed legislation limits who can represent a worker filing suit against an employer on the grounds of mistreatment within the workplace. It stipulates that temporary workers can only be represented by legal aids from federally approved NGOs. The SAOIA, however, does increase the penalties associated with unfair employer labor discrimination. Employers could pay fines ranging from as little as \$500 as to as much as \$20,000 for each individual temporary worker bringing suit against the employer. Unfortunately, one cannot properly estimate the efficacy of financial penalties imposed on the employers of these workers. The fines could be substantial if prosecution were persistent, or an annoyance if these penalties are perfunctory in nature. If prosecution were sporadic, there is a high probability that the financial burden would be borne by the workers, who would be paid less by employers taking fines into consideration as part of the wage package.³⁶

There are also several problems that are directly related to the enforcement of Section 305, the part of the statute that mandates that all H-5A visa nonimmigrant aliens have equal protection under federal state and local employment laws, just as would any U.S. worker. The problem here is two-fold. The first is the obvious omission of any practical means of enforcing this protection. There is no established regulatory agency that would actively investigate and punish employers that subject temporary workers to substandard working conditions and lower wages. The duty of bringing such complaints falls solely on the worker (who, as previously discussed, is at a disadvantage when it comes to legal representation), as it is highly unlikely that firms

will report their own misconduct. The logic behind this part of the bill seems to assume that the employers and workers have equal bargaining power and that workers will be able to exercise their rights freely. The reality will most likely prove very different for foreign workers facing language and cultural barriers, many of whom may be unaware of their workplace rights.³⁷ Further, the fact that the SAOIA does not require employers to offer the prevailing wage is another major flaw. This could create scenarios in which temporary workers will be hired at the lowest possible wages, or hired below minimum wage, especially if enforcement of Section 305 is feeble.

The last critical flaw of the McCain-Kennedy bill is its shortsightedness in dealing with the possible unintended consequences of temporary workers. Perhaps most interesting is the past behavior of employers in response to an increase in the supply of available temporary foreign workers. An unintuitive, but all too common result is that employers have actually developed labor management practices that have shifted away from the use of temporary workers and towards the use of illegal aliens.³⁸ In other words, when faced with a choice between the use of temporary and illegal workers, employers will hire illegal aliens, since there is little or no incentive for them to hire the temporary workers at presumably higher wages. This trend has been seen in many low-skilled worker industries, particularly among Californian and Southwestern agricultural firms and in certain segments of the textile industry over the past few decades.³⁹

Another foreseeable consequence may be that highly skilled workers—who may have better access to job opportunities and the listing of job offers may be more able than less skilled workers to benefit from the program. In such a case, the initial limit of 400,000 visas for the first fiscal year and subsequent increases may be insufficient to accommodate the future flow of lower-skilled nonimmigrant workers. In addition, the restriction that states that H-5A workers cannot be unemployed for more than 45 consecutive days is an utterly preposterous one. The validity of this assertion rings especially true, particularly when compared to other federal programs, such as FASFA, that allow renewable unemployment grace periods of up to six months for participants. Such a short grace period to find work will most likely result in H-5A workers leaving the program and staying in the US as illegal workers; further undermining the goal of the temporary worker program.⁴⁰ Also, little attention has been paid to the fact that many unskilled workers might not even be able to afford the application and medical fees needed to apply for the program in the first place. The bill says nothing with respect to the H-5A workers' ability and legal right to unionize, issues which could have tremendous impact on the salaries and benefits these workers receive. Lastly, the bill also ignores any calls for the guest workers to receive benefits, such as tax refunds

once they've left the country. Paradoxically, the very same stipulations in the SAIOA designed to protect the wages and rights of temporary workers may prompt both employer and employee to circumvent the H5-A program all together.

The McCain-Kennedy bill introduced in the senate is an attempt at socially progressive immigration reform. Although a more innovative and ambitious attempt at resolving the issues left by the Braceros program, the SAIOA ultimately provides too little protection for temporary workers, while simultaneously giving too much freedom to employers. If implemented it is unlikely that the program will function effectively enough to provide an adequate and legal alternative to the practice of hiring illegal workers. The proposed electronic employment database and verification systems are impractical, the economic penalties could easily be circumvented, and various regulations articulated in the legislation are vague. Ironically, each one of these components ultimately undermines the guest worker program.

In order to safeguard against abuse of temporary workers, a proposed guest worker program will need to provide clear definitions and rules. Emphasis must also be placed on the strict, internal enforcement of such rules, either by the establishment of a new agency or via distributions of regulatory powers amongst previously existing ones. Program efficacy will be enhanced if the detection and punishment of workers and employers in breach of contract is made as swift as possible. Before a new guest worker program can be implemented, policymakers must be certain that an infrastructure capable of supporting one exists. Lastly, there should also be special attention paid to the vast social implications of such a program for both the U.S. and foreign nations. Cooperation should be fostered and maintained between the U.S. and foreign nations as well as between employer and employee.

Tarik Michael Carter is currently pursuing his Masters of Public Administration (MPA) at Cornell University. A 2008 MPA candidate focusing on international development, he graduated from Amherst College in 2004 with a B.A. in Law, Jurisprudence, and Social Thought and Spanish.

[Endnotes]

¹ Julia Gelatt, "House Passes Enforcement Bill Lacking Temporary Worker Program," *Migration Information Source*, January 1, 2006, Available at <http://www.migrationinformation.org/USfocus/display.cfm?id=367>.

² Ibid.

- ³ Office of the Press Secretary, “Fact Sheet: Fair and Secure Immigration Reform,” January 7, 2004, Available at <http://www.whitehouse.gov/news/releases/2004/01/20040107-1.html>.
- ⁴ Philip L. Martin, “Managing Labor Migration: Temporary Guest Worker Programs for the 21st Century,” *The International Institute for Labour Studies*, 4.
- ⁵ Vernon Briggs, *Mass Immigration and the National Interest*, (New York: ME Sharp Inc., 2003), 105-111.
- ⁶ Ibid.
- ⁷ Martin, “Managing Labor Migration,” 11.
- ⁸ Ibid.
- ⁹ Ibid.
- ¹⁰ Briggs, *Mass Immigration*, 106.
- ¹¹ Ibid.
- ¹² Ibid.
- ¹³ *Immigration and Nationality Act of 1952*, Sec. 101, (8 U.S.C. 1101), Section H1.
- ¹⁴ *Immigration and Nationality Act of 1952*, Sec. 101, (8 U.S.C. 1101), Section H2.
- ¹⁵ Briggs, *Mass Immigration*, 107.
- ¹⁶ Ibid.
- ¹⁷ Note: Simpson Mazzoli Act, IRCA Public Law no. 99-603, 100 Stat. (November 6, 1986), 3359.
- ¹⁸ Jennifer Ludden, “Q&A: Inside the Immigration Debate,” Available at www.npr.org.
- ¹⁹ Briggs, *Mass Immigration*, 185-189.
- ²⁰ Briggs, *Mass Immigration*, 185.
- ²¹ American Immigration Lawyers Association, *Section by Section Analysis of SAOIA*, Section 302, Available at <http://www.thenyic.org>.
- ²² Ibid. Note: Certain grounds of inadmissibility may be waived upon payment of a \$1,500 fine.
- ²³ Ibid. Note: An alien who returns home due to unemployment may reenter the United States to work using the same visa, provided the alien meets the same standards required for the original entry.
- ²⁴ Ibid., Section 305.
- ²⁵ Ibid., Section 303.
- ²⁶ Note: Temporary workers would not be required to waive any rights or protections nor can employers threaten to fire a guest worker in retaliation for the alien’s exercise of a right protected by the act.
- ²⁷ Ibid., Section 402.
- ²⁸ Ibid., Section 312. Note: this act sets forth the English language and civics requirements for naturalization applicants.
- ²⁹ National Immigration Law Center, *Analysis of the Secure America and Orderly Immigration Act*, Available at <http://www.nilc.org/immlawpolicy/CIR/>.
- ³⁰ Law firm of Siskind, Susser, and Bland, “Summary of SAOIA,” Available

at <http://www.visalaw.com/05may4/3may405.html>. Note: Title I deals with increasing and developing border security, while Title II relates to the reimbursement of costs of incarcerating criminal illegal aliens.

³¹ National Immigration Law Center, *Analysis of the Secure America and Orderly Immigration Act*, 9-10.

³² Ibid.

³³ Ibid.

³⁴ Canafano, Kephart, and Rosenzweig, "McCain Kennedy Immigration Bill Falls Short," Executive Memorandum no. 975, July 26, 2005, 2.

³⁵ National Immigration Law Center, *Analysis of the Secure America and Orderly Immigration Act*, 13-14.

³⁶ Sidney Weintraub and Stanley R. Ross, *Temporary Alien Workers in the United States: Designing Policy from Fact and Opinion* (Boulder, CO: Westview Press, 1982), 92.

National Immigration Law Center, *Analysis of the Secure America and Orderly Immigration Act*, 7-18.

³⁷ Weintraub and Ross, *Temporary Alien Workers*, 93-94.

³⁸ Gregory DeFrietas, "Non-Immigrant Visa Program Policy and Reform," in *Foreign Temporary Workers in America*, edited by Lindsay Lowell (Westport, Connecticut: Quorum Books, 1999), 172-179.

³⁹ National Immigration Law Center, *Analysis of the Secure America and Orderly Immigration Act*, 5-7.

A March of Nickels and Dimes for Recycling:

A Study of the present “State” of Bottle-Bills

Benjamin Deitchman

ABSTRACT:

This article looks at the history of bottle-bills and container deposits and the related public policy issues on both the national and state levels. The debate over bottle-bills can assist in understanding the conflicts over environmental legislation and the potential for governmental involvement in recycling programs.

Bottle and can deposits were a way of life when I was growing up in New York State. When the neighborhood kids and I opened a lemonade stand on my front lawn, we accepted bottles and cans as a method of payment. We were not especially “ecological” in our thinking, but we viewed an empty container as five cents. My worldview on bottles and cans changed, however, when I moved to Baltimore, Maryland for college. After a party, I never knew if my hosts recycled the disposable drink containers or just threw them out. Although many people did recycle, there were not the same personal financial incentives to follow through with the environmental option in Maryland.

Eleven states currently have a “bottle-bill” law on the books, requiring refundable deposits on specified drink containers that consumers return for recycling (see Figure 1). Oregon led the way in 1971, with Hawaii implementing the most recently legislated bottle bill in 2005.¹ Congressman James Jeffords proposed a national container deposit law in Congress three decades ago, but there have not been any approved federal regulations in this area.² Statistics show that states with bottle-bills have better recycling rates and environmental groups are generally in favor of the deposit system. The Container Recycling Institute (CRI), based in Washington, D.C., is the leading advocacy organization in support of bottle bills. The food and beverage industry, on the other hand, prefers alternatives to the bottle bills and sees the deposit system as an unfair and unnecessary impediment to business.

This article will offer a discussion of the issues, successes and failures associated with the recycling of glass, plastic and aluminum beverage containers. People have many different motivations for recycling and

consumers, producers and governments can reap benefits from recycling programs. With the increase in disposable beverage packaging after World War II and the burgeoning environmental movement, bottle and can deposit programs began to garner a great deal of attention as a means to reduce litter and waste in the early 1970s.³ By 1986, more than one in four Americans lived in a state with bottle deposit legislation.⁴ Numerous studies in the various bottle bill jurisdictions have reported the success and shortcomings of these laws.

While no state has ever repealed a bottle bill, issues still exist with the legislation. The food and beverage industry has spent millions of dollars on lobbying efforts to derail attempts to expand the legislation, both to additional states and through increasing the amount of products subjected to deposit regulations. Efforts to change and improve recycling laws are still on the agenda at the local, state and national levels. How much the deposit should be is a further point of contention. Questions also remain about what to do with unreturned deposits and the charitable opportunities of deposit returns.

There are many reasonable and ecologically friendly alternatives to container deposit schemes. The evidence, however, shows that the bottle bills have increased recycling and reduced litter from Hawaii to Maine over the last several decades. The environmental community as a whole could learn many lessons about the use of economic incentives, the political situation and the societal effects of programs that could apply to various proposals to improve the ecological impact of humans on planet Earth. Bottle-bills have been a part of the American landscape for a generation, yet the matter of encouraging recycling is still a critical subject requiring the growth and fostering of creative solutions. Understanding the principles and practices of the bottle-bill can give environmentalists a window into the modern zeitgeist and lessons on how to improve habits and reduce ecological footprints with minimal levels of inconvenience and economic dislocation.

Reasons to Recycle

Reducing, reusing and recycling are important steps for the people of this planet to take in order to alleviate ecological crises. As consumerism has spread and grown across the world, the amount of municipal solid waste has forced governments to close and increase landfill size. In the United States, the average person now creates almost twice as much municipal solid waste per day as he or she did in the later 1960s.⁵ Even worse, plenty of recyclable materials spoil our landscape as pieces of litter on the streets and in the hills. While avoiding material production is the ideal option to reduce waste and conserve energy, environmental engineer Bela Liptak argues more feasibly that “[t]he

only permanent solution to the solid waste problem is recycling and reuse.”⁶

Recycling programs in the United States are on the rise and they continue to become a greater part of the lives of modern Americans. Kimio Uno writes in *Environmental Option: Accounting for Sustainability* that modern society acts under a “produce-consume-and-forget” system. Consumers purchase goods and dispose of them, but they do not consider the implication and side effects of their waste. Uno believes that to stem the unsustainable growth in municipal waste, residents and leaders in developed countries need to establish a “produce-consume-and-recycle” system.⁷

Garbage does not disappear when sanitation department vehicles haul trash bags to the dump, local incinerator or to an out of town municipal landfill. In *Costing the Earth*, environmental reporter Frances Cairncross warns that “neither producers nor consumers understand the true costs of throwing things away.”⁸ As with many features of the environment, the externalities of removing waste and not reusing materials are not accurately accounted for in market transactions. Throwing out the numerous disposable materials which residents of industrialized countries use every day is simple and financially inexpensive, but wasting resources and disposing of materials is a danger to the planet. Waste materials could ultimately prove to be extremely costly as resources disappear and production of materials contributes to climate change.

Americans are extremely supportive of recycling programs. Recycling advocate Jerry Powell notes that more people in the United States participate in protecting the environment through recycling than participate in the democratic process through voting.⁹ Richard L. Stroup of the Cato Institute, a conservative think tank, asserts in *Economics* that, even in matters of environmentalism, the narrow focus of individuals causes them to act mostly in favor of self-interests.¹⁰ Most recycling systems, however, survive and thrive on the altruistic acts of consumers. Research shows that Americans see recycling as an opportunity to act on behalf of their planet. Even where there are no personal financial incentives for recycling, Americans and their leaders have steadily increased their attentiveness towards reducing wastes.¹¹ The United States, however, still lags behind Japan, where half of municipal solid wastes are recycled.¹² Policy-makers have sought out methods to offer rewards for recycling and penalties for creating unnecessary wastes.

Even without government intervention, however, there are direct economic benefits in the current market from recycling goods. In addition to being better for the environment, reusing aluminum is cheaper than producing it as a virgin product.¹³ The United States uses approximately one-quarter of the world’s aluminum and demand

for this metal continues to grow worldwide. The secondary aluminum industry has also grown and expanded to meet market growth and expand the profitability of production.¹⁴ The process of materials recycling has helped to develop and spur new companies and industries, fostering valuable new opportunities for environmentally conscious entrepreneurs and creating jobs.

The environmental benefits of aluminum recycling are even greater than the profitability potential. Renowned environmentalist Lester Brown writes in *Eco-Economy* that “aluminum mining and processing account[s] for much of the carbon emissions, pollutants, and landscape devastation associated with the materials economy.”¹⁵ Recycling reduces the need to mine and potentially impact the environment in search of aluminum and helps reduce the quantity of materials filling landfills. While aluminum cans are easy to process in recycling centers, other types of aluminum, such as aluminum foil, are difficult to salvage for secondary usage.¹⁶

There have been some efforts to reduce overall aluminum usage. A large amount of electrical energy is used in order to produce aluminum, which is expensive both financially and environmentally. In order to save on costs, companies have developed thinner and lighter aluminum products.¹⁷ With the importance of aluminum in the food and beverage, as well as automobile and airplane, industries, the world will likely continue to produce over 20 million tons of aluminum each year. In fact, using aluminum in cars can help increase gasoline mileage, as the material is lighter than steel.¹⁸ Thus, the technology to reduce the amount of aluminum needed per product will not satisfy the demand, and recycling is the most pragmatic solution for environmentally and efficiently reusing everything from cans to cars.

Two other recyclable materials that are included in bottle bill legislation are plastic and glass. Of the 30 percent of municipal solid waste that comes from food packaging, one-quarter is glass while 13 percent is in plastics.¹⁹ Container glass, the type used for food and beverages, is the only type of glass for which there are currently recycling programs.²⁰ Before World War II, however, there was not any recycling of glass bottles. The one-way container did not exist and, instead of recycling, people used refillable bottles. It was not until 1962, in fact, that cans had the now ubiquitous pull-tab tops.²¹ It was the rise of one-way containers that led to the policy development of bottle bills in the late 1960s and early 1970s.

Birth of the Bottle Bills

In the 1950s, beverage containers began to appear on the market with the message, “No deposit-No return.” The heavy refillable glass bottles previously used for beer and soda gave way to lighter disposable

containers for the growing market for beverages in the home.²² Vermont passed a law in 1953 banning the use of one-way beer bottle, but the law expired before the end of the decade. The Canadian province of British Columbia established the first bottle bill system in North America in 1970, with Oregon acting as the first American state to pass legislation for a container recovery system one year later.²³ The Oregon bill developed through the efforts of one citizen, outdoor enthusiast Richard Chambers, who found a receptive audience in the governor's mansion.²⁴

Through referendum or legislative action, ten states approved bottle bills by 1986. Each state established its own system with unique features. Michigan, for example, introduced a dime deposit in the late 1970s, while a nickel remains the standard in all other states with container deposit laws.²⁵ The State of Connecticut approved its bottle bill in 1978 and implemented the deposit system on January 1, 1980, after a study showed that the bottle bill would have a beneficial effect on the state economy.²⁶ In the State of Oregon, there was initially a move from retailers to an increased usage of refillable bottles when the law first came into effect.²⁷ While several Scandinavian countries have banned one-way containers, the refillable bottle has all but disappeared in the United States.²⁸

The bottle bills withstood several initial obstacles. In the Commonwealth of Massachusetts, voters approved a referendum on the bottle bill with 60 percent of the vote on November 1, 1982 after industry leaders petitioned to require direct citizen approval. The law also survived legal challenges, as cases involving the Oregon law set a federal precedent and allowed states to follow suit without fear of action in the courts. While opponents argued that the bottle bill violated the Commerce Clause of the Constitution, with states imposing mandatory deposits on interstate transactions, federal courts upheld the right of states to require deposit systems on containers.²⁹ Citizens and states had the sovereignty to determine the most appropriate method to encourage recycling and reduce litter.

Not every activity of those in favor of the bottle bill was successful. In fact, in the 1970's thirty-two states rejected a version of a bottle bill.³⁰ Many municipalities within states that did not have container deposit rules attempted to implement their own system. Due to a lack of resources and legal obstacles, however, most municipalities failed in their quest to replicate programs that worked at the state-level.³¹ Manufacturers in some regions also avoided using recyclable items or materials covered under the regulations in their beverage containers in an effort to circumvent deposit schemes.³² The only state in the past twenty years to pass a new bottle bill was Hawaii, which started its program in 2005.

Despite setbacks, however, bottle bills have not disappeared. The Container Recycling Institute proudly notes on its Bottle Bill Homepage (www.bottlebill.org) that no state has ever repealed a bottle bill. In fact, several states have actually amended and expanded their bills to include products that were not on the market in the 1970s and 1980s, such as the popular polyethylene terephthalate (PET) plastic bottles used for water and soda. As several bottle bills have not been updated since the rise in the market of bottled water, sports drinks, and iced teas, however, many of these beverages are exempt from the deposit systems. In fact, a glass bottle of Snapple is only redeemable in Maine, Hawaii and California (California actually has a unique system that encourages recycling based on the volume of recyclables rather than individual bottle payments). Bottle bills remain a point of conversation and contention into the present day within the political process at the federal and state levels.

Federal Politics and Packaging

Federal efforts to create a national bottle deposit system have existed since the idea developed in the states three decades ago. Upon introducing a modified bottle bill proposal on November 14, 2003, Senator James Jeffords optimistically told the Senate, “like every loyal Red Sox fan, I believe that next season, my team will be victorious. I bring this same level of optimism to my efforts to reduce the amount of wasted resources and litter caused by discarded beverage containers.”³³ Although the Boston Red Sox won the World Series in 2004, the bottle bill still has yet to gain traction on the national level.

In his 1992 campaign for president, Bill Clinton, as governor for Arkansas, included a provision for a national bottle-bill in his political platform.³⁴ The bottle bill, however, was a campaign promise that was not fulfilled during the eight years of President Clinton’s administration. Senator James Jeffords famously left the Republican Party during the first year of President George W. Bush’s tenure and, as part of his deal turning power over to Senate Democrats, the Vermont Senator became the Chairman of the Senate Environment and Public Works Committee for the 107th Congress. Senator Jeffords, who had been part of the creation of the Vermont law as a state official in 1972, had introduced bottle bills in Congress since the early part of his career in the House of Representatives. As chairman of the relevant committee, Senator Jeffords had greater power to encourage action when he introduced National Beverage Producer Responsibility Act of 2002 on Earth Day.³⁵

The proposal of Senator Jeffords (S 2220) and a companion bill in (HR 5210) from Representative Lynn N. Rivers in the House of

Representatives Subcommittee on Environment and Hazardous Materials would have required that, “beverage brand owners . . . implement effective redemption, transportation, processing, marketing, and reporting systems for the reuse and recycling of their used beverage containers.”³⁶ The legislation included provisions mandating deposits and placed implementation under the control of the Environmental Protection Agency. The goal of the bill was for the national redemption rate to nearly double from current levels to 80 percent. Appealing to post-September 11th sentiments, Senator Jeffords argued that “[t]his redemption rate saves the equivalent of 640 million barrels of oil in the next decade Recycling is an easy way to ease our dependence on foreign oil, reduce greenhouse gas emissions, and conserve natural resources.”³⁷

Despite optimism from the sponsor that S 2220 could garner support from the beverage industry, as it allowed the entities to create their own approach, the thirty-year fight from the business lobby against nation-wide bottle bills continued.³⁸ The bill never moved in committee in either house of Congress.³⁹ Later that year, the Republicans regained a majority of seats in the Senate and Senator Jeffords lost his chairmanship. Senator Jeffords reintroduced the National Beverage Producer Responsibility Act (S. 1867) to the 108th Congress on November 14, 2003. This time, Senator Jeffords had five original cosponsors including fellow Vermonter Senator Patrick Leahy and the 2004 Democratic Nominee for President, Senator John Kerry. All of the cosponsors were Democrats and came from states that now have bottle bills. In remarks to the Senate, Senator Jeffords stated that the Nation Beverage Producer Responsibility Act of 2003 was “[u]nlike traditional bottle bills, [as] this legislation would fully harness market incentives by setting an 80 percent recovery performance standard and allowing industry to design the most efficient deposit-return program to reach this standard.”⁴⁰ Without bipartisan support, the bill again never reported out of committee.

There has not been any introduced bottle bill legislation in the current 109th Congress. Staff from the Office of Senator Jeffords and the Minority Office of the Senate Public Works and Environment Committee stated in phone conversations that the Senator still stands behind bottle bills. At this time, however, the activity in bottle bill politics remains an issue exclusively at the state-level.

State Politics and Packaging

The Container Recycling Institute and its state partner organizations are currently pursuing new bottle bill legislation in four states east of the Mississippi River while seeking to protect and expand the regulations in the eleven states with a bill on the books (See Figure 1). Iowa is the only state that has a bottle bill that supported President

George W. Bush in the 2004 elections. While two of the nation's three most populous states have a deposit rule (California and New York), not a single state in the South or Southwest has adopted a similar program. Similarly, several states with strong environmental records, such as Washington and Wisconsin, do not have a bottle bill.

Many state bottle bills have not changed since their original implementation in the 1970s and 1980s.⁴¹ Since that time, however, the value of a nickel has significantly declined. An academic policy analysis from the Community-Based Research Initiative of Northeastern University on *Renewing the Massachusetts Bill* indicates that the bottle bill in that state, which has not had a significant update since 1982, does not include widely consumed containers for juices, bottled water, sports drinks and other beverages. The report also indicates issues of administration for the program and the over \$10 million dollars per year in "fraudulent returns," as people purchase drinks in neighboring non-deposit states and return them for redemption in Massachusetts.⁴² The many problems associated with bottle bill implementation are not unique to Massachusetts.

Unlike other states, however, the state government in Massachusetts keeps the unclaimed deposits and uses the money for the state's Clean Environment Fund. This money has helped alleviate budgetary problems in a period of public financial difficulty at the state level.⁴³ In New York and Connecticut, on the other hand, stores and distributors keep the nearly \$30 million in annual unclaimed deposits.⁴⁴ New York's proposed "Bigger, Better, Bottle Bills" would use the unclaimed nickels to help fund environmental programs.⁴⁵ Although this would not necessarily mean more resources for environmental programs (just a change in the sources of funding) it would provide more overall revenue to state operations.

The Community-Based Research Initiative analysis also indicates that distributors and private redemption centers should receive a greater redemption fee to cover the costs of their operations. With the exception of California, where the state handles reclamation and redemption, the other bottle bills require "producer responsibility."⁴⁶ The consumer returns the bottle or can to the retailer who reimburses the deposit and then returns the bottle or can to the distributor or a redemption center for its nickel or dime (See Figure 2). At this time, the costs to redemption centers are not fully covered in many jurisdictions.

Bottle bill proposals and amendments continued to circulate in states across the country in 2005. The Bigger, Better Bottle Bill in New York, which included the budgetary provisions as well as an expansion of included products passed 98 to 40 in the New York State Assembly, but failed to move in the State Senate.⁴⁷ In Massachusetts, the state legislature held hearings in October 2005 on numerous proposals to expand or eliminate the 23 year-old container deposit rules.⁴⁸ As Hawaii's deposit redemption rate climbed from 20 percent to 85 percent

in the first nine months of its existence, groups across the country pushed for bottle bills in the 39 states that currently do not have these laws in place.⁴⁹ In 2006, environmental groups will continue to push for expansion of these programs.

Grocery stores, soda companies, beer companies and bottlers continue to fight against deposit schemes. As in the case in states across the country, these industries spent hundred of thousands of dollars in 2005 in an effort to derail an expansion of the Connecticut Law, which the General Assembly has not updated since 1986.⁵⁰ The National Beer Wholesalers Association argues that while its membership supports and encourages recycling, “deposit legislation is not the answer.”⁵¹ Like the International Bottled Water Association and other trade groups of beverage producers and packagers, the beer wholesalers encourage the creation of programs without mandatory deposits and believe that they are acting on behalf of their customers in offering choices on how to dispose of bottles and cans. In a press release on behalf of the National Grocers Association, Senior Vice President and General Counsel Tom Wenning says that, “Consumers have overwhelmingly chosen the convenience of curbside recycling over deposit systems.”⁵² While many states offer handling fees, the grocery store owners do not want to administer the deposit return operations.

The special interest groups have found some allies in the media and public officials. The editorial board of the *Charleston Daily Mail* in West Virginia, a state in which a bottle bill campaign is currently under way, contends that the deposit system is an unfair economic burden on state residents. The editors consider the proposal a tax increase and write that “many state residents have to make every penny count, and a bottle bill would make a hard life even more difficult.”⁵³ New York State Assembly Majority Leader Paul Tokasz writes in *The Buffalo News* that the bottle bill fails to reduce litter and improve recycling, is unfriendly to consumer needs and that, “Grocery stores should be where we shop, not where we return dirty bottles.”⁵⁴

Polls find that despite the public relations efforts and lobbying successes of the special interests, three-quarters of the American public still support the concept of the bottle bill.⁵⁵ The special interests opposed to the bottle bill have succeeded in limiting advances, however, through campaign contributions and other forms of political funding. When New York State’s Bigger, Better, Bottle Bill failed to move in the state legislature, Laura Haight of the New York Public Interest Research Group responded, “Why is the bill . . . bottled up in Albany? The answer is simple: money talks.”⁵⁶ The average American drinks almost 500 cans or bottles per year,⁵⁷ making the beverage industry wealthy and powerful. On the other hand, Container Recycling Institute Executive Director Pat Franklin reports that her organization has had to reduce its

payroll and capacity in order to stay afloat due to a lack of funding.⁵⁸

Environmental organizations cannot compete with the monetary resources of big-business special interest groups to advance their cause to legislatures and the American public. Americans in eleven states have recycled billions of containers over the past three decades that would have otherwise entered the waste stream or ended up on the side of the road as litter. There is still, however, a need for innovative solutions to stem the environmental impact from the use of disposable aluminum, glass and plastic beverage containers contribute every day.

Successes, Failures and the Future

In 2003 major alcoholic and non-alcoholic beverage companies, including Anheuser-Busch and Coca-Cola, formed the Beverage Packaging Environment Council (BPEC) as part of the National Recycling Coalition.⁵⁹ In its November 2005 update on BPEC, the National Recycling Coalition writes, “By opening dialogues and creating partnerships with various groups—recycling professionals, government decision makers, business leaders, consumers, the media—we are capitalizing on the internal strength of the coalition to strategically advance recycling.”⁶⁰ While the board of directors of the Coca-Cola Company has urged rejection of a shareholders proposal to encourage the company to support bottle bills in its 2006 proxy statement, the company notes its ongoing commitment to recycling programs.⁶¹ Rivals, from Coke and Pepsi to environmentalists and business leaders, need to come together to ensure that the nation and the world can meet the goals of the bottle bill to reduce waste, litter and degradation whether through a deposit system, or not.

In 1998 more than half of the 102 billion aluminum cans that Americans were used were recycled.⁶² In states with bottle bills, the amount returned was approximately 70 percent.⁶³ Environmental reporter Frances Cairncross believes that deposits of thirty cents could have an 80-90 percent recycling rate.⁶⁴ While the thirty-cent deposit scheme does not appear to be feasible, the current bottle bill has been rather successful.

There is no comprehensive study available on just how many bottles and cans have been recycled in this country since 1971 that would have otherwise found their way into landfills or littering the streets and countryside without the bottle bill. Many containers would have been recycled in the eleven states even without the bill. The fact is, however, that states that do have bottle bills have higher rates of recycling and the environmental savings from reducing litter and reusing materials are significant. Recycling of PET plastics is especially beneficial, as those products require a vast amount of petroleum for production and are

especially harmful when incinerated.⁶⁵ The editorial columnists at the *Boston Globe* write about their experience traveling to states without these rules and indicate that the amount of litter is observably greater.⁶⁶ Broken glass bottles can be a danger both to people and automobiles. The bottle bill saves space in landfills and may even save lives.

There have even been some unique social consequences of the bottle bill. Some non-profit organizations and homeless individuals have collected and redeemed cans and bottles to fund their programs and themselves. Charitable groups have formed entirely on the basis of cashing in on the nickel deposits and assisting the homeless in cleaning up cities for the reward of the redemption values.⁶⁷ While the government and its citizens improve the conditions of the indigent that merely offer the opportunity to receive the deposit money from the recyclables, the bottle bill offers incentives to do something useful and somewhat profitable.

Despite its positive results, the bottle bill is far from perfect and does not resolve many environmental needs. Container deposit laws do not create the needed markets for recycled goods.⁶⁸ They are also not as convenient as curbside recycling, which hardly existed when most of the deposit laws came into effect.⁶⁹ Those who choose curbside recycling, however, still lose their deposit. Other alternatives to the deposit rules include the litter tax. The New Jersey Litter Tax charges producers of “litter-generating products” for the costs of clean-up and recycling programs. The problem with this approach, however, is that it does not prevent litter in the first place.⁷⁰

Industries and environmentalists will hopefully continue to work together towards a difficult yet reasonable goal of having every beverage bottle and can in this country recycled one day. As the Community-Based Research Initiative concluded, an improved bottle bill should only be one part of a general recycling program. Not only do bottle bills fail to cover all beverage containers, but other products, such as paper, also require novel programs to encourage recycling.⁷¹ That being said, the bottle bill is a useful and successful way to provide a direct incentive to protect a public good that is not economically quantifiable for individuals.

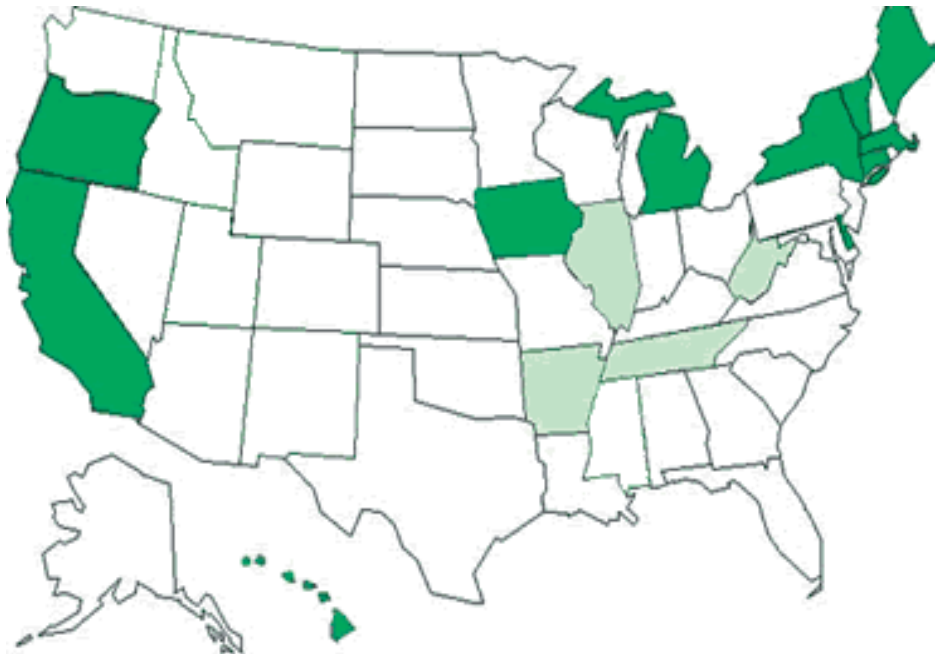
Conclusion: Bottles and Cans Recycled

It was more than twenty-five years ago that an article in *Nation's Business* asked, “Is the bottle bill solution going flat?”⁷² As landfills run out of capacity, the bottled beverage market grows and the Earth faces the challenges of an expanding and materialistic population, the bottle bill may be as necessary as ever. It balances the needs of the greater society of a cleaner environment with the individual needs making money. The container deposit programs rewards individuals

for acting globally, while punishing those who are wasteful or litter. In an ideal world, everyone would recycle because it is the right thing to do. In our free-market culture, however, incentives always help. It is also critical for individuals, businesses and the governments to work together for the best solutions to the problems of waste reduction and climate change.

In our federal system, there are limits to how much states can really do to help the environment without federal intervention. Special interests may one day succeed in overturning bottle bills, potentially saving their money and potentially costing society the benefits of a cleaner environment. If bottle bills were supported across the country, however, it is possible that a comprehensive recycling program may be developed, which would be a starting point for environmental change.

Figure 1—States with Bottle Bills



Darker Shade= Bottle Bill States
Lighter Shade (MS, IL, TN, WV)= Current Bottle Bill Campaign by the Container Recycling Institute

Source: Container Recycling Institute. <http://www.bottlebill.org/legislation/usa.htm>.

Benjamin Deitchman is a second-year Master of Public Administration candidate with a concentration in Environmental Policy and Planning at the George Washington University School of Public Policy and Public Administration. Born and raised in the bottle-bill State of New York, he earned a BA in History from the Johns Hopkins University in May 2005. While his plans after graduation in May 2007 are still uncertain, he hopes that he can again use inspiration from his enjoyment of situation comedies to explore and help improve environmental programs.

[Endnotes]

- ¹ Container Recycling Institute (CRI). "Bottle Bill Resource Guide" (Washington, DC: CRI). www.bottlebill.org (accessed March and April 2006).
- ² United States Congress. *Congressional Record of the 107th Congress :S3015*. Washington, DC: Government Printing Office, 2002. <http://thomas.loc.gov> (accessed March 31, 2006).
- ³ Frederick R. Anderson et al. *Environmental Improvement Through Economic Incentives* (Baltimore: The Johns Hopkins University Press, 1977).
- ⁴ CRI, "Bottle Bill Resource Guide".
- ⁵ Bela Liptak. *Municipal Solid Waste Disposal in the 1990s* (Radnor, PA: Chilton Book Company, 1991).
- ⁶ *Ibid.*, 300.
- ⁷ Kimio Uno. *Environmental Options: Accounting for Sustainability* (Dordrecht, the Netherlands: Kluwer Academic Publishers, 1995).
- ⁸ Frances Cairncross. *Costing the Earth* (Boston: Harvard Business School Press, 1992), 242.
- ⁹ Frank Ackerman. *Why do we Recycle?* (Washington, DC: Island Press, 1997).
- ¹⁰ Richard L. Stroup. *Eco-nomics* (Washington, DC: The Cato Institute, 2003).
- ¹¹ Ackerman.
- ¹² Liptak.
- ¹³ *Ibid.*
- ¹⁴ Durene M. Buckholz. "Aluminum Cans," in *The McGraw Hill Recycling Handbook*, ed. Herbert F. Lund (New York, NY: McGraw Hill, 1993), chapter 12.
- ¹⁵ Lester Brown. *Eco-Economy* (New York, NY: WW Norton & Company, 2001), 135.
- ¹⁶ *Ibid.*
- ¹⁷ Stroup.
- ¹⁸ Brown.
- ¹⁹ Wayne Pearson. "Plastics," in *The McGraw Hill Recycling Handbook*, ed. Herbert F. Lund (New York: McGraw Hill, 1993), chapter 14.
- ²⁰ Michael Gilmore and Tammy Hayes. "Glass Beverage Bottles," in *The McGraw Hill Recycling Handbook*, ed. Herbert F. Lund (New York, NY: McGraw Hill, 1993), chapter 13.
- ²¹ Ackerman.

- ²² Ibid.
- ²³ CRI, "Bottle Bill Resource Guide."
- ²⁴ Community-Based Research Initiative. *Renewing the Massachusetts Bottle Bill* (Boston, MA: Northeastern University, 2003).
- ²⁵ CRI, "Bottle Bill Resource Guide."
- ²⁶ Anderson et al.
- ²⁷ Ibid.
- ²⁸ Brown.
- ²⁹ Anderson et al.
- ³⁰ Nation's Business. "Is the Bottle Bill Solution Going Flat?" *Nation's Business*, May 1980 (vol. 68, no. 5), 62-66.
- ³¹ Anderson et al.
- ³² Cairncross.
- ³³ United States Congress. *Congressional Record of the 108th Congress: S14816*. Washington, DC: Government Printing Office, 2003, <http://thomas.loc.gov> (accessed March 31, 2006).
- ³⁴ Ackerman.
- ³⁵ Danielle Jackson. "Vermont Senator Packages Bottle Bill," *Waste Age* 33, no. 6 (2002) : 8-9.
- ³⁶ Library of Congress. "Bill Summary and Status for the 107th Congress, S2220," *Thomas* (Washington, DC: Library of Congress, 2003). <http://thomas.loc.gov> (accessed March 31, 2006).
- ³⁷ United States Congress. *Congressional Record of the 107th Congress: S3015*.
- ³⁸ Jackson.
- ³⁹ Library of Congress.
- ⁴⁰ United States Congress, *Congressional Record of the 108th Congress: S14816*.
- ⁴¹ CRI, "Bottle Bill Resource Guide."
- ⁴² Community-Based Research Initiative.
- ⁴³ Ibid.
- ⁴⁴ CRI, "Bottle Bill Resource Guide."
- ⁴⁵ *BioCycle*. "Special Interest Money Keeps Bottle Bills," *BioCycle* 45, no.10 (YEAR):12.
- ⁴⁶ Ackerman.
- ⁴⁷ Container Recycling Institute (CRI). *Container and Packaging and Recycling Update* Newsletter (Washington, DC: CRI, 2005).
- ⁴⁸ Erik Arvidson. "Rethinking the Bottle Bill," *The Berkshire Eagle*, October 20, 2005.
- ⁴⁹ CRI. *Container and Packaging and Recycling Update* Newsletter.
- ⁵⁰ Ibid.
- ⁵¹ National Beer Wholesalers Association. "Recycling Legislation," (Alexandria, VA: NBWA), www.nbwa.org (accessed April 2006).
- ⁵² Tom Wenning. "NGA Opposes Costly, Ineffective Nationwide Bottle Deposit Bill," (Arlington, VA: National Grocers Association, 2002), www.nationalgrocers.org (accessed March 2006).
- ⁵³ *Charleston* (West Virginia) *Daily Mail* Editorial Board. "A bottle bill is a bad idea," *Charleston Daily Mail*, February 6, 2006, A4.
- ⁵⁴ Paul Tokasz. "Let's Stop Nickel-And-Diming New Yorkers," *The Buffalo News*, June 13, 2005, A10.

⁵⁵ Ackerman.

⁵⁶ *BioCycle*, 12.

⁵⁷ Ackerman.

⁵⁸ CRI, *Container and Packaging and Recycling Update* Newsletter.

⁵⁹ *Ibid.*

⁶⁰ National Recycling Coalition. "Increasing Beverage Container Recycling," November 2005, www.nrc-recycle.org (accessed March 2006), 1.

⁶¹ Coca-Cola Company, "Notice of Annual Meeting of Shareholders," March 10, 2006.

⁶² Brown.

⁶³ CRI, *Container and Packaging and Recycling Update* Newsletter.

⁶⁴ Cairncross.

⁶⁵ Pearson.

⁶⁶ *Boston Globe* Editorial Board. "10 Cents' Worth," *The Boston Globe*, January 17, 2005, A10.

⁶⁷ Gary Langer. "And Many Happy Returns," *Sierra* 73, no.12 (1988) :19-25.

⁶⁸ Cairncross.

⁶⁹ Ackerman.

⁷⁰ CRI, *Container and Packaging and Recycling Update* Newsletter.

⁷¹ Community-Based Research Initiative.

⁷² *Nation's Business*.

The Rise of African NGOs: *Functional or Opportunistic Response?*

Yukako Sakabe
Vongai M. Kandiwa
Parfait M. Eloundou-Enyegue

ABSTRACT:

The last two decades saw a large increase in the number of nongovernmental organizations (NGOs) in sub-Saharan Africa, but the root of this phenomenon remains poorly understood. What socioeconomic conditions drove the creation of NGOs in sub-Saharan Africa? In particular, do NGOs represent an opportunistic response to external funding or a functional response to local needs? We answer these questions through statistical analysis of the socioeconomic context under which African NGOs have emerged over the last four decades. Using a United Nations (UN) database, we examine the influence of factors such as local needs, external funding, sociopolitical environment, and organizational experience.

The past two decades have seen a remarkable increase in the number of civil society organizations throughout sub-Saharan Africa. From an estimated total of 297 in the year 1980, the number of nongovernmental organizations (NGOs) inventoried by the United Nations (UN) rose to 1,558 by the year 1998. By all accounts, this estimate is conservative since some organizations operate under the radar of the UN, and also since NGOs are only one type of civil society organizations. However, it does underscore the rapid growth in these organizations in recent decades in sub-Saharan Africa.

Explanations for this growth range between two viewpoints. Some view this growth as a portending shift in development strategy, after the failure of neo-liberal policies such as the Washington Consensus in the 1990s -- where civil society emerged as a third development avenue in the state-versus-market bipole. Based on this premise, global development organizations such as the World Bank and the United Nations Development Program (UNDP) have redirected their efforts to promote civil society as a key partner in service delivery and as a voice for the poor.¹ These organizations strengthen the technological and political aspects of civil society through local governments and grassroots organizations, or through advocacy from the North.² This new emphasis on civil society stemmed from a growing recognition by social scientists on the importance of “features of social organization,

such as trust, norms, and networks that can improve the efficiency of society by facilitating coordinated action".³ Thus, strengthening civil society opened a third avenue for issues and populations that lay beyond the reach of weak states and markets.

Others view NGOs as external donor-driven and ineffective institutions with little grassroots representation. Far from a democratic creation, NGOs reproduce the existing power structure, albeit in a different form. Skeptics view NGOs as a creation of local elites seeking to reposition themselves in the post-adjustment era. Both this oligarchic control and the external funding base of many NGOs raise concern over their effectiveness in addressing local issues. The concern about opportunistic NGOs is, of course, not specific to sub-Saharan Africa. Yet it has special urgency in light of this region's high poverty rate and growing need to improve welfare among the poor. For that reason, evaluative studies have tried to monitor the genesis, operation, and effectiveness of African NGOs.⁴ These studies provide detailed accounts but they often fail to make generalizations beyond individual case studies.

The central aim of this paper is to further understand the driving forces behind the growth of NGOs in sub-Saharan Africa, and address the widespread perceptions that the creation of NGOs in developing countries is driven by external forces, rather than local needs. Using a data set of NGOs compiled by the UN, this paper analyzes the socioeconomic conditions associated with the NGO creation throughout sub-Saharan Africa over the last four decades.

Data and Methods

In 1999, the Office of the Special Coordinator for Africa and the Least Developed Countries (OSCAL), part of the UN's Department of Economic and Social Affairs (DESA), completed an extensive data collection project to establish a directory of existing NGOs working in Africa.⁵ The data was gathered by mailing questionnaires to African NGOs. The most recent inventory, released in 2002, contains information on 1558 African NGOs. It was used as a basis for creating a directory that summarizes basic information for each NGO, including its objectives, type and sectors of activity, networking partners, languages used, year founded, membership, funding sources, and area of work. Since the UN inventories NGOs regardless of their status with the Economic and Social Council or the UN's Department of Public Information, the directory is a tool that provides a brief review of civil society initiatives in Africa.

To ensure response, the surveys were supplemented with administrative data on registered NGOs from relevant national ministries. Still, the resulting database is likely to be incomplete and

selective. Response rates may be higher among larger, donor-driven NGOs. If this is true, findings might overstate the extent of donor dependency in the region. The attrition and reconfiguration of NGOs must also be considered, as some NGOs created in the past may have dissolved or modified their focus before the survey date. For instance, institutions reporting education as their main focus in 2002 may have been created with a different mandate. The reliability of some of the reports is also a factor, as NGOs may have an interest in misrepresenting their size or funding sources. Finally, grouping all NGOs in the same analysis simplifies a complex reality, given the variation in NGO size and type.

We address these concerns as follows. First, we confine our conclusions to NGOs that are likely to be registered by the UN. We recognize the potential bias as a result of this selection; however, such bias can provide a more conservative test in one direction. For instance, if indeed the UN's database includes the most financially dependent NGOs, then any evidence that external funding does not affect NGO creation would represent stronger evidence that African NGOs emerge independently, from outside funding. Concerns about reliability are addressed by focusing on variables such as type and date of creation in which NGOs have less incentive to misrepresent. Furthermore, choosing such variables simplifies fact-checking.

The NGO information from the UN was merged with socioeconomic data on individual countries from the World Bank,⁶ and civil liberty scores from Freedom House.⁷ The resulting dataset contained annual information for each African country for each year between 1960 and 1998. A total of 47 countries were covered over a period of 38 years, for a total of 1786 records. Each record contained data on the study's dependent variable (whether or not an NGO had been created in that country during the index year). If NGOs were created during the index year, then their types were also identified (e.g., health NGO) in order to support more refined analyses of the relationship between the type of NGO created and the nature of development problems faced by the country.

The explanatory variables also included indicators of local needs, external influence, sociopolitical environment and organizational experience. The dependent variable was further controlled for confounding influences such as size of the national population, region, and official language. Logistic regression was used to estimate the statistical relationship between the likelihood of NGO creation and the socioeconomic conditions within the country.

The logic used to test the paper's main hypothesis -- whether NGOs represent opportunistic or functional entities -- was fairly simple. If the number and types of NGOs that were created tended to reflect local development problems, a stronger case could be made for viewing NGOs as functional and embodying local civil society. If, on the other hand, these enabling circumstances were linked to availability of funding and

bore little correlation with local issues, this could support the view of NGOs as opportunistic entities, where local elites respond to external funding.

Historical Expansion of African NGOs

Before analyzing the socioeconomic conditions that favored the creation of African NGOs, it is useful to describe their historical expansion and diversity across countries. African NGOs focus on a wide range of issues, among which micro-finance appears to be one of the most popular (about 52.8 percent of all NGOs, or 580 NGOs). Other major issues include education (52.6percent, 578 NGOs), democracy (47.5percent, 522 NGOs) and gender issues (41.3percent, 454 NGOs). Relatively fewer NGOs are concerned with health (36.3percent, 399 NGOs), HIV/AIDS (27.2percent, 299 NGOs), and conflict resolution (24.4percent, 268 NGOs).

NGOs are not a recent phenomenon in sub-Saharan Africa. About 23 percent of the NGOs listed in the UN database predate 1980, when the policy emphasis on civil society organizations began.⁸ Further, about 7.3 percent of currently active NGOs were created before many African countries in the region won their independence in the 1960s. In fact, some of the oldest NGOs in the region began in the early 1900s, especially in countries like South Africa and Kenya. The actual number of NGOs created during the earlier part of the century may have been larger than revealed by our analysis, because some of the earlier NGOs may have dissolved before the survey date. While there may have been some acceleration in NGO creation in the 1990s, many of the current NGOs in Africa predate the era of international promotion of civil society. It is also worth noting that the pace of NGO creation seems to have peaked in 1992, when about 115 new NGOs were created (see Figure 1). Since then, the annual number of NGO creation has declined steadily. Whether this decline can be attributed to a saturation of the NGO market or to a more difficult socioeconomic environment is unclear.

Figure 1. Frequency distribution of NGOs in the 2002 UN database, by year of creation

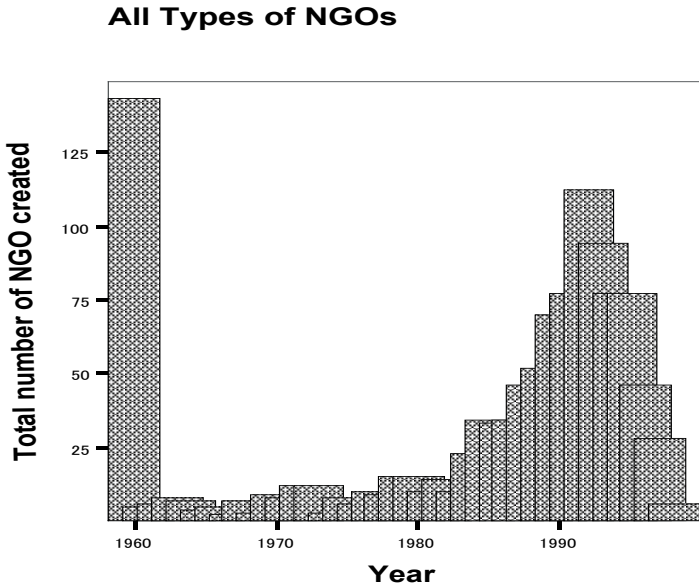
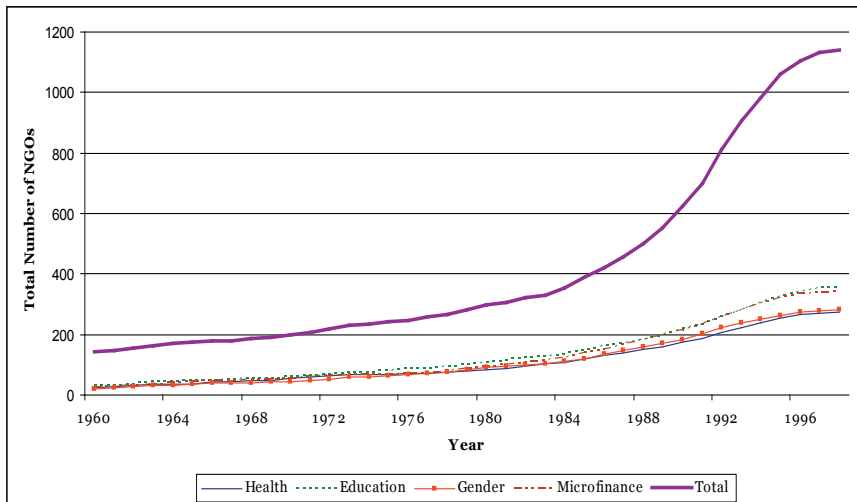


Figure 2 shows the cumulative number of NGOs created, plotted by type. All types of NGOs exhibit a similar pattern of expansion, which suggests that the international community may be increasing their attention to the social issues in sub-Saharan Africa.

Figure 2. Cumulative number of NGOs created, by year and type

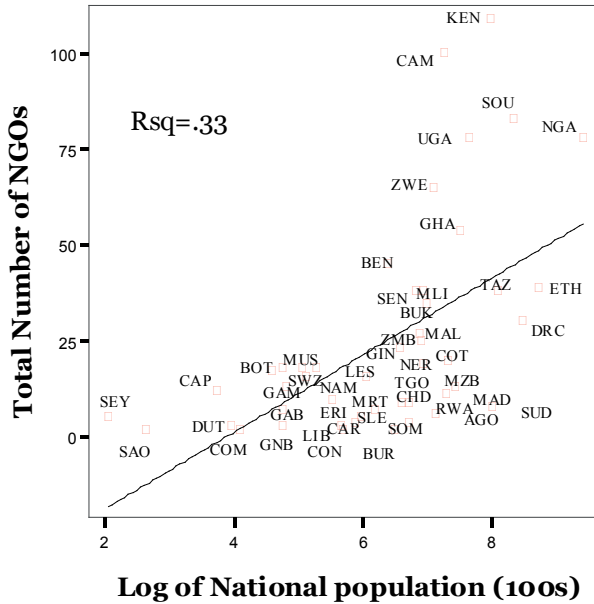


Reports in the UN database suggest that some NGOs created before 1980 have expanded their scope to include relatively newer issues such as HIV/AIDS and democracy. The expansion of the NGOs' missions is not surprising as NGOs tend to reorient their activities to address emerging problems. According to Lutabingwa and Gray, few African NGOs were involved in policy advocacy between the mid-1980s and early 1990s. They focused instead on service delivery and micro-issues at the grass roots level.⁹ In the mid 1990s, however, Aili Mari Tripp observed the active emergence of non-partisan women's groups partaking in the constitution-making, policy making, anti-corruption and anti-discrimination activities in their respective countries, especially in Southern African countries.¹⁰ Gymah-Boadi, however, shows that the political role of NGOs in Africa has subsequently waned with renewed authoritarian regimes in the late 1990s.¹¹

Another important observation is the distribution of NGOs across African countries. As of 1998, Kenya had the largest count (108 NGOs), followed by Cameroon (99), South Africa (82), Nigeria (77) and Uganda (77). Only one NGO was reported for Djibouti, Sao Tomé Príncipe, Liberia and Burundi; only two were reported for Guinea-Bissau, Comoros and Congo; and three were reported for Somalia and Central African Republic. The top 5 percent countries in sub-Saharan Africa contain about 25 percent of all NGOs, while the bottom 50 percent contain only 3 percent of all NGOs.¹² This uneven distribution can be understood, given the economic diversification of the region itself. As Kandiwa¹³ shows, African countries have become increasingly differentiated in terms of their gross national income (GNI) per capita, with the between-country mean logarithmic deviation of income (MLD), a measure of inequality, rising from nearly 0.25 in the 1960s to over 0.4 in 1997. This diversification of African countries, both in terms of NGOs and socioeconomic conditions, facilitates statistical analysis of the differences between NGO-rich and NGO-poor countries.

As Figure 3 shows, national population is also a factor. The number of NGOs in a country increases as the total population rises, but variation in population size explains only one third of the total variation in the number of NGOs in a country. Clearly, other factors beyond size matter. These factors are examined below.

Figure 3. Relationship between the total number of NGOs and national population



AGO=Angola, BEN= Benin, BOT=Botswana, BUK=Burkina Faso, BUR=Burundi, CAM=Cameroon, CAP=Cape Verde, CAR=Central African Republic, CHD=Chad, COM=Comoros, CON=Congo, COT=Cote d'Ivoire, DRC=Democratic Republic of Congo, DUT=Djibouti, ERI=Eritrea, ETH= Ethiopia, GAB=Gabon, GAM=The Gambia, GHA=Ghana, GIN=Guinea, GNB=Guinea Bissau, KEN=Kenya, LES=Lesotho, LIB=Liberia, MAD=Madagascar, MAL=Malawi, MLI=Mali, MRT=Mauritania, MUS=Mauritius, MZB=Mozambique, NAM=Namibia, NER=Niger, NGA= Nigeria, RWA=Rwanda, SAO=Sao Tome and Principe, SEN=Senegal, SEY=Seychelles, SLE=Sierra Leone, SOM=Somalia, SOU=South Africa, SUD=The Sudan, SWZ=Swaziland, TAZ=Tanzania, TGO=Togo, UGA=Uganda, ZMB=Zambia, ZWE=Zimbabwe

Socioeconomic Determinants of NGO Creation

Table 1 presents the main findings, including estimates of the effects of all main variables on the likelihood that an NGO would be created. Several models were estimated. The first presents results of the bivariate association between each independent variable and the likelihood of NGO creation. Subsequent models (II to V) include each of the main group of substantive variables alongside the control variables. Finally, Model VI is a full model that incorporates all the variables. Table 2 further expands on the results of Table 1 by documenting

the influences of various socioeconomic factors on the likelihood that specific types of NGOs would be created. While the analyses in Table 1 explore the creation of all NGOs, the more refined assessments in Table 2 explore whether or not the type of NGOs mirrors the nature of the problems facing the country. These analyses cover four types of NGOs: general health, HIV/AIDS, literacy, and gender.

Table 1. Effects of Selected Factors on the Creation of NGOs (of Any Type) in sub-saharan Africa, 1960s-98

	Model I	Model II	Model III	Model IV	Model V	Model VI
	Bivariate Models	Functional Response	Opportunistic Response	Enabling Environment	NGO experience	Full Model
FUNCTIONAL RESPONSE						
Life expectancy	0.061 [1.06] ***	0.095 [1.1] **				0.028 [1.03]
Reported AIDS cases (logged)	0.204 [1.23] ***	0.248 [1.28] **				0.077 [1.08]
Illiteracy rates	-0.023 [0.98] ***	0.049 [1.05] ***				0.069 [1.07] *
Domestic credit share	0.019 [1.02] ***	0.018 [1.02] #				0.034 [1.04]
OPPORTUNISTIC RESPONSE						
GNP per capita (logged)	0.32 [1.38] ***		0.052 [1.05]			-0.108 [0.9]
AID per capita (logged)	0.043 [1.04]		0.497 [1.64] ***			0.711 [2.04] #
ENABLING ENVIRONMENT						
Civil liberty score	0.254 [1.29] ***			0.43 [1.54] ***		0.271 [1.31]
Women's status	0.01 [1.01]			0.012 [1.01]		0.058 [1.06] *
ORGANIZATIONAL EXPERIENCE						
Number of pre-existing NGOs	0.092 [-1.1] ***				0.079 [1.08] ***	0.056 [1.06] *
CONTROL VARIABLES						
Official language is English	0.915 [2.5] ***	1.323 [3.75] ***	0.656 [1.93] ***	-0.342 [0.71] ***	0.149 [1.16]	-0.65 [0.52]
Region is West	REF	REF	REF	REF	REF	REF
Region is East	-0.002 [0.99]	-0.063 [0.94]	-0.304 [0.74] **	-1.159 [0.31] **	-0.174 [0.84]	0.093 [1.1]
Region is Central	-0.428 [0.65] **	-0.205 [0.81]	-0.355 [0.7] #	-1.254 [0.29] **	-0.228 [0.8]	-0.711 [0.49]
Region is Southern	0.352 [1.42] **	0.377 [1.46]	0.138 [1.15]	-0.161 [0.85]	0.097 [1.1]	0.663 [1.94]
Population	0.044 [1.05] ***	0.027 [1.03] **	0.064 [1.06] ***	0.068 [1.07] ***	0.014 [1.01] **	0.031 [1.03]
Nagelkerke R square		0.262	0.199	0.165	0.25	0.332

Note: Odds ratios are in parentheses # p=.10, * p=.05, ** p=.01, *** p<.001

Source: OSCAL/DESA

Table 2. Effects of Selected variables on the Likelihood of NGO creation, by type of NGO.

VARIABLES	Model I	Model II	Model III	Model IV	Model V
	ALL TYPES	HEALTH NGOs	HIV/AIDS NGOs	EDUCATION NGOs	GENDER NGOs
FUNCTIONAL RESPONSES					
Life Expectancy	0.028 [1.03]	0.063 [1.07]	0.207 [1.23]	0.215 [1.24] #	-0.064 [0.94]
AIDS Case Reported	0.077 [1.08]	0.434 [1.54] #	1.108 [3.03] *	0.498 [1.65] *	0.338 [1.4]
Total Illiteracy Rate	0.069 [1.07] *	0.082 [1.09] #	-0.1 [0.91]	0.165 [1.18] **	0.102 [1.11]
Domestic Credit Share	0.034 [1.04]		0.096 [1.1]	0.008 [1.09]	0.006 [1.01]
OPPORTUNISTIC RESPONSE					
GNP per Capita	-0.108 [0.9]	-0.05 [0.95]	1.919 [6.82] *	-0.105 [0.9]	0.615 [1.85]
AID per Capita	0.711 [2.04] #	1.215 [3.37]	2.377 [10.8]	1.316 [3.73] #	1.132 [3.11]
ENABLING ENVIRONMENT					
Civil Liberty Score	0.271 [1.31]	0.248 [1.28]	-0.626 [0.54]	0.157 [1.17]	-0.229 [0.8]
Women Status	0.058 [1.06] *	0.019 [1.02]	-0.241 [0.79]	0.065 [1.07]	0.023 [1.02]
ORGANIZATIONAL EXPERIENCE					
Number of pre-existing NGOs	0.056 [1.06] *	0.116 [1.12]	-1.098 [0.33]	0.181 [1.2] **	0.097 [1.1]
CONTROL VARIABLES					
Official language is English	-0.65 [0.52]	-1.003 [0.37]	-0.161 [0.85]	-1.691 [0.19] *	0.511 [1.67]
Region is West	0.093 [1.098]	REF	REF	REF	REF
Region is East	-0.711 [0.49]	1.342 [3.83]	-21.086 [0.00]	4.14 [62.9] **	1.571 [4.81]
Region is Central	0.663 [1.94]	-0.171 [0.84]	-17.985 [0.00]	-1.864 [0.16]	0.082 [1.09]
Region is Souther	0.031 [1.031] *	2.606 [13.5] #	8.217 [3702] *	4.163 [64.25] **	2.279 [9.77]
Population	0.093 [1.1]	-0.012 [0.99]	0.177 [1.2]	-0.044 [0.96]	0.009 [1.01]
Nagelkerke R square	0.332	0.3	0.567	0.419	0.368

Local Needs

Crowther argues that the emergence of NGOs is proportionately related to the number of threats to local welfare.¹⁴ If NGOs are indeed grass-roots organizations devised to solve local problems, then the type of NGOs created within such local areas should mirror the severity and nature of the local problems. The multivariate findings between the types of NGOs and the local issues show that there is correlation only in the case of illiteracy, where a unit increase in illiteracy is associated with a 7 percent increase in the likelihood of NGO creation (Model V, table 1).

Multivariate findings on the type of NGOs are presented in Table 2. With respect to general health (Model II), we examined whether the creation of NGOs that focused on health issues were related to the regions and the time periods when life expectancy was comparatively

low. Statistical results showed no significant correlation between national life expectancy and the creation of health-related NGOs. The implication of these results is that the creation of health NGOs is not necessarily due to the health issues of the country. Perhaps in countries where the life expectancy is shorter, the government is better at handling the health needs of the individual, and thus, the individual seeks the help from the government for faster response instead of waiting for NGOs to form. NGOs may be perceived as a solution for community problems and not for individual, private problems.

A similar regression was performed for the number of AIDS-related NGOs, to see if their creation was tied to the frequency of newly diagnosed AIDS cases. The number of such new cases varied across countries and over time, ranging from zero in the 1960s to 18,692 in Tanzania in 1990. On average (Table 1, Model VI), a unit increase in the log value of new AIDS cases was associated with nearly 8 percent increase in the possibility of an NGO creation, but this effect was not statistically significant. However, a more refined analysis (Table 2, Model III) showed that when a country exhibited high number of HIV/AIDS cases, there was a greater likelihood that an AIDS-related NGO would be created. On average, with countries that reported a high number of cases of AIDS, a unit increase in the log of number of cases reported was associated with a three-fold increase in the odds of NGO creation.

As indicated in table 1 (Model VI), higher rates of illiteracy were also found to be associated with a higher probability of NGO creation. Profoundly, illiteracy is correlated with the creation of NGOs focused on education issues. A unit increase in illiteracy was associated with an 18 percent increase in the annual probability that an education-focused NGO would be created.

Finally, the status of women appears to affect the generic likelihood of NGO creation (Table 1, Model VI) but not the specific creation of NGOs addressing gender issues (Table 2, Model V). Controlling for all variables, a unit increase in the female to male primary school enrollment ratio is associated with a 6 percent increase in the likelihood of any NGO being created.

There is mixed evidence about whether NGO creation responds to local needs. While there seems to be a direct response to the challenges posed by HIV/AIDS and illiteracy, there is no clear relationship between the problems in the areas of general health or gender discrimination and the creation of NGOs designed to address these issues.

Foreign Influence and Economic Conditions

The second major test was to examine the effects of foreign influence and macroeconomic conditions in shaping the creation of NGOs. The information reported by NGOs indicates that they depend on a mix of

funding sources. While the OSCAL database does not include data on the exact amount garnered from various funding sources, it does indicate whether NGOs receive funding from their members and/or foreign sources. Data showed that very few NGOs (only 6.7percent) depend exclusively on their membership fees, and an additional 4.8 percent depend on some combination of fees and local donors. Most of the remaining NGOs depend, at least in part, on foreign donors. Although the UN database contains little information on the exact amount derived from various sources, this finding is clearly important and it shows a substantial donor-dependency among these organizations, at least those registered with the UN. This influence was assessed more thoroughly by examining the link between the amount of foreign aid to a country (on a per capita basis) and the possibility of creating an NGO.

Results showed that foreign aid also matters. A unit increase in the log value of per capita foreign aid is associated with a 104 percent increase in the odds of NGO creation. These effects were particularly marked for education-focused NGOs. The general findings are thus consistent with the notion of external dependency, even if one cannot claim that this influence is direct. It could be that foreign aid is not directly influencing the creation of NGOs, but the factors associated with a country's dependence on foreign aid may also prompt civil societies within the country to respond more readily to external cues.

To further test the notion that NGO creation depends on funding, another set of analyses explored the relationship between macroeconomic conditions in the country and NGO dynamics (Table 1, Model VI). Results indicate that while a strong relationship is observable at the bivariate level (Table 1, Model I), national gross domestic product (GNP) per capita was not of significant influence, once other factors were controlled (Table 1, Model VI). In other words, NGOs were just as likely to emerge during strong and weak economic conditions, as well as in poor and relatively wealthier countries in Africa.

Sociopolitical Environment

Hypothesizing that the dynamism in NGO creation depends on sociopolitical environment, one other set of analyses examined how the likelihood of NGO creation varied with such conditions as the extent of civil liberties and the status of women. Female-to-male ratio in primary school enrollment was used as a measure of women's status, and ranged from 0.39 in Chad to above 1 in Lesotho.

The findings reveal that women's status is significant in the creation of NGOs but no significance with respect to civil liberties. In the bivariate analysis (Table 1, first column), the civil liberty score is strongly associated with the likelihood of NGO creation but after control for other variables (Model VI), no significant relationship is found. Our interpretation is that civil liberty is highly correlated with other

development variables so that any influence probably reflects general socioeconomic development. On the other hand, the status of women has an independent effect on NGO creation (Table 1, Model VI). Every unit increase in the ratio of female-to-male primary school enrollment is associated with a 6 percent increase in the likelihood of NGO creation. This generic effect of women's status is not accompanied by a specific effect on the creation of NGOs dealing with gender issues.

Organizational Experience

The experience gained in creating NGOs can represent an asset in future NGO creation, regardless of external or local circumstances. Given a similar set of circumstances, countries with substantial experience in creating NGOs could continue to build on this experience. Conversely, one could argue that countries with a larger number of NGOs may have reached a saturation point beyond which additional NGOs are likely to be created.

Our empirical test examined these two possibilities. The data showed that the more NGOs present in a country, the more likely an additional NGO would be created in that country. On average, each NGO improves the prospect of another NGO being created by 6 percent (Model VI). Similar results were found when we analyzed education-related NGOs; however, other types of NGOs were not found to be significant in increasing the chance of NGO creation. Interestingly, none of the NGO types showed any evidence of a significant negative effect from the existing number of NGOs, suggesting that most countries have yet to reach a saturation point, where the number of existing NGOs is preventing the creation of additional ones. Still, as the data in Figure 1 indicated, the pace of NGO-creation appears to have decreased in the past few years.

Conclusion

Overall, this paper's analyses of existing African NGOs shows mixed findings. On one hand, we find indications for the relevance of external influences-- the vast majority of NGOs receive external funding, albeit, often in combination with local funding and support from membership fees. Further, NGOs are more likely to emerge where and when larger amounts of foreign aid are received.

On the other hand, some NGOs (especially those dealing with education and AIDS) tend to flourish where they are presumably most needed, i.e., where these problems are prevalent. A sociopolitical environment conducive to the creation of NGOs is important, particularly for issues pertaining to the status of women. Previous national experience with NGO creation further bolsters the likelihood of forming additional NGOs. In other words, both local conditions and external influences

matter. It is thus difficult to characterize African NGOs as being driven by local or external influences alone. It could be concluded that while some NGOs within a country look outward for funding, others choose to use internal measures. It could also be concluded that most NGOs are primarily dependent on external support but strive to maintain a veneer of local participation, or that most NGOs are created with strong local support but continually adapt and take cues from external donors for reorienting their activities.

While we cannot specify which of these scenarios is operating in sub-Saharan Africa currently, the statistical analyses in this paper clearly caution against framing the debate on NGOs in Manichean terms. Most African NGOs, especially during times of hardship, must be opportunistic and creative in finding and nurturing external partnerships. At the same time, where internal competition in NGO creation is intense, few can maintain their legitimacy as effective and independent grassroots organizations without a significant and demonstrable presence in the field, and without strong local support. Therefore, both opportunism and local relevance are needed for most NGOs to thrive. The challenge facing many NGOs in Africa, especially those registered with the UN, is similar to a chicken-and-egg problem. Many NGOs must in fact demonstrate local relevance in order to sustain external credibility. Conversely, many need external credibility and resources in order to provide services that sustain their local relevance. The few actors who can continually meet these two demands are likely to be well connected and entrepreneurial. Other ingredients are needed to sustain an NGO over the long haul. Among these, local support is likely to be important, especially in countries with an intense competition for representation.

Altogether, these analyses suggest practical insights for policy-makers working with NGOs. First, the findings about the relevance of organizational experience suggest that donors can be more proactive in countries with fewer NGOs, but, as these countries gain experience in creating and managing these organizations, the effort can shift toward building technical capacity and efficiency.

Second, the fact that the status of women has a ripple effect on all NGOs (not only those NGOs addressing women's issues) suggests that support to these NGOs could have broader dividends beyond gender. Our findings are consistent with anecdotal evidence in many African countries suggesting that the informal association of women in any NGO plays a critical role in generating financial savings and enhancing children's education, for instance.

Third, the fact that the creation of NGOs responds to literacy problems but not directly to general health problems may also bring attention to the divide between issues that are perceived as communal versus those that are perceived as private. Although it is difficult to find

a distinction between personal and structural problems, policy-makers must strive to understand the boundaries drawn by local populations between these two realms. These populations would be more likely to mobilize around issues where collective action is seen as effective.

Fourth, while the general political environment (as indexed by civil liberties) does appear to have a gross effect on the likelihood of NGO creation, this effect wanes when adjustment is made for internal economic conditions or the total amount received from foreign aid. Perhaps the promotion of civil liberties is more effective in raising NGO activity when accompanied by general improvement in the well-being of the masses.

Yukako Sakabe is a former student at the Cornell Institute for Public Affairs. She is currently Political and Economic Section at the Embassy of Japan, Timor-Leste. She is also a graduate student in the Department of Development Sociology at Cornell University. This paper is based on material from an MPA thesis written by the first author at the Cornell Institute for Public Affairs, under the supervision of Parfait Eloundou-Enyegue, Associate Professor of Development Sociology at Cornell University. The work has benefited from UN support, especially Mrs. Ruth Engo at OSCAL (Office of the Special Coordinator for Africa and the Least Developed Countries), the Department of Economic and Social Affairs of the UN (UN/DESA). Please direct correspondence to the first author: ys96@cornell.edu / Rua Avenida de Portugal (P.O. Box 175), Dili, Timor-Leste.

[Endnotes]

¹ The original quote was “A Pajero, a muzungu, and a house in Muyenga”. A Pajero is a SUV, a Muzungu is a “white (and presumed wealthy or influential) person who can serve as a donor or facilitator,” and Muyenga is an exclusive neighborhood in Kampala, the capital city of Uganda.

² Michael Edwards, David Hulme, and Tina Wallace, *Increasing Leverage for Development, 2000*, in *New Roles and Relevance: Development NGOs and the Challenge of Change*, David Lewis and Tina Wallace ed., (West Hartford, CT: Kumarian Press).

³ Michael Edwards and David Hulme, *Making a Difference* (London: Earthscan, 1992).

⁴ Robert D. Putnam, *Making Democracy Work: Civic Traditions in Modern Italy* (Princeton: Princeton University Press, 1993).

⁵ Susan Dicklitch, *The Elusive Promise of NGOs in Africa* (New York, NY: St. Martin's Press, Inc., 1998).

⁶ OSCAL/DESA (UNITED NATIONS), *Networking: Directory of African NGOs* (New York: United Nations Publication, 1999).

⁷ World Bank, *World Development Indicators* (CD ROM). (Washington, DC: The World Bank, 2000).

⁸ Freedom House, <http://www.freedomhouse.org/template.cfm?page=1>

⁹ Data not shown here but see Yukako Sakabe, *The Emergence of African NGOs: Functional or Opportunistic Response? An Empirical Test An Empirical Test with the United Nations' Data*, 2003. A thesis presented to the faculty of the Graduate School of Cornell University in fulfilling the requirements for the degree of Master of Public Administration.

¹⁰ Jesse Lutabingwa and Kenneth R. Gray, "NGOs in Sub Saharan Africa: Developing Critical Capacity for Policy Advocacy" in *International Journal on World Peace*, 14, no. 3, 35-70 (1997).

¹¹ Aili Mari Tripp, "The New Political Activism in Africa" in *Journal of Democracy*, 12, no. 3, 141-155 (2001).

¹² E. Gyimah Boadi, "Civil Society in Africa", 1997, in *Consolidating the Third Wave Democracies: Themes and Perspectives*, Larry Diamond, Marc F. Plattner, Yun-han Chu, and Hung-Mao Tien ed., (Baltimore and London: The Johns Hopkins University Press).

¹³ Based on the number of NGOs and not on financial portfolios.

¹⁴ V. Kandiwa, *Hegemony and Homogeneity: Socio-economic Differentiation in Sub-Saharan Africa since the 1960s* (Unpublished MS Thesis: Department of Development Sociology at Cornell University, 2006).

¹⁵ Sarah Crowther, *NGOs and Local Organizations: A Mismatch of Goals and Practice?*, 2000, in *New Roles and Relevance: Development NGOs and the Challenge of Change*, David Lewis and Tina Wallace ed., (West Hartford, CT: Kumarian Press).

Plenty of “Unfinished Business”: *The United Nations, Civil Society, and Global Development*

Micah Gell-Redman and Caren Kang

The United Nations once dealt only with Governments. By now we know that peace and prosperity cannot be achieved without partnerships involving Governments, international organizations, the business community and civil society. In today's world, we depend on each other.

Kofi Annan, Secretary-General of the United Nations, 1997 - 2006

On September 6th, 2006, thousands of delegates representing non-governmental organizations (NGOs) from around the world assembled at United Nation's headquarters to participate in the 59th annual conference of the UN Department of Public Information's NGO section. Aptly titled “Unfinished Business: Effective partnerships for human security and sustainable development,” the conference builds on the historic partnership between the United Nations and civil society and views this partnership as key to the pursuit of global progress and prosperity. Representatives from *The Current* were proud to be invited to the 59th annual UN DPI/NGO conference proceedings and to include this commentary in our fall 2006 edition.

From its founding in 1946, the United Nations (UN) has developed a profound symbiosis with the diverse organizations that constitute global civil society. Under Article 71 of the UN Charter,¹ 41 civil society organizations were granted consultative status with the UN Economic and Social Council, and this number has increased exponentially in the past few decades. Currently, there are over 1,600 civil society organizations working with the UN to address local, state, national, and global issues.² While no one definition can account for all connotations of the label “civil society,” the UN provides a useful gloss of the term: “civil society refers to the associations of citizens . . . entered into voluntarily to advance their interests, ideas and ideologies.”³ Many civil society organizations registered with the United Nations are community-based, and represent a particular demographic group such

as peasants, women, retired people, or indigenous people. Civil society organizations also emerge in response to issues that effect people across groups, as in the case of trade unions, professional associations, social movements, faith-based organizations, academic institutions and other non-governmental organizations.⁴

The preamble to the UN Charter proclaims the United Nations' commitment to "reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small," and "to promote social progress and better standards of life in larger freedom."⁵ To achieve these ambitious goals, the UN must collaborate effectively with civil society organizations that represent the values and principles of different communities. So long as they sincerely work to benefit the interests of the people they represent, civil society organizations have an "enormous potential both to improve the stability and effectiveness of democracies and to serve the aims of international organizations like the UN."⁶

The partnership between the UN and civil society is a crucial asset in the campaign to reduce global poverty and encourage economic and social development throughout the world.⁷ In 2000, the international community officially took up the mantle of global development by signing the Millennium Declaration whose ideals of equality and progress are embodied in the Millennium Development Goals (MDGs). Essentially a set of prescriptions for equitable development in the 21st century, the MDGs will continue to guide much of the UN's work in the coming decades. Because civil society organizations are able to mobilize resources within local communities and build broad consensus at the grassroots level, they play a particularly significant role in implementing the MDGs.⁸ More than any other class of public or private entities, civil society can ensure that working toward the MDGs is a human-centered process.

When the participants in the Department of Public Information's 59th annual conference of NGO representatives assembled at UN Headquarters on September 6th, 2006, they commemorated a historic partnership while confronting a daunting challenge. As the conference's title indicates, there is plenty of "Unfinished Business" that demands the unique capabilities of the UN working together with civil society. In attendance were over 1,800 delegates from more than 500 NGOs representing 67 countries from five continents. However, the near absence of delegates from the Middle East and Eastern Europe, along with relatively weak attendance of representatives from African and Latin American NGOs suggests that a fundamental part of the unfinished business facing civil society and the UN is to encourage effective systems of democratic participation in all of the world's regions.

Democracy, governance, and development were only a few of the myriad issues addressed in round tables and plenary sessions that

featured a diverse group of experts from within the vast UN system and beyond. One particularly impressive panel brought together Pedro Sanchez, Director of the Millennium Villages Project; Salil Shetty, current Director of the Millennium Campaign and formerly of Action Aid; Álvaro Umaña of the Inter-American Development Bank; and Moulay Hicham Ben Abdallah, Prince of Morocco. International luminaries and heads of state including Jan Eliasson and Hans Blix delivered speeches emphasizing the central role of civil society in the international community's pursuit of the MDGs.

The roundtable session on health and gender as components of equitable development featured timely and incisive commentary from Adrienne Germain, President of the International Women's Health Coalition (IWHC). As an NGO with a truly international mission, IWHC supports various grassroots organizations in Africa, Asia, and Latin America that promote gender equity and women's health. In the following electronic interview with Micah Gell-Redman, Managing Editor of *The Current*, Ms. Germain shared her insights into the ways in which local activists, multilateral institutions, and global civil society address the needs of women and girls around the world.

[Endnotes]

¹ The Charter of the United Nations, Article 71: "The Economic and Social Council may make suitable arrangements for consultation with non-governmental organizations which are concerned with matters within its competence. Such arrangements may be made with international organizations and, where appropriate, with national organizations after consultation with the Member of the United Nations concerned."

² Speech by Under-Secretary-General for Disarmament Affairs Javantha Dhanapala, "The United Nations and Civil Society," 22 January 2000, <http://disarmament.un.org/speech/22Jan00.htm> (accessed December 31, 2006).

³ Ibid.

⁴ "Strengthening of the United Nations System," Fifty-eighth session, Agenda item 59.

⁵ The Charter of the United Nations, Preamble.

⁶ Speech by Javantha Dhanapala.

⁷ Robert Bissio, "Civil Society and the MDGs," *UNDP Development Policy Journal*, Volume 3, April 2003.

⁸ Ibid.

Interview with Adrienne Germain

Micah Gell-Redman

Adrienne Germain is the President of the International Women's Health Coalition. She has worked for almost 35 years to promote women's opportunities, health, and rights in developing countries.

The Current (TC): Will you tell us a little about IWHC, how the organization began and what its mission is?

Ms. Germain: Believe it or not, President Ronald Reagan is to thank, in part, for the early work of the International Women's Health Coalition (IWHC). In 1984, his "Mexico City Policy," also called the "Global Gag Rule," denied U.S. funds to private organizations that support safe, legal abortion for poor women throughout the world. (This policy was rescinded by President Bill Clinton in 1993, but was reinstated by President George W. Bush in 2001). It represented a huge step backward for reproductive health and rights, but few women living in developing countries had the money or means to argue against it in international arenas or even in their own countries. Drawing on our combined 25 years of work on population and women's rights, Joan Dunlop and I picked up the gauntlet in 1984. Through IWHC and the financial resources we leveraged, we identified and funded local leaders in Africa, Asia, Eastern Europe and Latin America as they built their organizations to move from ideas to actions. Beginning in 1993, we also worked to amplify their voices on the world stage, catalyzing a movement that continues to advance sexual and reproductive health and rights for women and girls.

Working with women enables us to speak with authority on issues often shrouded in silence: the epidemic of undiagnosed and untreated reproductive tract infections, persistent high numbers of deaths and injuries related to pregnancy, limitations of contraceptive technology, and a pandemic of violence against women. Together with our colleagues, we transform international population and health policy in international fora and in national capitals, including Washington, D.C., to better serve women and young people. In 1993–1994, at the International Conference on Population and Development (ICPD), we reframed pop-

ulation policy to make women's health and rights central, moving beyond the prior emphasis on fertility control. We are now working to reshape global HIV/AIDS policy and budgets so that they work better for women and girls. Generated, informed, and carried forward by women, "With Women Worldwide: A Compact to End HIV/AIDS" provides a concrete action agenda to which we hold world leaders accountable (www.withwomenworldwide.org).

TC: In spite of continuing technological innovation and economic growth, women's health outcomes in many parts of the developing world are either stagnating or getting worse. What makes this inequity possible, and what stands in the way of changing it?

Ms. Germain: More than half a million women still die from complications of pregnancy or childbirth every year—all but 1 percent of them in developing countries. Approximately 80 million unintended pregnancies occur annually,¹ about 19 million of which result in unsafe abortion, and ultimately 70,000 women die as a result.² Up to three quarters of women globally report experiencing physical or sexual abuse by their intimate partner. And every day, 7,000 girls and women are infected with HIV/AIDS.³

We know what to do and we have known for a long time. The World Bank, for example, has estimated that 74 percent of maternal deaths could be averted by simply providing basic health interventions,⁴ but willful neglect of women's and girls' realities still persists at the policy table. The obstacle is not knowledge, but failure of policymakers to allocate funds, pass necessary laws, and implement appropriate policies and programs. Why?

In a word: sexism. While I've seen important progress in education and employment in 36 years of professional work in the health arena, the models that guide policy do not value women's health. Data systems are especially weak on gender differentials and even high-priority research is not very interesting to many scientists. Sadly and simply, girls' and women's lives are still not valued by families, communities, and societies, all of which fail to invest in their daughters and young women—one of their greatest resources. When I traveled to Bangladesh earlier this year, over and over again, I met girls who had been married by their parents at age 12 or 13, when they should have been completing their education. Their dreams are stopped before they start.

Women's health and rights are too often political pawns. In Nicaragua, Catholic and evangelical leaders recently pressured parliamentarians to vote on restrictive abortion legislation right before national elections, a blatantly political move. On October 26, the Nicaraguan National Assembly banned abortion for any reason, even to save the life of the pregnant woman. Only three other countries in the world have such a policy.

TC: A great deal of talk about fair and sustainable development can be boiled down to one phrase: political will. What are the necessary ingredients for building political will to take action on issues of women's rights?

Ms. Germain: Our work to win and sustain political will aims for change in three arenas: international policymaking, national priority-setting, and galvanizing key leaders.

First, we repeatedly mobilize the critical mass of women and youth leaders needed to ensure positive decisions from international deliberations and by global institutions. An essential element is support for non-governmental organization (NGO) leaders from all over the world to make their views known, lobby their governments and strategize effectively with other key actors. Collectively, women and youth leaders have honed the political savvy needed to secure positions on negotiating teams, be appointed to government delegations, and be consulted as essential advisors. This work is not glamorous and can be painfully slow, but it has resulted in real successes, including at ICPD in 1994, and more recently at the UN High-Level Meeting on HIV/AIDS in June (<http://www.iwhc.org/global/un/unhistory/ungass2006.cfm>). At both meetings, governments put women's health and rights squarely on their agenda in a new way.

We also work at the national level—in Africa, Asia and Latin America—to finance and leverage the work of women and youth organizations. We now have a cadre of effective organizations poised to drive policy change in their countries and internationally. With these colleagues, IWHC advocates for governments to make multisectoral investments in women's health and rights across ministries (e.g., health, judiciary, education, information/media, labor/youth). Such work requires long-term investment in leadership and ideas, but the price tag for such work is relatively low and the payoff incalculable.

Finally, we engage and mobilize key leaders and influential individuals. We will, as in the past, seek to influence new global leaders, including

the UN Secretary-General, the Director-General of the World Health Organization and the Executive Director of the Global Fund to Fight AIDS, Tuberculosis and Malaria. It is critical to get on their agenda early and stay there, by applying political pressure through governments and NGO allies who sit on the governing bodies of these agencies. Another emerging type of leader we aim to influence, increasingly prominent in the field of global health, is private donors sufficient to wield significant influence in the corridors of power.

TC: What is the connection between the spread of HIV/AIDS and women's rights? Do you believe the international community will be able to achieve its goal of stopping HIV/AIDS without taking action to promote the rights of women, especially in the developing world?

Ms. Germain: HIV/AIDS and women's rights are inextricably linked. The practices which impair women's health and violate their rights also make them vulnerable to HIV/AIDS and fuel the spread of the pandemic overall: widespread sexual coercion and violence; marriage of young girls to much older men; lack of access to health information, sexuality education, and reproductive health services; and imbalances of power in sexual and marital relationships, to name a few. These are universal problems. For example, a WHO study just concluded that physical and sexual partner violence against women is widespread across the globe. In the United States, and worldwide, the current U.S. government is depriving young people of comprehensive sexuality education that they need to protect themselves and each other against HIV, unwanted pregnancy, and sexually transmitted infections.

The consequences are universal. In sub-Saharan Africa, 76% of HIV-positive young people (ages 15–24) are female. In the U.S., the number of women living with AIDS increased 15% between 1999 and 2003, compared with 1% in men,⁵ and AIDS is now the leading cause of death in African American women aged 25 to 34.⁶

The With Women Worldwide Compact outlines the priority actions needed. First, HIV/AIDS policies and budgets must be used to expand access to sexual and reproductive health services to all women and young people. These services are accepted by families and communities, and have critical core capacities that we can build on to provide the full range needed to empower women and girls against HIV/AIDS, including quality pregnancy care, STD diagnosis and treatment, subsidized female and male condoms, and, eventually, microbicides, as well

as HIV/AIDS counseling, testing and treatment.

Second, increasing women's control over their sexual lives and reducing their vulnerability to HIV/AIDS requires changing how men and women relate to each other, and that means starting early. It means investing in comprehensive sexuality and gender education, not simply providing full and accurate information about HIV/AIDS. Comprehensive programs also build skills to establish equality in relationships; respect the right to consent in both sex and marriage; and end violence and sexual coercion. These programs need far more money and higher priority than global policymakers are currently giving them.

TC: In your comments at the 59th Annual DPI/NGO conference, you stressed that the international community has been unable to prioritize women's social and reproductive health in part because it has focused too much on medical and technical intervention without doing enough to promote gender equity. Can you give an example, perhaps on a small scale, of how equity and empowerment can help women get healthy and stay that way?

Ms. Germain: The Girls' Power Initiative, GPI for short, in Nigeria, is a strong example of the progress that can be achieved by focusing on equity and empowerment. Bene Madunagu and Grace Osakue founded GPI in 1994 to build girls' confidence, knowledge, skills, and self-esteem. Working with parents and community leaders, and learning from the girls themselves, they are helping the girls, school principals and teachers, and parents to understand that early marriage is a danger zone, not a sanctuary, for young girls, and that factual information on sexuality and skill-building prevents unwanted and unsafe sex.

IWHC has worked closely with and supported GPI since its beginning (<http://www.iwhc.org/programs/africa/nigeria/gpiat10.cfm>). Today, GPI is an internationally recognized organization running comprehensive programs in four Nigerian states. Program participants are getting an education instead of getting married young; they have resisted genital mutilation for themselves and their sisters; and they are changing the way their parents, siblings, peers and communities value young women. When a male school teacher, taxi driver, or customer in the market propositions or harasses them, they know how to say no and they say it effectively!

In Cross River, a state where GPI works, where HIV prevalence has reached 12% among sexually active individuals, GPI girls have knowl-

edge and show initiative when it comes to protecting their sexual and reproductive health. In addition to the 1,500 girls directly involved in the program, GPI's message of empowerment now reaches another 25,000 girls in 28 schools. GPI's example, and the example of others across Nigeria, have already dramatically influenced national policies. They inspired a national sexuality education curriculum, adopted by the federal government in 2001, and are now helping train the teachers who will implement the curriculum in ten states.

IWHC funds many more organizations like GPI throughout the world. For more information, visit <http://www.iwhc.org/programs/index.cfm>.

TC: What role is the United States playing in the global campaign against HIV/AIDS? Is it what it should be, or does it fall short?

Ms. Germain: The United States government plays a critical role through the President's Emergency Plan for AIDS Relief (PEPFAR), which is slated to provide \$15 billion over five years (2003–2008) and makes it the largest single donor to global HIV/AIDS programs. As important as the financial commitment is, the policy that goes with it is flawed in some important ways.

The U.S. government has repeatedly failed to grasp the key linkages between HIV/AIDS and sexual and reproductive health. For example, at a recent briefing for U.S.-based NGOs, officials were asked whether any PEPFAR-funded programs would provide the new vaccine for human papilloma virus (HPV) to adolescents, given that this would also build capacity for rolling out future HIV/AIDS vaccines and further reduce risk for HIV. Ambassador Jimmy Kolker (Assistant Coordinator and Director of Diplomatic Outreach, Office of the U.S. Global AIDS Coordinator) responded that they are not interested in integrating "other" health services into HIV/AIDS services. It seems that Ambassador Kolker does not know that sexually transmitted infections (STIs), including HPV, exacerbate vulnerability to HIV/AIDS. Each year, 340 million new cases of sexually transmitted infections occur.⁷

Second, guided by ideology, rather than evidence, the PEPFAR program overemphasizes abstinence-only over comprehensive approaches to HIV prevention, leaving the majority of women and girls without the information or tools to protect themselves from HIV. The "ABC" approach overall is ineffectual and irrelevant for women and girls in developing countries who are married and cannot choose whether or when to

have sex. In Mozambique, a PEPFAR country, 57% of girls are married by age 18.⁸ In a survey of adolescent girls in 31 developing countries, 80% of unprotected sexual encounters occurred in marriage.⁹ In South Africa, 30% of girls say their first intercourse was forced, and 71% have experienced sex against their will.¹⁰

The new Congress following November 2006 elections has a strong foundation for making change. Representative Barbara Lee (D-CA) and several co-sponsors have introduced the Prevention Against Transmission of HIV for Women and Youth Act (PATHWAY Act) in the House of Representatives, which aims to reduce women and girls' vulnerability through a truly comprehensive approach. For more information, visit <http://www.iwhc.org/resources/congress/pathway.cfm>.

TC: A number of women have recently risen to positions of power in international politics. I'm thinking here of Ellen Johnson-Sirleaf in Liberia, Michelle Bachelet in Chile, and Angela Merkel in Germany. Is politics still a sexist realm? In order for women's rights to become a global priority, do women first need to address a political power imbalance between themselves and their male counterparts?

Ms. Germain: Sexism and gender inequality are still alive and well despite progress in some areas, as I noted above. Politics is one of the most intransigent arenas—consider the severely imbalanced, though improving, gender makeup of the U.S. Congress. But we cannot wait until gender inequalities in the political sphere end to tackle the many other inequalities. Rather, we must continue to attack inequalities wherever we find them, including by engaging more men in the struggle.

What is virtually unique and most powerful about Presidents Johnson-Sirleaf and Bachelet's leadership so far is their identification *as* women and *with* women as they seek to strengthen their countries and move toward more just societies. Few other women at the pinnacles of power do this—we also need more of them.

Micah Gell-Redman is a second-year CIPA fellow interested in the role of non-state actors in economic and social development. He is also the Managing Editor of *The Current*.

[Endnotes]

- ¹ World Health Organization (WHO), *The World Health Report 2005: Make every mother and child count*. (Geneva: World Health Organization, 2005).
- ² WHO, *Unsafe abortion: Global and regional estimates of the incidence of unsafe abortion and associated mortality in 2000*, 4th Edition. (Geneva: World Health Organization, 2004).
- ³ Global Coalition on Women and AIDS, "Preventing HIV Infection in Girls and Young Women Backgrounder", http://data.unaids.org/GCWA/GCWA_BG_prevention_en.pdf (no date, accessed December 2, 2006)
- ⁴ A. Wagstaff and M. Claeson, *The Millennium Development Goals for Health: Rising to the Challenges*. (Washington, DC: World Bank, 2004), http://www-wds.worldbank.org/servlet/WDSContentServer/WDSP/IB/2004/07/15/000009486_20040715130626/Rendered/PDF/296730PAPER0M11entogalsforohealth.pdf (accessed December 2, 2006)
- ⁵ T.C. Quinn and J. Overbaugh. "HIV/AIDS in women: An expanding epidemic," *Science* (June 10, 2005).
- ⁶ Joint United Nations Programme on HIV/AIDS (UNAIDS), *2006 Report on the Global AIDS Epidemic*. (Geneva: UNAIDS, 2006).
- ⁷ United Nations Population Fund (UNFPA), *Sexually Transmitted Infections: Breaking the Cycle of Transmission*. (New York: United Nations Population Fund, 2004).
- ⁸ Population Council, "Child Marriage Briefing Mozambique", (August 2004), <http://www.popcouncil.org/pdfs/briefingsheets/MOZAMBIQUE.pdf> (accessed December 2, 2006)
- ⁹ Judith Bruce and Shelley Clark, *The implications of early marriage for HIV/AIDS policy*. (New York: Population Council, 2004).
- ¹⁰ UNAIDS, *Gender and HIV/AIDS: Taking stock of research and programmes*. (Geneva: UNAIDS, 1999).

THE CURRENT

The Public Policy Journal
of the Cornell Institute for Public Affairs

VIEWS & REVIEWS

Perspectives on and analyses of current public policy discourse

Commercial Data Brokers and the Government:

Policies to Promote the Security and Privacy of Personal Information

Laura C. Bondesen

The American public has enjoyed the fruits of the technology revolution. Innovative technologies have proliferated commensurate with the public's demand. They penetrate every aspect of daily life, spanning communications, marketing, business transactions, and record-keeping. Nearly everything can be done electronically, catering to people's desire for ease and expediency. Indeed, convenience and interconnectedness are now the landmark characteristics of American society. But our dependence on technology has reached critical mass; the vast web of information and interconnectedness that we hold so dear offers facility and safe haven for the conduct of dangerous activities that threaten public safety and national security. Paramount among these threats is terrorism.

With the advent of commercial data brokers (CDBs), some Americans believe that a more immediate threat to our security is the vulnerability of personal data that CDBs aggregate. These data, originally intended for business-to-business transactions, are now being used as a vital aid to counterterrorism and law enforcement efforts; CDBs facilitate information exchange between business and government and among government agencies to help detect and preempt terrorist activity. The Defense Advanced Research and Development Agency (DARPA), the research division of the Department of Defense (DoD), recognized and attempted to meet this need with its Total Information Awareness (TIA) program after September 11, 2001. However, due to fears of privacy invasion, Congress pulled funding for this program in 2003. Where the government could not fill its own need, the private sector stepped in – but not without unintended consequences of its own.

Now, fears of CDB privacy invasion similar to those ascribed to TIA – namely, collecting inaccurate information, employing personal information for improper uses, and disseminating dossiers to illegitimate customers – are issues that are sparking outrage in the public. Moreover, recent breaches in brokers' security measures have galvanized Congress to enact change. However, current Congressional initiatives, which are largely reactive and punitive in nature, fail to recognize that CDBs are businesses, operating differently from the

government agencies with whom they now work. The private sector operates on incentives and profit-maximizing initiatives. The key for effective policy is to incentivize data brokers to capitalize on a new dimension in its market – a demand for security. Punitive and reactive measures will only be effective in the short run; there is no assurance for sustained or proactive compliance absent a business incentive. In the long run, Congress must institute market-oriented policies that will encourage CDBs to take a proactive role in ensuring the security and privacy of their product of personal information. Offering CDBs incentives to facilitate research and implementation of new security technologies, promoting competition in government contracts, and rewarding adherence to privacy standards will help make security the new competitive advantage in the commercial data broker market.

Landscape of the Commercial Data Broker Industry

CDBs are repositories of information on American citizens. From private and public sources such as credit bureaus and state and local public record holdings, CDBs capture and compile information on the backgrounds and behaviors of Americans, spanning education history, birth and death certificates, owned assets, spending habits, investment activities, and telephone records. As brokers, CDBs then sell this information from business to business. Retailers seek information on customer habits to inform marketing strategy. Insurance companies seek information to identify high-risk individuals to assess premiums, while human resource departments seek credit histories to conduct background checks on new hires. CDBs not only offer raw personal data, but they also package the data into comprehensive dossiers, further tailoring their product to the needs of their customers. More recently, CDBs have engaged in contracts with the government and recognized the deficiency of information and analytics in various agencies, particularly those related to counterterrorism and law enforcement. The data brokerage industry has not only capitalized on the attributes of the information revolution, but also the detriments of bureaucracy.

Currently, there are five major data brokers in the marketplace: ChoicePoint, LexisNexs, Dun & Bradstreet, Acxiom, and West.¹ Of these, ChoicePoint has become the poster child of the industry and has received the most scrutiny; its security breach in 2004 (a sale of personal data to a fraudulent company, compromising the identities of 145,000 people) was the most severe, and its database the most extensive. ChoicePoint expanded its database by acquiring a slew of companies in just a few years. It now boasts information and records on nearly 200 million American adults. Considering this scope of information, there is growing awareness that data brokers “wield increasing power over the

multitude of decisions that affect daily life – influencing who gets hired, who is granted credit, or who can get on an airplane.”²

ChoicePoint is also noteworthy for its partnership with the government in counterterrorism and law enforcement ventures. A growing segment of ChoicePoint and the data broker industry’s business are devoted to contracts with government agencies, including the Central Intelligence Agency (CIA), Federal Bureau Investigation (FBI), Department Of Justice (DOJ), and Social Security Administration (SSA), with the purpose of aiding intelligence, combating crime, and investigating fraud. Indeed, the Electronic Privacy Information Center, in its 2004 investigation of data brokers, notes that CDBs are “extremely solicitous” to the government, but also notes that agencies highly regard ChoicePoint for its assistance in meeting their needs.³ For an overview of ChoicePoint’s partners and transactions relevant to national security, please refer to Figure 1.

Figure 1. ChoicePoint’s capabilities and partners in national security

ChoicePoint Capability	Description of Service	Interested Partners
Public Records Information	Gives authorities online access to 17 billion local, state, and federal public records	- Police - Intelligence Analysts
Information Sharing	Facilitates information sharing among authorities to deter and respond to security threats	- DHS - Federal, state, local law enforcement officials - Intelligence agencies
Link Analysis	Mines for patterns in data to help authorities predict criminal activity patterns (ChoicePoint’s own intelligence capabilities)	- Police - U.S. Intelligence Analysts - Foreign law enforcement officials

Source: O’Harrow, Robert. “In Age of Security, Firm Mines Wealth of Personal Data.” *Washington Post*, January 20, 2005: A1.

Regarding the government contracts, the data brokerage industry is served by the nature of government bureaucracy. CDBs can collect, use, and disseminate information in ways unrestricted by the laws with which government agencies must comply. Chief among these laws is the Privacy Act of 1974. The Privacy Act was a supplement to the 1966 Freedom of Information Act, which sought to increase the transparency of government and facilitate the delivery of government information to the public. Addressing government-held information on individual American citizens, the Privacy Act regulated the use and exchange of this sensitive information. Specifically, the Act prohibits amassing personal information without an explicit purpose for doing so, mandates that individuals be given access to data and the right to correct inaccuracies, and orders that data be destroyed after a certain period of time.⁴ However, regarding the exchange of these data between government agencies and private firms, the Act applies in only one direction: data originating from government agencies are protected under the Act, but data originating from private firms are not.⁵

The market for CDBs would not exist without a demand. Though the government demand for open yet secure information had existed for some time, the demand intensified after September 11, 2001. Before private-sector CDBs capitalized on the deficiency in governmental information exchange, the government attempted to meet its own deficiency. DARPA established the Information Awareness Office (IAO) in response to the terrorist attacks of September 11, 2001. Of the many projects with which the office was charged, the most notorious was Total Information Awareness (TIA, later renamed "Terrorist Information Awareness"). The goal of this program was to unify systems and technologies so that relevant U.S. government agencies could integrate data mine for patterns in these data, and build models to predict and subvert terrorist activities. This program held great promise for proactive combat against terrorism and included oversight measures to ensure privacy of and restrict access to data. Once implemented, these measures would "help ensure that TIA develops and disseminates its products to track terrorists in a manner consistent with U.S. constitutional law, U.S. statutory law, and American values related to privacy."⁶

However, with mounting friction surrounding the PATRIOT Act, the TIA program was ill-timed and suffered great criticism for its perceived potential to amass and abuse data on innocent American citizens, despite its promised oversight measures ensuring proper privacy protections. Consequently, Congress pulled funding for TIA in 2003. Although the TIA program was no longer active, the government's need for information to support proactive counterterrorism efforts was not. As ChoicePoint's chief marketing officer asserts, "The infrastructure doesn't exist for the government to share data with itself, particularly within different levels of government... What the private sector does very

well is build the infrastructure which allows that information, which is public, to flow freely across jurisdictional and geographical lines. That's the benefit that the private sector has brought to this process."⁸ Indeed, the private sector is now meeting this government need; but the sharing and flowing of information have expanded beyond the government. The new players, CDBs, are businesses. Therefore, public policies serving more as market incentives rather than regulation will better incentivize CDBs, as businesses, to uphold their responsibility in protecting the exchange of sensitive personal information.

Risks and Vulnerabilities

Recent attention thrust upon the data broker industry reflects not only the attributes of the industry, but the dangers – a public affairs nightmare for an industry that was content to remain under the radar. Major security breaches that greatly increased the prospect of identity theft for hundreds of thousands of people have illuminated the vulnerabilities of the industry and incited a public call for action. A recent the U.S. Government Accountability Office (GAO) report aims to assess the vulnerabilities of both government agencies and data brokers. The GAO uses as a basis for its assessment the Fair Information Practices, a set of principles proposed in 1973 that provides the basis on which the Privacy Act of 1974 was built. These Fair Information Practices, general guidelines for the privacy and security of personal data, are accepted and promoted internationally, though not legally binding. These guidelines include: collection limitation, data quality (accuracy), purpose specification, use limitation, security safeguards, openness, individual participation, and accountability.⁹ The GAO found that federal agency practices reflected adherence to four of the eight principles: collection limitation, data quality, use limitation, and security safeguards. The GAO finds that federal agencies' uneven application of the remaining four principles owes largely to ambiguous guidance from the Office of Management and Budget (OMB) on privacy requirements, and accordingly recommends that OMB review and revise the guidance, and that federal agencies develop, implement, and enforce policies governing the use of information from CDBs.¹⁰

Concerning CDBs, the GAO aptly notes that the nature of the data brokerage industry is "largely at odds" with the principles of collection limitation, data quality, purpose specification, and use limitation.¹¹ Indeed, "resellers make it their business to collect large amounts of personal information, and to combine that information in new ways so that it serves purposes other than those for which it was originally collected."¹² Further, it is in the nature of any business to grow and expand, so any principle suggesting limitation in any scope would run

contrary to business practices. While the GAO recognizes that CDBs are taking measures to improve their adherence, especially with regard to security safeguards, current adherence to these principles is largely uneven. The CDBs that GAO examined state that they do not collect information directly from consumers and thus should be exempt from obtaining consent for use of personal information. The CDBs also disagree with an “opt-out” option for consumers, in that it would weaken the effectiveness of data mining designed to detect fraud and track terrorism.¹³ With regard to the Fair Information Practices, if a consumer determines data held by a CDB to be inaccurate, the CDB directs the individual to the original source of the information to correct the error, somewhat stifling the “individual participation” principle and certainly distracting from the “data quality” principle.¹⁴ The data brokers report to GAO that they embrace “openness” and “accountability” principles and disclose their relevant standards, but the GAO did not assess the effectiveness of these standards.¹⁵

Policy Recommendations

The GAO report stopped short of making policy recommendations concerning the private sector. This is to be expected, since the private sector falls outside the jurisdiction of the GAO. The current policy debate appropriately recognizes that government agencies and private firms both pose risks concerning potential mishandling of personal data. However, the debate favors treating government agencies and businesses in the same manner. The recent Specter-Leahy Personal Data Privacy and Security Act Of 2005 (S. 1789)¹⁶ is a good start in addressing the problem in the short-run. The bill is merely an extension of the tenets of the Privacy Act to data brokers, as it mandates that CDBs inform individuals of the data they have compiled and, that when data is compromised, Federal agencies are required to audit security practices of contracted CDBs and impose stiff monetary fines for noncompliance.¹⁷ But even here, linguistic nuances will lend nicely to loopholes. Nonetheless, Senator Patrick Leahy states that “this bill will ensure that our laws keep pace with technology.”¹⁸

Enacting new laws, however, will prove insufficient in the long run. Moreover, instituting policies that treat businesses as if they were government agencies will be ineffective. There is no reason for CDBs to view government proceedings and stiff monetary penalties merely as costs of doing business rather than mandates to change business practices. Editor Evan Hendricks notes that although there were 10 million reports of identity theft among Americans in 2003, findings from a TowerGroup report indicated that “the incidence of identity theft was such a small fraction of transactions that most financial

services companies could not justify the extra expense of preventing it.¹⁹ Crises fade, but the bottom line endures. Given the nature of the threat to information security – high consequence but low incidence – compliance in the private sector is not cost-effective. In the public sector, compliance is not a matter of cost; it is a matter of necessity. The best way to enact long-term change in CDBs is to implement nimble policies that offer incentives rather than punitive measures to ensure that security and transparency become business best practices rather than fleeting responses to quell public outcries. The nuances of such policies are extremely important in ensuring data brokers' compliance while trying to appease the public – policies offering incentives may be perceived as catering to an industry that is jeopardizing citizens' rights to privacy, which is likely to be unappealing to the public. Therefore, implementation must be politically sensitive.

The government should offer incentives to CDBs to research and implement new technologies to enhance data security.

Technology will be crucial in ensuring that data are accurate, private, and secure. Currently, four promising technologies for use in the government arena ensure privacy of personal information and guard against its abuse: technology to reduce false positives, technology to search data anonymously, technology to audit data, and technology to prevent misuse.²⁰ Reducing false positives results from implementing technology that perfects search models in data mining; anonymizing technology allows data to be searched and analyzed without linking them to individual identities; audit technology allows for oversight; and permissioning technology prevents misuse of information by granting access only to authorized users.²¹

The application of these technologies to the private sector will become increasingly important as CDBs themselves increasingly become sources of pre-packaged intelligence. ChoicePoint's vice president claims that "[w]e do act as an intelligence agency, gathering data, applying analytics,"²² signaling the introduction of a new dimension to the debate. But proactive policies can curb potential unintended consequences. By offering incentives, such as tax deductions, to CDBs to update current security technologies and implement new ones, the government can transform securing personal data from an issue of compliance to an issue of practicing good business. Implementation of this policy will require oversight to ensure that technologies are properly installed, but both CDBs and the public are likely to embrace the results.

More restrictions should be placed on the government's acquisition of sole-source contracts with data brokers, so that competition and innovation can help mitigate threats to personal information.

CDBs and government agencies often conduct their cooperation via sole-source contracts.²³ There are many benefits to engaging in such contracts as opposed to full competition contracts, including a more expeditious timeframe for approval and a decreased demand for upfront resources. To avoid inefficiency and unfairness, federal agencies must justify engagement in a sole-source contract; however, given the sensitive nature of such government ventures as intelligence gathering and counterterrorism, sole-source contracting can be relatively easy to do so. In fact, the Federal Bureau Investigation (FBI) is currently engaged with ChoicePoint in a secret sole-source contract under the justification that national security may be compromised should sensitive documents be disclosed to other CDBs in fostering competition.²⁴

Until now, injecting competitors into this arena would not have made the CDB market fully; the market was missing complete information exchange, a necessary assumption of truly competitive and effective markets. Because CDBs operate in a business-to-business model, individual consumers, whose information is the commodity, are left out of the loop.²⁵ However, given the recent security breaches and illumination of the industry, this has changed. Consumers are becoming more aware. Congress is demanding more transparency to serve these consumers. Despite the advantages that sole-source contracts offer and the apparent relevance of these advantages to national security, sole-source contracts shield CDBs from competition and remove market incentives to innovate. Now is the prime opportunity to take advantage of a fully functional marketplace and reap the benefits of competition. These benefits stand to materialize in protections of personal information that may outweigh the benefits of haste in completing national security-related tasks. With CDBs compelled to engage in market competition, information security will become the competitive advantage within the data broker industry, which will hopefully culminate in industry-wide standards. Implementation of a policy mandating fully competitive contracts would be difficult because the concerns surrounding classified documents and the need for expeditiousness in fulfilling intelligence needs are legitimate. A policy that promotes limited competition contracts would be a good compromise between protecting personal information and protecting national security.

Government contracts should be upheld and renewed contingent upon data brokers' demonstrated security success and compliance with standards and laws.

This policy will capitalize on competition among CDBs and provide a mechanism for internal oversight. Much of data brokers' business is devoted to its government clients, so this sector is one they cannot afford to lose. Current policies toward CDBs are punitive in nature and are effective only after a violation materializes. Instead, this policy is more proactive and assumes that data brokers will respond more to the possibility of losing a business rather than a one-time monetary penalty.

The GAO report notes that while CDBs take some measures to ensure that their compiled data are used within the limits of the law, they typically do so by "pass[ing] this responsibility to their customers through licensing agreements and contract terms and agreements."²⁶ However, as oversight increases on the federal agency side of this transaction, transferring the burden to government customers will become less powerful and more redundant; in turn, data brokers will have to assume more responsibility in protecting personal information. As more scrutiny descends upon the industry as a whole, CDBs will face pressure in preserving their respective business positions with the government and will act accordingly (becoming more proactive in security measures and continually ensuring compliance with security standards) to uphold and renew government contracts. Implementation will require that interested federal agencies conduct periodic audits on CDBs to assess the effectiveness of security measures and overall compliance to laws and standards. CDBs will therefore have an incentive to promote compliance so as to avoid termination of contracts.

Security and Privacy as Competitive Advantages

In April 2005, *The Economist* featured a story asserting that, armed with information and the internet, the consumer is king. The article noted that businesses' trading on ignorance is a thing of the past, that the "internet is working wonders in raising standards", and that "good and honest firms should benefit most."²⁷ While very optimistic, these assertions are valid and compelling when the consumer is informed and conducts his or her business in a competitive environment. But where the exchange of personal dossiers between data brokers and the government is concerned, the consumer largely has not been informed. This exchange has focused too much on protecting national security and not enough on protecting the privacy and security of personal data. Now that the consumer has been introduced to this market, standards may rise in privacy protection and the prominence of good and honest firms.

But consumer awareness alone will not be enough. To facilitate compromise between competing ideals, namely privacy versus security, convenience versus vulnerability, and regulation versus innovation, careful consideration must first take place in the most relevant dichotomy in this debate – public versus private. Since September 11, 2001, the stakes have risen. TIA was poised to meet the new government information demand within the constraints of American ideals, but its dissolution paved the way for the private sector to meet the need. Commercial data brokerage does bring advantages to counterterrorism efforts – it enriches information exchange and analysis while bypassing many bureaucratic impediments faced by government agencies. On the other hand, CDBs fall outside the realm of intense government regulation. Therefore, the burden is placed on the government to develop creative and effective policies to transform the security and privacy of personal information from costs to be avoided into competitive advantages to be mastered in the data brokerage marketplace.

In order to ensure that government obligations to the public are fulfilled and civil liberties are not infringed upon, policies need to be sensitive to the fact that government and business operate on entirely different paradigms. Businesses respond more to the bottom line than to moral mandates; oversight continues in the federal government, but more nimble policies are needed to motivate the private sector to make the security of personal data a priority. Offering incentives to data brokers, fostering competition, and rewarding adherence to standards would harness the industry's innovative capacities to develop new strategies and protect personal data while helping the government protect the nation.

Laura C. Bondesen is a second-year MPP/MBA joint-degree student at Georgetown University, graduating in May 2008. She earned a Bachelor of Science in Psychology from Davidson College in 2003. She is interested in forging public-private partnerships to bolster and promote such missions as national security, health care, and education.

[Endnotes]

¹ “Personal Information: Agencies and Resellers Vary in Providing Privacy Protections,” GAO-06-609T (Testimony), Washington, D.C., (April 4, 2006), ² Robert O’Harrow, “In Age of Security, Firm Mines Wealth of Personal Data,” *Washington Post*, January 20, 2005: A1.

³ Chris Jay Hoofnagle, “Big Brother’s Little Helpers: How ChoicePoint and Other Commercial Data Brokers Collect, Process, and Package Your Data for Law Enforcement,” *University of North Carolina Journal of International Law & Commercial Regulation*, (Summer 2004): 7.

⁴ Hoofnagle, “Big Brother’s Little Helpers,” 10.

⁵ Hoofnagle, “Big Brother’s Little Helpers,” 10.

⁶ GlobalSecurity.org, “Total Information Awareness,” <http://www.globalsecurity.org/security/systems/tia.htm>.

⁷ The purpose of the PATRIOT Act is to “[t]o deter and punish terrorist acts in the United States and around the world, to enhance law enforcement investigatory tools, and for other purposes.” U.S. Public Law 107-56, 107th Cong., 1st sess., 21 August 2001, Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001.

⁸ Jay MacDonald, “How Much are Your Personal Details Worth?” *Bankrate.com*, February 21, 2006, <http://www.bankrate.com/brm/news/pf/20060221b1.asp>.

⁹ “Personal Information: Agencies and Resellers Vary in Providing Privacy Protections,” 2.

¹⁰ *Ibid.*, 5.

¹¹ *Ibid.* 5.

¹² *Ibid.*, 15.

¹³ *Ibid.*, 18.

¹⁴ *Ibid.* 18

¹⁵ *Ibid.* 18

¹⁶ Full text of bill can be found at <http://thomas.loc.gov/cgi-bin/bdquery/z?d109:s.01789>.

¹⁷ Office of U.S. Senator Leahy, “Senate Panel Approves Specter-Leahy Bill Protecting Against ID Theft,” November 17, 2005, <http://leahy.senate.gov/press/200511/111705.html>.

¹⁸ *Ibid.*

¹⁹ Evan Hendricks, “When Your Identity is Their Commodity,” *Washington Post*, March 6, 2005: B1.

²⁰ Mary DeRosa, “Data Mining and Data Analysis for Counterterrorism,” CSIS: 2004, 16.

²¹ *Ibid.*

²² O’Harrow, “In Age of Security,” A1.

²³ Hoofnagle, “Big Brother’s Little Helpers,” 8.

²⁴ *Ibid.*, 9.

²⁵ MacDonald, “How Much are Your Personal Details Worth?”

²⁶ “Personal Information: Agencies and Resellers Vary in Providing Privacy Protections,” 18.

²⁷ “Power at Last,” *The Economist*, March 31, 2005.

Taking the Long View:

Addressing Global Warming and Impoverishment Through the World Bank

Ty Gorman

Who needs to do something about Global Warming? The sentiment seems to be that we all do. It is everybody's problem so it is nobody's problem. This attitude leaves powerful nations and organizations free to shuffle forward, marginally addressing the climate change issue, checking to make sure their peers are shuffling beside them. It is true that addressing accelerated global climate change is not easy, and that there are limits to human ingenuity. It is also true that global planning efforts are difficult; no one wants to take the first step.¹ However, the disastrous effects and costs of rapid climate change are compounding while those with the capacity to change the course of climate change cling instead to an idea of future growth unhindered by Global Warming.

State and private actors have failed to act for decades; someone has to stop shuffling and leap forward. Some powerful actor with the mission, the money, and the economic clout to change business-as-usual investment must focus on Global Warming. The World Bank Group may be the best institution to take on the responsibility of preventing, and preparing for, climate change phenomena. It is a global organization, supported and funded by the U.S. and Europe with the official intention of ending impoverishment worldwide. Rapid global climate change stands in the way of ending poverty in the long term; the issues cannot be considered separately. The World Bank is directly accountable for addressing this issue. One can see by juxtaposing the research/rhetoric of the World Bank with its accomplishments in projects related to Global Warming that the Bank should introduce protecting the impoverished from climate change as a centerpoint of future operations.

Rhetoric

The World Bank recognizes that it must face the issue of Global Warming. In fact, looking through the World Bank's website gives the impression that it has already embarked on a mission of climate change prevention through renewable energy development. Three pages of abstracts and article headings on the Bank's energy development homepage use the words 'renewable energy,' 'energy efficiency,' and

'clean energy,' 25 times.² Natural Gas is mentioned once, and no where else on the site, which gives previews of 32 recent articles published about the World Bank energy department, are fossil fuel, nuclear energy, or other non-renewable efforts mentioned. During the 2006 Energy Week conference, fifty percent of the sessions and presentations concerned Renewable Energy (RE), Energy-Efficient Technology (EE), or Global Warming.³ Information that the Bank makes available to the public suggests that the issue of global warming is foremost in its investment and loan decision-making practices.

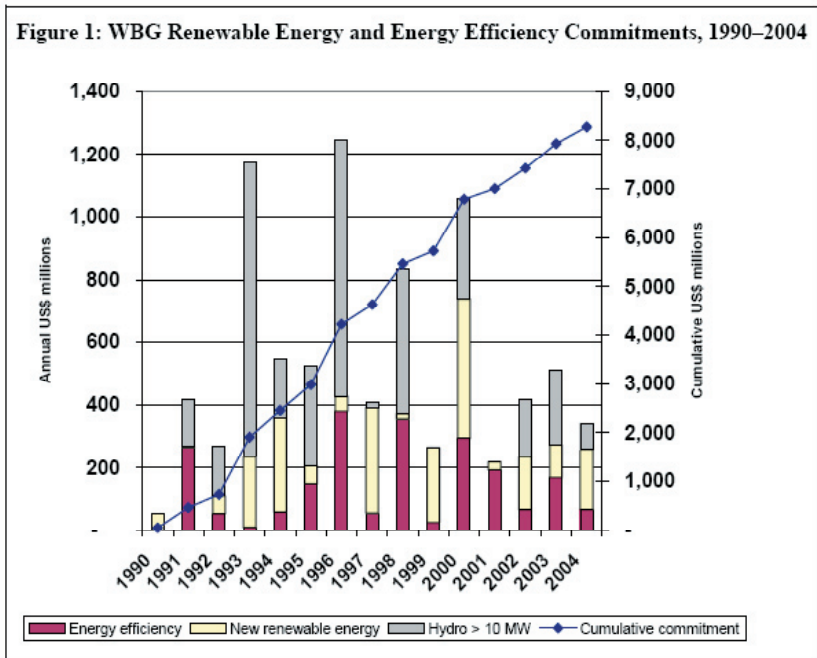
Not only the topic choice, but also the substance of World Bank research leans predominantly toward progressive notions of green energy portfolios and dramatic change. The Bank's knowledge of the effects of climate change in developing economies is extensive.⁴ Representatives of the Bank have declared that RE and EE are sufficient to make substantial differences and are now ready for mass deployment.⁵ Bank representatives have also put forward proposals to contribute knowledge management and resource support, increasing Research & Development (R&D) for low carbon energy technologies through proposed venture capital funds.⁶ The Bank says that they are committed to enhancing energy access, reducing poverty, and achieving the Millennium Development Goals through clean energy efforts.⁷

The World Bank has also documented the causes and effects of climate change in relation to its mission to help the impoverished.⁸ The effects of climate change are predicted for each global region with some certainty.⁹ Some of the predicted effects include: extreme droughts and precipitation events connected with El Nino; increased heavy precipitation events in the northern latitudes, especially the Asia-Pacific region; increased variability of extreme weather in the tropics including extra-tropical cyclone activity; melting of polar ice in the north; upper latitudinal movement of temperate climate zones; changes in ocean currents and wind patters; and others.¹⁰ Unstable climatic events will almost certainly be accompanied by fluctuating agricultural yields, public infrastructure disruption, flooding, drought, famine, massive population displacement, etc.¹¹ The fact that these catastrophes related to climate change would be disproportionately harmful to the poorest citizens of impoverished nations¹² makes them particularly relevant to the Bank's poverty reduction goals. In fact, research has indicated that climate change is so integral to the health of developing nations and the impoverished that "the contribution to their welfare by reduced climate change will be greater than any costs the developing world bears in reducing emissions."¹³ This research implies that even if developing nations do experience significantly less growth due to global clean energy efforts, almost any cost in short term GDP is worth paying in order to avoid the catastrophes of rapid climate change.

The Bank is also aware that requests for resources to prepare for

disasters before they occur can help to “avoid . . . huge disaster-relief bills” that may cripple future economies as global warming related events increase.¹⁴ According to one report, “the incremental annual costs to adapt to projected climate change are likely to lie in the \$10 billion to \$40 billion per year range, of which about a third of the total, and most of the initial funding, must be associated with public finance.”¹⁵

It is clear that the Bank must address global warming related catastrophes as a development and poverty issue, and “recognize that climate change can undermine development and that dealing with climate change will require the development and implementation of climate-friendly technologies as well as adapting to climate change.”¹⁶ In its own reports, the Bank establishes that investment efforts in the developing world’s energy sector must be increased tenfold from present funding levels. Its research has framed climate change as a central problem for billions of impoverished people. The Bank’s framework implies a need for large, up-front investment, a central consideration for poverty and development efforts, and global planning for climate-friendly technology implementation, all of which require the oversight of a rich, focused international organization (IO). The World Bank, more than any other IO, has the potential to meet these requirements. However, considering the funding efforts in clean energy related projects, it appears that the World Bank’s knowledge about the importance of climate change is not being translated into action.



Source: The World Bank Group, The Energy and Mining Sector Board. March 2005.

According to World Bank financial documents, it unevenly supplied, “out of about \$20 billion of urban lending, 4.9% for electrification/city specific power from 1981-98. It loaned 10.7% in 1987-89 and 0.6 % in 1993-95”¹⁷, and since then commitment to energy over other World Bank funding has varied from a peak in 1997 to a low point around 2002. The WB has financed about \$9 billion for these projects in total over the past 16 years or approximately 1/7 the cost of the U.S. Defense Department’s Missile Shield experiments during the Bush administration.¹⁸ This level of funding spread across the global need for clean energy technology cannot result in a great deal of infrastructure.

The Bank spent \$871million on all carbon reducing large scale hydropower, renewable energy, and energy efficiency efforts in 2006. About \$190 million of that was spent on new renewable energy projects, an equivalent amount was spent on large scale hydro-electricity and the remaining \$400 plus million went to energy efficiency efforts, mainly in Eastern Europe.¹⁹ The peak funding in a single year was \$4.6 billion for 158 total energy projects. Since 1997, investment has declined by half to \$1.8 billion for 64 projects. Of these public-private energy investments, \$690 million went to renewable and energy efficiency initiatives, a greater proportion than ever before in the Bank’s history.

All that to say; the World Bank Group has made steps in the direction of addressing the climate change problem, but compared to what they know is necessary, very little has been done.

Perhaps more disturbing is the fact that the Bank funds numerous projects counterproductive to climate change prevention. The World Bank Group substantially increased its support for natural gas in fiscal year 2005.²⁰ One fossil fuel project can cost as much as the World Bank spends on all RE and EE efforts worldwide in a year. Clean energy projects come in small packages, providing little lasting infrastructure, while projects that contribute to global warming are large and lasting investments, which will be difficult to replace in the future. The chart below illustrates the year by year magnitude of renewable energy development. A high number in a year generally means that a large scale hydropower plant has been financed.

Annual Table 1: WBG Renewable Energy and Energy Efficiency Commitments

Type of commitment	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	Grand total
New renewables	53	2	56	227	300	59	47	336	15	239	444	26	169	105	192	2,270
Energy efficiency		265	54	10	59	148	380	56	356	26	295	193	67	168	67	2,141
Hydropower (greater than 10 MW)		150	161	938	186	317	819	15	461		320		181	237	81	3,864
Grand total	53	417	271	1,174	545	524	1,245	407	832	264	1,059	219	416	510	339	8,275

Source: The World Bank, "Clean Energy and Development: Towards an Investment Framework." Environmentally and Socially Sustainable Development Vice Presidency Infrastructure Vice Presidency.

According to their own reported recommendations, the World Bank should be spending almost as much every year as they have spent for the past 15 years. The World Bank has, within its own institution and ideologies, information prioritizing global warming as a danger to the impoverished people and nations whom they serve. Their reports state that for every \$1 spent on preparing for climate change disaster now, a further \$7 is saved in the cost of recovering from it. Yet requests for resources to prepare for disasters go under-funded, leaving a huge disaster-relief bill to be paid after as in the case of massive preventable floods in Mozambique.²¹ Projects not assisting with carbon reduction efforts still comprise 89% of the energy infrastructure funding base for the institution. The World Bank has not yet taken responsibility for

climate change mitigation efforts despite its rhetoric. If the World Bank followed the warnings put forth in its own climate change research, perhaps it could take the first big leap toward real infrastructural changes for global warming prevention and preparation. Making this leap may slow the Bank's contribution to developing nations' GDP growth in the short-run, but research suggests that, in the long run, slowing down climate change will be much more important for developing economies than exploiting cheap energy sources.

Is the World Bank Right for the Job?

The World Bank has its problems. For one, its loan and development strategies are criticized for their reliance on contested economic theory. Their purported mission is to end poverty, by, for example, improving the electricity supply and grid network. From looking at a community before and after these projects take place, it has become evident that even if the projects improve a nation's GDP, they do not necessarily improve the quality of life for the nations' poor. The assumption behind western economic efforts to end poverty is: "aggregate economic growth is, on average, distribution neutral." This is a controversial axiom of development economics. The bank admits that "there is considerable variation around those averages...greater inequality reduces the power of growth to reduce poverty,"²² and great inequality is more or less ubiquitous among developing nations. The socio-economic division of wealthier beneficiaries with respect to energy is such that "in many African countries, overall [electricity] access rates improved over the last decade, but the bottom 40 percent of the population registered no gains at all."²³ Relying on energy as the engine of growth may result in greater wealth for the upper quintiles of the population, but it does not necessarily improve quality of life for the impoverished.

The World Bank's practices of weakening the state and privatizing markets has illustrated even more visible conflicts of interest, raising concerns that

without accountability, ...the poor will continue to be vulnerable to the manipulations of imperial and corporate interests. The growing influence of actors like the World Bank and the retreat of the state from its civic duties have only increased the distance between those who make decisions and those who must bear the consequences of those decisions.²⁴

There have been academic and popular protests that the policy restructuring practices of the Bank, removing the state from the economy and trusting in free-market economic principals to provide efficiency and growth, has done more harm than good.²⁵ The Bank's strategies to raise economic productivity in the aggregate tend to alter wealth distribution, resulting in a less equitable economic environment for the impoverished in borrowing nations. This fact has brought forth accusations that the World Bank's true priority is not to end poverty, but to create governments better suited for Western international investors.²⁶

Even if this accusation is true, the World Bank is still the most suitable institution to leap forward in climate change mitigation. The conflicting loyalties addressed above serve to illustrate that the World Bank is an IO with the capacity to address global climate change. Though these ties may corrupt the Bank's mission, the World Bank's hierarchical operational structure and powerful political ties to the U.S. and Europe lend it the ability to make fast internal changes (as it did in the 1970s and the 1990s) and garner more funding than any other development organization. Efforts to slow Global Warming need those attributes. The UN and other international non-governmental organizations do not have these capabilities.

A global effort with huge, up-front capital investment, such as alternative energy and energy-efficient technology infrastructure, transportation technology and efficiency measures, etc., cannot be a grassroots movement. Grassroots movements operate slowly and incrementally, by pressuring those in power to change. The difficulty in bringing about and enforcing that sort of change was made clear with the "50 Years is Enough" campaign in the 1990s. The Global Warming threat is immediate, and it is necessary to preempt the threat, not react to climate change catastrophes. Because action must be swift, rapid climate change mitigation efforts must be pursued through wealthy institutions with sufficient political connections, such as the World Bank. A catch is that Western and especially U.S. administrations must support these efforts in order for the hierarchic institution to change. But the good news is that predominantly the executive has influence over World Bank affairs. Therefore the opportunity for fast changes during election years are much more likely than if a legislature was involved. Proactive change, preparing for something instead of reacting to its effects, tends to require centralized leadership, which throws a wild card into the political situation. What this all boils down to is that it may initially be up to the U.S. voters to elect an executive who is ready to accept the humanitarian and economic ramifications of global climate change predictions and who has the political and intellectual ability to understand that it is up to the U.S. to act.

In order to maintain greenhouse gas particulates of 550 parts per million or less (the predicted threshold necessary for climate stability), World Bank efforts to minimize Global Warming must mesh with aggressive technology and policy efforts.²⁷ The developed world must be the ones to make the major investments, even though the developing world will benefit the most. That is only fair since the global warming crisis can be almost entirely attributed to green house gas effluent from developed nations.²⁸ If challenged in such a way, can the developed world be so callous as to condemn millions of impoverished people to death merely because impoverished nations cannot afford to invest? The World Bank could play a vital role in galvanizing the cooperation of the U.S., Australia, China, India, the EU and other major greenhouse gas emitters to improve their infrastructure and contribute more funds to World Bank efforts in this regard. The Bank is the preeminent international research institution in the world.²⁹ It provides the knowledge base for numerous policy decisions, and it has political clout with powerful executive policy makers. If World Bank researchers, economists, and specialists further stress information concerning the threat of climate change, supporting the calls for change from Non-Governmental Organizations (NGOs) and IOs outside of the organization, perhaps there will be change.

Although the World Bank would ideally work toward both, if it is incapable of preventing climate change due to lack of political support in the developed world, preparing for climate change related catastrophes is certainly within its present capacity and mission statement. Much of its work would remain the same. Economies still must grow, and infrastructure still must develop in order to prepare for climate change events and in order to protect the impoverished from a rapidly changing and increasingly violent natural environment. Unlike UN institutions and other IOs and NGOs, the Bank is already prepared for the large scale infrastructure projects necessary to prepare developing population centers for extreme weather conditions. If the World Bank cannot stop climate change, it can at least work to ensure that changing precipitation patterns, disease vectors, extreme weather events, and transportation interruptions kill fewer people.

The World Bank Group has the mission, the funding, the knowledge base, and the flexibility necessary to focus on international climate change. It has the mainstream ties to rich western governments, the broad reach into international economic engines, and the political capacity to make changes as soon as elected executive leadership is compatible. It would be imperfect change, co-opted change, and change within the inequitable framework of neo-liberal capitalist restructuring, but maybe the Bank's institutional incorporation of the interests of high capacity wealthy investors is necessary to galvanize those least concerned about global climate change (the wealthy) to prevent catastrophes in

developing nations. The World Bank is an undemocratic institution divided between the wealthy economic interests of western markets and the market development mission of ending poverty. Thus, the World Bank may be able to supercede the incrementalism of grassroots political change and quickly accomplish tangible results. To make change, the Bank must reconstruct its funding mechanism to choose projects based on a future inclusive of climate change catastrophes and cultivate a policy influence in the developed world which reflects the need to prevent climate change.

Conclusion

The World Bank cannot turn back climate change by itself. The cooperation of the U.S. and other powerful institutions needs to be secured before the World Bank or the world as a whole can effectively address climate change. Nevertheless, as a mission oriented, internationally connected, hierarchical, wealthy, research based institution, the Bank is the right organization to spearhead an aggressive effort to slow climate change. The most effective way to protect the impoverished from catastrophe is to turn back accelerated climate change; however, in the meantime, the World Bank should also focus on disaster preparation plans. Housing, water and food distribution, solid and liquid waste disposal, and emergency services must be prepared to save millions of lives as climate change effects emerge. The responsibility of the Bank in all this is to define its investment priorities to meet climate change needs in the Global South and to coordinate climate change mitigation efforts in the Global North before further resources are misappropriated. Prioritizing may require compromises between goals such as fast development and clean development, and it may require careful integration of risk analysis in the assessment of what would be most beneficial for the impoverished. Through careful research on the specific nature of climate change threats, what they will cost, and how to address them, the World Bank can integrate impoverished nations' and individuals' long term economic health into its mission.

The World Bank's funding is still dominated by traditional fossil fuel infrastructure and private fossil fuel investment. The Bank must stop shuffling forward with contradictory project priorities and leap forward to take on a role as the dominant global climate change prevention and clean energy development organization. The World Bank rhetoric encourages the public to believe that environmental poverty and global warming is being successfully addressed through World Bank policies, but it is important to understand that grant financing cannot be

considered beneficial when it presents a significant opportunity cost for stopping climate change. The World Bank has realized that preventing climate change catastrophes is integral to its mission. Now the Bank should use its political and economic capacity to fulfill its mission to help those in poverty.

Ty Gorman is in his first year of getting a Masters in Public Administration from the Cornell Institute for Public Affairs with a concentration in Environmental Policy. He has work experience with print media, Capital Hill, and community non-governmental efforts, and is currently focusing his research on renewable energy development.

[Endnotes]

¹ Thomas Homer-Dixon. 2006. "The End of Ingenuity," November 29, 2006, *New York Times*. <http://www.nytimes.com/2006/11/29/opinion/29homerdixon.html?ex=1322456400&en=98fa1f54add0738d&ei=5088&partner=rssnyt&emc=rss> (accessed December 31, 2006).

² The World Bank, "The World Bank Group Energy Program," <http://www.worldbank.org/energy/> (accessed November 5 2006).

³ The World Bank, "Energy Week 2006: The World Bank Group," Information regarding the World Bank March 9, 2006 training session. <http://siteresources.worldbank.org/EXTENERGY/Resources/336805-1137702984816/Program.pdf> (accessed December 31, 2006).

⁴ Frank Lecocq and Renaud Crassous, "International Climate Regime beyond 2012: Are Quota Allocation Rules Robust to Uncertainty?" *World Bank Policy Research Working Paper*, no. 3000, (March 2003), xvii, http://papers.ssrn.com/sol3/papers.cfm?abstract_id=636362 (accessed December 31, 2006).

⁵ The World Bank, "Ramping Up Renewable Energy," quoting Gary Stuggins (May 28, 2006), <http://web.worldbank.org/WBSITE/EXTERNAL/NEWS/0,,contentMDK:20936178~pagePK:64257043~piPK:437376~theSitePK:4607,00.html> (accessed October 16, 2006)

⁶ Jamal Saghir, "Energy and Poverty: Myths, Links, and Policy Issues." *The World Bank Group*, no 4. (May 2004), http://www.iefs.org.sa/IEF_MTNG/9th/Docs/Paper_Jamal_Saghir.pdf (accessed October 10, 2006).

⁷ Energy Sector Management Assistance Program (ESMAP), "Renewable Energy and Energy Efficiency Financing and Policy Network (FPN)," (April 2005), [http://iris37.worldbank.org/domdoc/PRD/Other/PRDDContainer.nsf/All+Documents/85256D2400766CC7852570000056C6F5/\\$File/Proceedings_FPN_Network_Forum_March_11,%202005.pdf](http://iris37.worldbank.org/domdoc/PRD/Other/PRDDContainer.nsf/All+Documents/85256D2400766CC7852570000056C6F5/$File/Proceedings_FPN_Network_Forum_March_11,%202005.pdf) (accessed October, 16).

⁸ William D. Nordhaus. "Reflections on the Economics of Climate Change," *Journal of Economic Perspectives* 7, no. 4, (1993): 11-25; Robert N. Stavins, ed., *Economics of the Environment*, 4th ed. (Cambridge: Norton & Company, Inc., 2000), 495; William Sweet, *Kicking the Carbon Habit: Global Warming and the Case for Renewable and Nuclear Energy*, (New York: Columbia

University Press, 2006), 135, 206.

⁹ IPCC Special Report, The World Bank, "The Regional Impacts of Climate Change: an Assessment of Vulnerability," 1997, <http://www.grida.no/climate/ipcc/regional/index.htm> (accessed December 31, 2006).

¹⁰ IPCC 2001 Report, The World Bank, "Climate Change 2001: The Scientific Basis," 2001, http://www.grida.no/climate/ipcc_tar/wg1/index.htm (December 31, 2006).

¹¹ Vijay Modi et al., "Energy Services for the Millennium Development Goals," 2005, http://www.unmillenniumproject.org/documents/MP_Energy_Low_Res.pdf (accessed October, 25 2006).

¹² The World Bank, "Saving the Planet: Energy & Climate Change," Information regarding a conference with guest speaker Gary Stiggins et al., <http://web.worldbank.org/WBSITE/EXTERNAL/EXTABOUTUS/o,,contentMDK:20947458~pagePK:51123644~piPK:329829~theSitePK:2978,00.html> (accessed November 10, 2006).

¹³ Thomas C. Schelling, "The Cost of Combating Global Warming: Facing the Tradeoffs," In *Economics of the Environment*, 4th ed., 510.

¹⁴ The World Bank, Environmentally and Socially Sustainable Development Vice Presidency Infrastructure Vice Presidency, "Clean Energy and Development: Towards an Investment," 2006, [http://siteresources.worldbank.org/DEVCOMINT/Documentation/20890696/DC2006-0002\(E\)-CleanEnergy.pdf](http://siteresources.worldbank.org/DEVCOMINT/Documentation/20890696/DC2006-0002(E)-CleanEnergy.pdf) (accessed October 5, 2006).

¹⁵ Ibid.

¹⁶ Ibid.

¹⁷ Jorge Hardoy, Diana Mitlin and David Satterthwaite, *Environmental Problems in an Urbanizing World*, (London: Earthscan Publications 2001).

¹⁸ Geoffrey York, "So Much for that Missile Shield," *Toronto Globe & Mail*, 12 September 2001, <http://www.commondreams.org/views01/0912-06.htm> (accessed December 31, 2006).

¹⁹ The World Bank, Energy and Water Department Sustainable Vice Presidency, "Right on Target," 2005/2006, <http://siteresources.worldbank.org/EXTENERGY/Resources/336805-1157034157861/reEEbrochure.pdf> (accessed October 5, 2006).

²⁰ The World Bank, International Finance Corporation, Hannfried von Hindenburg, "World Bank Group Releases Data on Its Extractive Industries Portfolio," Press Release, 6 September 2005, <http://www.ifc.org/ifcext/pressroom/ifcpressroom.nsf/PressRelease?openform&6BA4C56947974ABC852570D20074E88E> (accessed October 5, 2006).

²¹ Luis Landau, "Rebuilding the Mozambique Economy: Case of Urban Pop Explosion." *Recommendations 35 World Bank*, (Washington DC: World Bank Operations Evaluation Department 1998).

²² The World Bank, "World Development Report 2006: Equity and Development." (New York: The World Bank), 47, 85.

²³ Xu Yi-Chong, "Models, Templates and Currents: the World Bank and Electricity Reform," *Review of International Political Economy* 12 (2005): 647-673.

²⁴ Edward Ramsamy, "The World Bank and Urban Development," (London: Routledge 2006).

²⁵ Michael Goldman, *Imperial Nature: The World Bank and Struggles for Social Justice in the Age of Globalization*, (New Haven: Yale Press 2005).

²⁶ Ibid.

²⁷ Paul Roberts, *The End of Oil*, (New York: Mariner 2005).

²⁸ Marcia Clemmitt, "Is tougher action needed to slow rising temperatures?," *CQ Researcher* 16 (2006): 73-96, <http://library.cqpress.com/cqresearcher/cqresrre2006012700>. (accessed October 6, 2006).

²⁹ Michael Goldman, *Imperial Nature*.

Transformations, Risk, and Fear:

A Review of The Great Influenza

Dan Patry

***The Great Influenza: The Epic Story
of the Deadliest Plague In History***

**By John M. Barry
Viking (Paperback), 560pp., \$16.00**

“...in the next weeks, the virus would test society as a whole and each element in it. Society would have to gather itself to meet this test, or collapse.”

- The Great Influenza, p. 193

Human society has consistently attempted to assert its control over events occurring in the natural world. As the disastrous effects of the breached levee system and poor disaster mitigation effort to Hurricane Katrina demonstrate in recent times, it has just as consistently failed. Yet, as the stark facts of the 1918 influenza pandemic make clear (estimates range from 50 million to 100 million deaths—some 8 to 10 percent of the world adult population of 1.8 billion at the time— resulted from the pandemic), society at that time could not fail in this particular challenge or it would face a public health and socioeconomic crisis of unprecedented scope and breadth. John M. Barry contends that the response to the flu pandemic of 1918 was nothing short of a revolution in medical science, one that transformed practitioners’ understanding of the nature and epidemiology of influenza. Barry’s analysis also demonstrates that an environment of blind jingoism allowed policymakers to exacerbate the pandemic by stubbornly proceeding with a policy of war mobilization that ignored not only the recommendations of public health officials but also the macabre facts on the ground. Despite a rigorous scientific approach to medicine that emerged from the 1918 pandemic, without information sharing between the medical establishment and public-policy decision makers and a comprehensive and consistent public risk communication effort, the next influenza pandemic could be just as disastrous. Indeed, evalu-

ating the implications of Barry's argument in terms of mitigating a future pandemic is a grim proposition, as the nature of the disease itself is such that neither the rapid advance of medical science nor the increasingly transparent political environment with government processes and information open to the public will be sufficient to prevent the horrible consequences waiting to be unleashed by an influenza pandemic.

"Before medicine could confront this disease with any promise of effect, it had to become scientific. It had to be revolutionized." (p.6). In order to meet the challenge of 1918, Barry's analysis convincingly shows that medical science transformed from a state at the turn of the 20th century that was essentially no different than at the time of Hippocrates some 2000 years earlier. At the dawn of the 20th century, gaps in medical expertise and knowledge critically related to the nature of disease in general and influenza in particular existed in the United States. The facts that germs were at the root of disease and that bloodletting had no palliative benefits were unknown at the time. Furthermore, to earn admission to a medical school in the United States in the late 19th century one did not require a bachelor's degree or any scientific or mathematical training, and one could graduate with a medical degree without ever having seen a patient or cadaver. In order for a revolution of medical science to occur to prepare the world for the test it was soon to face, the world needed men and women of vision and determination to transform medical training and research and to usher in the modern era of medicine.

Barry singles out William Henry Welch as a particularly powerful leader in the movement towards modernizing medical science. A preeminent scientist in his own right, Welch was instrumental in founding the first truly modern medical research and educational facility in the United States, Johns Hopkins University. Barry contends that, through the sheer force of Welch's personality and will, he was able to attract the best and brightest medical scientists in the world to the university to tackle a diverse array of problems: how to prevent disease before it occurred, how to cure disease when it did, how to create a rigorous scientific methodology to apply to medical research to legitimize findings, and how to finance research at a time when the federal government provided no funding whatsoever. Physicians and financiers such as Simon Flexner, Frederick Gates, and John D. Rockefeller Jr. at Johns Hopkins were all in the locus of research and financing of the new wave of medical science. These efforts would be needed as a new, terrifying disease was fermenting at the same time in rural Haskell County, Kansas. This group of scientists would later discover the lethality of influenza lay in its ability to mutate into new strains. And humans, untouched by previous influenza epidemics, were naturally not immune to these new strains. Barry convincingly argues that the deadly "tinderbox" environment, borne of society-wide war

mobilization, was created by the policy priorities and blind nationalistic fervor embraced by the Wilson administration in the waning years of the First World War and would have to be combated by these same men.

Barry asserts that, as a man completely convinced of his own righteousness, President Woodrow Wilson declared, "It is not an army we must train and shape for war, it is a nation." (p.122). As such, Wilson instituted sweeping policy initiatives meant to take a hard line against those who might hinder the war effort. In order to intimidate those who were reluctant to support the war, and to crush those who would not, mail was censored, those considered to be high at risk for disloyalty were monitored by what would become the FBI, and the frightening new Anti-Sedition Act was enforced by a volunteer group called the American Protective League (APL). Those who violated the terms of the Sedition and Espionage Acts could be sentenced to up to 20 years in jail.

In the areas where speech and conduct wasn't regulated, a massive social campaign by the APL and other volunteer organizations took up the effort. The APL spied on their fellow citizens, investigated "slackers" and "food hoarders", and demanded to know why some didn't purchase, or purchase more, Liberty bonds to assist the war effort (p.124). A particularly salient point Barry makes in terms of influenza and public health revolves around the policy implications of Wilson's Executive Order 2594, which created the Committee on Public Information, or the CPI. The CPI, headed by George Creel, demanded "100% Americanism", and instituted weekly community events and patriotic marches across much of the nation. This sociopolitical environment, Barry purports, would play a crucial, albeit indirect, role in intensifying the attack of influenza and the subsequent undermining of the social fabric. Draft notices swept up millions of American men and forced them into crowded barracks and warships, industrialization and urbanization had pushed the population into densely developed urban centers, and the nationalistic furor of the time put citizens in constant contact with each other. The tipping point was close.

Under horrific conditions in camps like Fort Devens, Massachusetts, young men by the thousands traveled on trains from across the country to prepare for war. While the conventional wisdom contends that the influenza pandemic had its beginnings in Haskell County, Kansas, it was the war effort and mobilized war economy that caused the disease to explode. Philadelphia, a critical shipyard for the military, was a swollen city of 1.75 million in 1918 and literally teemed with soldiers and war laborers. In late September of that year, the epidemic began in Camp Devens and quickly spread to much of the East Coast. Thousands of cases of influenza were reported in Camp Devens alone, and in Philadelphia

itself the epidemic had exploded from a spattering of civilian cases to hundreds of deaths per week and thousands of reported cases.

More terrifying to the populace was who was dying. Most of the elderly had experienced influenza outbreaks within their lifetimes, and thus had built some measure of immunity. For the thousands of young men thrown together by war and the scores of young people thrown together by the CPI for parades and patriotic assemblies (despite warnings from medical professionals like Welch not to hold these meetings), they had no exposure or immunity. Seemingly healthy young men and women were being struck down, and the shockwaves spread through society. The socioeconomic consequences of the epidemic were stark. In scenes reminiscent of the Black Plague, bodies stacked up in hallways of apartment buildings, shortages of coffins forced the digging of mass graves in major urban centers, and people isolated themselves from each other in fear. As a merchant from rural North Carolina stated, "Farmers stopped farming and the merchants stopped selling merchandise and the country really more or less just shut down holding their breath. Everyone was holding their breath" (p.346). It is here in the narrative that Barry's argument truly begins to bear fruit in the intersection of poor risk communication, public policy decision-making based on nationalist agendas and not on fact, and the deleterious impacts they had on public health.

To Barry, one of the important failures of public health authorities and media outlets at large was the poor effort to mitigate fear through appropriate risk communication. He contends that the CPI-influenced social climate in the United States prevented any mention of events that might "hurt morale", and media outlets published almost daily quotations from public health officials claiming that the epidemic had run its course when it was quite clear death was ubiquitous (p.224). Indeed, the unintended risk messages sent by public authorities, who declared all was well, and then themselves wore masks in public and posted signs warning about the dangers of close contact and spitting, greatly decreased confidence with those in power and unnecessarily terrified the populace¹. As Barry aptly states, "Fear, that was the enemy. Yes, fear. And the more officials tried to control it with half-truths and outright lies, the more terror spread" (p.336). The advantages to timely and transparent risk communication and subsequent action on the part of government agencies in times of crisis are clear in contemporary times. In the recent case of an E.coli outbreak among spinach products grown in California, it is plausible to argue that, had the CDC not spread its risk message regarding the threat as quickly as it did and had it not followed up with immediate action to mitigate exposure to these products, then the public would have been placed in a much more precarious position.

Barry convincingly makes a case early on in *The Great Influenza* that, while science could not (and still has not) been able to find the silver bullet to influenza, the creation of research institutions such as Johns Hopkins University, increased transparency and consistency with risk communication from government authorities and transformed medicine into a science would at the very least lay the groundwork for medical science inquiry and reduced risk exposure in the future. However, the coda-like chapter “Endgame” seems to distract from Barry’s central thesis. “Endgame” discusses the post-pandemic lives of some of the major medical researchers’ lives. Some researchers’ fervor for their work drove them to the ends of the earth following yellow fever, others to discover the beginnings of viral theory and DNA research. Aesthetically, this chapter seems to muddy the waters on an otherwise tight argument that humanity rose to the particular challenge of bringing medical science into the modern era. The terrifying implication of this conclusion, as recent scares with SARS and the H5N1 “bird flu” have shown, is that despite these rigorous scientific processes and the best medical science humanity can provide there isn’t much to protect humanity from the constantly mutating influenza virus lurking in our midst.

Dan Patry is a first-year MPA student at Cornell University focusing on Government, Policy, and Politics. He holds a B.A. in Political Science from the University of California, Davis. Dan has worked in the Peace Corps in Jamaica and as an international pension benefits consultant in San Francisco prior to enrolling at Cornell.

[Endnote]

¹ Fessenden-Raden, J., Fitchen, J.M., & J.S. “Providing Risk Information in Communities: Factors Influencing What is Heard and Accepted,” *Science, Technology, and Human Values*, 12 (1987); 94-101.

Interview with Mayor Anthony Williams

Linston Wilson Terry

BIOGRAPHY OF MAYOR WILLIAMS:

Born on July 28, 1951, in Los Angeles, California, Mayor Anthony Williams is the adopted son of Virginia and the late Lewis Williams, and is one of eight children. He graduated magna cum laude with a Bachelor of Arts in Political Science from Yale College, earned a juris doctorate from Harvard Law and a master's degree in Public Policy from the Kennedy School of Government at Harvard University. He also served in the US Air Force.

Mayor Williams served as the District of Columbia Chief Financial Officer (CFO) from October 1995 through June 1998. Appointed by former DC Mayor Marion Barry to lead the District to financial recovery, Williams restored fiscal accountability for District agencies and balanced the city's budget. His work put the city on track for the return to self-government—two years earlier than projected—and delivered a surplus of \$185 million in fiscal year 1997. Under his leadership, the District achieved significant improvements in cash management, budget execution, and revenue collections.

During his first term in office, Mayor Williams helped spark a renaissance in Washington, D.C. He and his administration have consistently produced a balanced budget, while generating economic stability and affordable housing. On January 2, 2003, Mayor Williams was inaugurated and began serving his second term in office. He is credited with revitalizing much of Washington, D.C. Some of his accomplishments as mayor include bringing Major League Baseball back to the city, completing a new Convention Center, securing an investment grade A bond rating, and revitalizing major corridors in the city – where some property values have soared from \$100,000 in 1998 to \$950,000 in 2006. His term ended in December 2006.

The Current (TC): The purpose of this interview is to draw on your experiences to inform graduate students interested in public administration, practitioners, and professors of government. The Master of Public Administration program at Cornell, and many similar programs for that matter, requires a number of foundation courses in economics, quantitative analysis, and statistics. Based on your experiences - having completed a graduate program in public policy, having served as Chief Financial Officer for the District of

Columbia, and Mayor - which areas should students focus on to develop the competencies necessary to excel in their professional careers?

Mayor Williams: Well, I think that in your undergraduate training there is a core of knowledge but then there is an approach. In graduate training, there is a core of knowledge, but then there is a methodology in the approach. I do believe you should have a core of knowledge which you can reference, but then it is really just familiarizing yourself with an approach to problems. Breaking new problems down into their component parts, proceeding to alternatives and then a solution, I think that is what the best graduate school training provides you. Graduate school training doesn't really provide you the answer to any given situation. In many cases, in terms of operations research, you probably will not be conducting that operations research yourself, will not be conducting the microeconomic analysis yourself, will not be doing the statistical research yourself, but you are able to delegate, organize, prioritize, and analyze issues based on an understanding and overview. That is what's healthy about a graduate program. I took an accounting class. I'm not a CPA but I definitely understand accounting.

A great example I would always use as a CFO, or elected official, is if you take a bell curve for example, what is the average? If you are talking about the mean average, versus the modal average, versus the median average - in public policy, there is a lot of difference between those three. It is import to understand the difference. Another example would be to understand the scale of a graph, which is very, very important. On a small scale, a minor change looks like a huge improvement. On a normal scale, or larger scale, a minor change looks unrecognizable.

TC: In December 2004, you were elected president of the Washington, DC-based National League of Cities. The National League of Cities is the oldest and largest national organization representing municipal governments throughout the United States. Its mission is to strengthen and promote cities as centers of opportunity, leadership, and governance that work in partnership with 49 state municipal leagues. Drawing from your experience as President of the National League of Cities, what are some of the reoccurring themes and overall challenges facing local and state governments across the country?

Mayor Williams: I think the overarching challenge facing cities across the country is that in our federal system of government, you have to look at it from a sources and uses point of view. Sources are all your sources

of revenue for any level of government, and uses are all your commitments or obligations. From a sources and uses point of view, between federal, state, county, and local revenues available have shrunk while responsibilities for uses of that government have grown. That is your super-ordinate issue against which everything else relates. Then, you have issues of development in cities across the country, whether they are rural, urban, suburban, ex-urban, infrastructure, transportation, public safety. Regardless of the economy, federal, state, county, local, a big issue is the location of people outside of the economy. They feel they are unable to afford a house near their place of work. They are unable to increasingly get good paying jobs and wages that can support their families. Those are all problems cities are facing. Certainly a big problem, I think personally “No Child Left Behind” was a right approach, is education. Where you’ve got an increasing number of folks locked outside of the economy because of poor schools.

TC: The Washington Post has published a series of articles over a three month period on the state of black men and leadership. The NPR special led by Juan Williams culminated with a panel discussion aired on C-SPAN in August of 2006. Both the Post and NPR present information which suggests many African-American professionals are somehow expected to place their racial identity ahead of their professional identity. What are your thoughts on this idea?

Mayor Williams: I don’t agree with that. How is that supposed to work? If I want to fly on an airline, I don’t want to fly on a black airline, a Chinese airline, or a Lithuanian airline. I just want to fly on a well run airline. If I go to a restaurant, I may want southern cooking or soul cooking, but by and large I just want to go to a good restaurant, a good hotel. I think there is nothing wrong with a melding pot at a certain level. We can maintain our identity, we can cherish our identity and history and culture and at the same time exceed on an equal level with everybody else. That is what I believe.

TC: You recently testified before the City Council in support of a plan which will demolish the existing public library and move it to the “old DC convention center site” and create a mixed use public-private development anchored by the library. Please elaborate on the decision to overhaul the library system in the District and the push to include a library site with public and private components?

Mayor Williams: One of the things I want to dedicate myself to after I'm done in office is governments doing a better job with their balance sheets. We do not really use all the assets available to us as productively and as creatively as we can for the benefit of our people. Part of that involves public and private partnerships. I think we are defining public space now in a more dynamic way, as opposed to an iconic, sterile way. We are moving away from thinking of libraries as these buildings that are removed from the rest of the city up on a hill, to a public space that is immersed in the city, a public space that is part of the life of this city, emblematic of the aspirations of this city and its people - to achieve a better life. To move up to higher ground through intellectual inquiry.

TC: The District of Columbia does not have a vote in Congress. Despite having a population larger than 6 states in the union, paying the second highest taxes (per capita) in the country, and having one of the highest casualty rates in American wars, the District of Columbia remains without Congressional representation. This injustice is due in part to provisions in the US Constitution which gives the Congress oversight of the District. As mayor, how do you deal with Congress and its oversight?

Mayor Williams: It is something you have to balance. We have limited home rule in this city. We do not have a vote in the house. We take offense to that, and we take umbrage with that. It has been a problem for some time, but we believe that we can advocate for full rights and representation for our city and at the same time, in conjunction with our congresswoman, maintain a good relation with Congress. I think we do that. I think our relationship with Congress has never been better. In recent modern times, I cannot speak for pre-1940, but from then on I think that it is at its best.

TC: Lastly, Mayor Williams, what would you offer to students beginning careers in public policy?

Mayor Williams: All public policy does not begin and end with the federal government. A lot of students in public policy want to go immediately work for the federal government, but I think that can be a mistake. State, and local governments are not as well resourced, the salaries are not as good, but on the other hand your opportunity to make an impact and build a powerful resume are greater sometimes in local government. Also, I would urge students to also consider, now, the nonprofit sector. When you look at the Gates foundation, for example, some of these foundations have as much clout or more clout than many

governments in the world. The Gates' combined now with Warren Buffet's endowment is going to be one of the largest countries in the world in terms of its giving. So, I would encourage students to think about the foundation world, too.

Linston Wilson Terry is Capital City Fellow, a program created by Mayor Williams in to attract management talent to Washington, DC. Fellows complete four 6-month rotations in DC government. He holds the B.A. from Morehouse College in Economics and International Studies, and the M.P.A. from Cornell University where he served as senior editor of The Current.

Submission Guidelines

The goal of *The Current*, the public policy journal of the Cornell Institute for Public Affairs, is to present timely, relevant research and analysis on contemporary issues in public policy. Articles and views presented generally emerge out of a range of fields and disciplines while holding in common the scope of policy examination and consequent recommendations. While many of the contributions presented comprise the original research of CIPA Fellows, contents are supplemented by contributions from other scholars at Cornell University and academic institutions, along with those of practitioners in the public and non-profit sectors. Shorter pieces with more of a policy paper format are welcome under the Views & Reviews section, as are book reviews. Statements of fact and opinion appearing in the journal are the author's sole responsibility; publication does not imply the endorsement of the editors or publisher. The journal does not publish communications to the editor or rejoinders to specific articles. Scholars or practitioners who believe they have been challenged are encouraged to submit an article that will advance the scholarly debate.

Style

Articles and views should be written in clear, jargon-free English with adequate documentation. We aim to be accessible to a variety of readers ranging from scholars to policymakers both foreign and domestic. Textual style generally follows the *Chicago Manual of Style*. References and citations should be included as endnotes presented at the end of the text.

Format

Article text should be preceded by a maximum 100-word abstract setting forth the topic under discussion and the public policy dimensions in view. The author should indicate the central thesis of the article and how particular arguments will be presented in its support.

Submissions should be approximately no more than 30 pages double-spaced. An 11-point Georgia font is preferred. Pages must be numbered. Please prepare your submission with appropriate subheadings if applicable. Consult recent issues of *The Current* as a guide.

Authors are encouraged to submit tables, figures, maps, and other illustrations with their manuscripts. Please number such items consecutively in the order in which they appear in text. Each table should have a caption.

Biographical paragraphs should be included with each submission.

Views & Reviews

Style and formatting guidelines referenced above apply equally to work submitted for *The Current's* Views and Reviews section. Submissions for the Views section should be approximately no more than 15 pages double-spaced. We invite submissions of review essays of recent books related to public administration, government, economics, planning, sociology or policy questions in general. Reviews should be no more than 5 pages double spaced.

Submission

Submissions may be sent electronically to thecurrent@cornell.edu, or in hard copy to:

Editor-in-Chief
The Current
Cornell Institute for Public Affairs
Cornell University
294 Caldwell Hall
Ithaca, NY 14853

Please note that hard copy manuscripts not accepted for publication will be returned to the author only if accompanied by a stamped, self-addressed envelope.

Revision, Editing and Publication

Articles that meet the above criteria are presented to the Editorial Board for review. Authors will be apprised of the Board's decision as the reviews are completed. Authors may be required to revise their articles before they are accepted for publication. They will be sent an edited copy of the manuscript and a final copy before publication. Upon Publication, five copies of the journal will be sent to each author. Authors are encouraged to correspond electronically or write to the editor with questions not answered here or for guidance on the overall direction of the piece.

The Current will own copyright to all articles and have the right of first publication, unless other arrangements are made with the editors in advance.





Cornell Institute for Public Affairs
A Graduate M.P.A. Program
Cornell University
294 Caldwell Hall
Ithaca, NY 14853
phone: 607-255-8018
fax: 607-255-5240
thecurrent@cornell.edu
www.cipa.cornell.edu



©2006 Cornell Institute for Public Affairs