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Cover Image:

A REPUTATION OF NON-RATIFICATION: EXPLAINING THE DELAY IN THE UNITED STATES' RATIFICATION OF THE ICCPR

EMILY RUSSELL¹

ABSTRACT

The history of the United States' involvement in international agreements reveals a disproportionate timeline between signing and ratification. Notably, the International Covenant on Civil and Political Rights (ICCPR), one of the binding twin covenants enacting the goals of the non-binding Universal Declaration of Human Rights (UDHR), features a 15-year delay following signing before ratification by the U.S. The agreement was viewed as inherently Western, and the United States took leadership during negotiations, becoming the primary promoter of the drafting process. Yet, domestic support for the agreement was seemingly inconsistent with its leading role, identifiable by the delay. The following analysis will evaluate the rationales—legal, institutional, and political—for the delay in the United States' ratification of the ICCPR. It will then explore catalysts in the international sphere that incited the eventual ratification. Through close readings of Senate hearings, drafts of UN negotiation documents, and analysis of theoretical frameworks by which the United States' system ratifies international agreements, the following synthesis is a variety of

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primary and secondary sources which explain the delay in ratification. The study reveals that the United States' reputation of non-ratification has implications for its international credibility, affecting its ability to shape global politics. The ICCPR is used as a case that elucidates the United States' rationale for ratifying, or neglecting to ratify, other international agreements; thus, this analysis will address the influence of international politics on domestic participation.

INTRODUCING THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS

“The covenant is rooted in Western, democratic traditions and values. It guarantees rights and freedoms consistent with our own constitution and the Bill of Rights,” argued the chairman of the U.S. Senate Committee on Foreign Relations in the 1991 hearing on the International Covenant on Civil and Political Rights. This hearing, which occurred more than a decade after the U.S. signed the covenant, prompted the United States' eventual ratification of the agreement. The International Covenant on Civil and Political Rights (hereafter, ICCPR) is a primary part of global doctrine that defined and institutionalized respect for human rights. The United Nations' International Bill of Human Rights² is comprised of the non-binding Universal Declaration of Human Rights and its binding twin covenants, the ICCPR and the International Covenant on Economic, Social, and Cultural Rights (ICESCR). The ICESCR prescribes international law relating to economics, labor, health, education, and living standards, and it remains unsigned and unratified by the United States.³⁴

HISTORY AND LEADERSHIP OF THE COVENANT

The United States played a leading role in forming the ICCPR. Taking

² The International Bill of Human Rights is the title under which the Universal Declaration of Human Rights falls, which remains legally unbinding. The legally binding components are the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights.

³ A fundamental contrast exists between the rights established in the ICCPR and ICESCR. The ICCPR outlines “negative” rights while the ICESCR outlines “positive” rights. Legal scholarship distinguishes between these, defining negative rights as those that entail duties of self-restraint in which a state will not derogate the right, while positive rights impose affirmative duties on the state with respect to granting specified benefits. (See Fellmeth, endnote 4).

⁴ Aaron Fellmeth, *Paradigms of International Human Rights Law*, Oxford: Oxford University Press, 2016, 215.

charge of the ICCPR seemed an appropriate task for the United States, given its status as a world leader in the development of human rights norms⁵ and its long history of calling on other governments to respect rights consistent with principles of democracy.⁶ The United States demonstrated leadership in the agreement's formation in numerous ways, including facilitating the document's conclusion in New York City, serving as the primary drafter of the agreement, and maintaining control of the United Nations. The following section explores in greater detail the displays of leadership expressed by the United States.

The United States helped to form the ICCPR by serving as the “prime promoter” of the drafting process and setting the agenda of negotiations.⁷ Scholar Barbara Koremenos theorizes agenda setting as demonstrative of state leadership in negotiations whereby the “leading” state “initiat[es] cooperative endeavors by putting forth the first drafts of an international agreement and, for the most part, remain[s] in control of subsequent drafts.”⁸ The United States also maintained control in the UN, the international institution through which the ICCPR was formed. The United States and other victors of WWII created the UN. The postwar advantage notion posits that most major International Governmental Organizations (IGOs) are created in the aftermath of a large-scale war, when power asymmetries are most pronounced and the victor has a pointed interest in shaping the future institutional order.⁹ The United States shaped the structure of global institutions after WWII, most notably through the founding of the United Nations, where it maintains an international position of power.¹⁰

While the U.S. portrayed itself as a proponent of the covenant's creation, domestic support in the U.S. for the agreement contradicted its leading role and

⁵ M. Cherif Bassouni, “Reflections on the Ratification of the International Covenant on Civil and Political Rights by the United States Senate,” *DePaul Law Review* vol. 42, no. 4 (Summer 1993): 1169.

⁶ Aryeh Neier, “Political Consequences of the United States Ratification of the International Covenant on Civil and Political Rights,” *DePaul Law Review* vol. 42, no. 4 (Summer 1993): 1236.

⁷ John Quigley, “The International Covenant on Civil and Political Rights and the Supremacy Clause,” *DePaul Law Review* vol. 42, no. 4 (Summer 1993): 1288.

⁸ Barbara Koremenos, et al. “International Organization Foundation: The Rational Design of International Institutions” The MIT Press, 55(4) 2016: 237.

⁹ Erik Voeten, “Where Is U.S. Multilateral Leadership? Reconceptualizing Transnational Governance,” 2016 Global Economic Symposium. (August 2016): 1.

¹⁰ Voeten, “Where Is U.S. Multilateral Leadership?” 1.

caused misalignment with international expectations. The ICCPR concluded and opened for signature on December 19, 1966 in New York City, but the United States did not sign the agreement until 1977, under the executive leadership of then-President Jimmy Carter. Ratification occurred in 1992 under the executive leadership of then-president George H. W. Bush, nearly 30 years following its conclusion. Given the ways in which the United States took leadership during negotiations, this timeframe with long lags between conclusion and signature, and signature and ratification, is perplexing. Many nations could not reconcile the United States' reluctance to ratify the treaty with its leading role in the treaty's creation.¹¹ Further, the outward aim of the United States to uphold human rights on its soil and abroad made the delay in the ICCPR's ratification striking and atypical in comparison to its democratic peers. *Figure 1* depicts the dates of signing, ratifying and years of delay for other Western democracies.

Figure 1.

Country	Date Signed	Date Ratified	Delay (years)
Australia	1972	1980	8
Austria	1973	1978	5
Belgium	1968	1983	15*
Chile	1969	1972	3
Denmark	1968	1972	4
Finland	1967	1975	8
Germany	1968	1973	5
Hungary	1969	1974	5
Iceland	1968	1979	11
Ireland	1973	1989	16*
Israel	1966	1991	25*
Italy	1967	1978	11
Japan	1978	1979	1
Netherlands	1969	1978	9
New Zealand	1968	1978	10

¹¹ Bassouni, "Reflections on the International Covenant," 1171.

Norway	1968	1972	4
Poland	1967	1977	10
Portugal	1976	1978	2
Sweden	1967	1971	4
United Kingdom	1968	1976	8
United States	1977	1992	15*

*= delay time equal to or greater than U.S. delay time | Average: 8.53 years

The average Western democratic state¹² took 8.53 years to ratify after signing, with the United States' delay time of 15 years rivaled or surpassed only by Belgium (15-year delay), Ireland (16-year delay), and Israel (25-year delay). Since the United States proved itself the leader of negotiations in the ICCPR's development, what might account for the delay to ratify that followed its signing? Furthermore, why did the U.S. choose to ratify when it did? The importance of the ICCPR to international human rights guarantees justifies close evaluation of its timeline of acceptance in the United States.

This analysis will explore the rationale regarding the ratification of international human rights law in the United States using the ICCPR as a representative case. While the timelines of other international laws could be evaluated, the focused study of the ICCPR is relevant when asking: how did a leading Western nation neglect to accede to one of the primary human rights doctrines in the international community? The ICCPR is uniquely suited for the study as it set precedents for human rights agreements in its position as one of the binding covenants enacting the aspirational guarantees in the United Declaration of Human Rights. It incorporates the rights considered primary by free and fair governments, including rights to life and liberty, among others. The agreement is broad in its coverage of rights as compared to niche topics guaranteed by other major international treaties such as the *Convention Against*

¹² Western democracies used in calculation were selected according to three criteria: 1) states with ratification dates (of the ICCPR) submitted to the UNTC, 2) states holding OECD status, and 3) states with Freedom House distinction as free. Countries only with accession dates deposited were omitted, including Canada. These states, if considered, would further demonstrate the US as an oddity with extensive delay given their absence of any delay between signature and accession.

Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the *Convention on the Rights of the Child*. These topical agreements are more likely to be accepted or rejected outright by a state based on its preferences, while the ICCPR's breadth of encompassed rights allows for more debate, disagreement, and demands within the substance of the agreement. It is thus a useful representative case for understanding delay in the ratification of human rights treaties as acceded to by the U.S. at large. The particularities of the ICCPR and its timeline are analyzed to explore how the U.S. approaches signing and ratifying international human rights law.

The following section will outline the main hypotheses regarding legal, institutional, and geopolitical rationales for delay and ratification, respectively. The analysis will track the agreement's signature and ratification sequentially, evaluating the substance of the ICCPR to posit legal explanations for delay, investigating institutional constraints to the agreement's ratification, and understanding international factors as they contribute to the eventual accession by the United States. The analysis reveals that disagreements over the law's substance only partially explain the delay and that these legal disagreements become relevant as they interact with the domestic system of ratification. The United States ratifies treaties with a domestic institutional structure that is slow by design and the preferences of executives play an outsized role in decision-making, which perpetuate delay in ratification. Further, the analysis reveals that ratification of the ICCPR is incited by a catalyst after a period of stasis occurring at the international level. The analysis shows how domestic institutional factors prolong delay and an international catalyst ignites treaty ratification. The domestic factors which influence accession to human rights law have consequences for a state's international credibility and role in global politics.

HYPOTHESIS AND APPROACH

Extensive legal literature recounts the particularities of the ICCPR, with elaborative discussions of the agreement clauses and the U.S. resistance or adherence to each. This literature differs in content, but many writings express the same core idea: the eventual ratification of the ICCPR would be critical to maintaining the United States' international influence on the development of freedoms and democratic rights around the globe.¹³ At stake with the ICCPR was the United

¹³ David P. Stewart, "United States Ratification of the Covenant on Civil and Political Rights:

States' legitimacy as a norm-setting state. As a leading democracy, the country's accession revealed its intentions to the international community, as is explored in greater detail later. However, while scholars have marveled at the delay following signing, few have attempted to explain it.

The prevailing argument suggests the United States only signs international law, particularly human rights law, when the agreement conforms to domestic standards and requires no change in U.S. practices.¹⁴ These agreements are low-cost, as they need no additional legislation to implement their guarantees. Under this framework, states will fail to ratify agreements that differ too greatly from or contradict their domestic body of law. The first hypothesis regarding the delay between the ICCPR's signature and ratification comes from this theory and evaluates the document's content:

H1: Differences in international standards codified in the ICCPR and the domestic body of law (U.S. Constitution) cause substantive disagreements which slow ratification of international law.

How do these substantive legal disagreements move through the domestic system in the U.S. to affect delay? In her 2009 publication *Mobilizing for Human Rights*, scholar Beth Simmons contemplates the likelihood of ratification of international human rights agreements finding that countries that practice different legal systems—like common law or civil law—have statistically significant differences in the number of agreements ratified.¹⁵ Her work introduced the relevance of variances in domestic institutions, as they affect the passage and implementation of laws. The United States' executive is constitutionally granted the right to propose and negotiate international agreements, but agreement ratification is completed only with the advice and consent of the Senate. The second and third hypotheses closely relate to the logistics of the U.S. system of ratification:

The Significance of the Reservations, Understandings, and Declarations,” *DePaul Law Review* vol. 42, no. 4 (Summer 1993): 1184.

¹⁴ Quigley, “The International Covenant,” 1287.

¹⁵ Beth Simmons, *Mobilizing for Human Rights: International Law in Domestic Politics*. (Cambridge University Press, 2009): 87.

H2: The United States' institutional structure of codifying treaties is subject to constraints of time which slow ratification of international law.

H3: The preferences of the executive shape priorities of foreign relations and lawmaking, which slows ratification of international law.

Equally important to the study of the delay is an explanation of the eventual decision to ratify. Much like Newton's conception of stasis and motion in foundational physics theory, the delay period of the ICCPR can be conceived of as an inertial political state. Newton's first law of motion states that the inertia of an object is maintained until acted upon by an external force. Under this analogy, political change is caused by an external force, which jolted the U.S. out of its inertial complacency. Stasis in the ICCPR's timeline is the period of non-ratification by the United States, ended only due to a catalyst external to the United States itself. Overcoming delay, as predicted for the ICCPR, is broader than micro-legal rationale and domestic institutional explanations, and engages instead with the international level of analysis. Thus, the hypothesis regarding the eventual decision to ratify is as follows:

H4: The United States' decision to ratify the ICCPR after the delay, a period of political stasis, was incited by a catalyst at the international level.

Through a close reading of Senate hearings, an analysis of UN negotiation documents, and an evaluation of theoretical frameworks by which the United States' federal government ratifies international agreements, the following analysis will synthesize a variety of primary and secondary sources to test these hypotheses regarding the delay in ratification of the ICCPR. The United Nations Treaty Series data is used as the source for international agreement details. This analysis of source material is a unique and meaningful approach to studying the ICCPR, as it allows for examination into the nuances of the case which can be scrutinized in greater detail than a study which looks comparatively across other states and laws. The findings from an in-depth review will differ from those observed in comparative or larger-scale studies.

Admittedly, there are also shortcomings to this approach. One, in particular, is the risk of overlooking broader patterns that could be studied in a larger statistical analysis on signature and ratification dates that evaluate human

rights law holistically or globally. However, the following analysis of the ICCPR in the United States is a critical contribution to the understanding of otherwise underexplored details that can inform the framework of subsequent broader studies.

THE SIGNING OF THE ICCPR AND ROADBLOCKS TO RATIFICATION

In 1977, under a unified, majority-Democratic 95th Congress (1977-1979), then-President Jimmy Carter signed the ICCPR. Carter submitted the agreement to the Senate to receive advice and consent for ratification concurrently with three other international human rights agreements,¹⁶ placing his proposal in a framework that emphasized the necessity of global progress toward the betterment of human rights.¹⁷ In his *Letter of Transmittal*, Carter writes, “Our failure to become a party increasingly reflects upon our attainments, and prejudices United States participation in the development of the international law of human rights.”¹⁸ The Foreign Relations Committee’s debate after Carter’s proposal highlighted international and domestic conditions underlying the decision to sign and those which might motivate ratification. Prevalent themes discussed in the hearing included Carter’s emphasis on improving global human rights and the United States’ responsibilities to the rest of the world.¹⁹ Senators who favored ratification argued that signatories would have the ability to push and shape global norms, thus, U.S. interests were better served with active participation. Then-Deputy Secretary of State, Christopher Warren, clarified, “We should not deny ourselves this opportunity to help shape the developing international standards for human rights...”²⁰ Despite the compelling debate and Carter’s insistence on advancing international human rights standards, the treaty remained unratified following his presidency. The most commonly considered

¹⁶ Carter also submitted The International Covenant on Economic, Social and Cultural Rights, The International Convention on the Elimination of All Forms of Racial Discrimination, and The American Convention on Human Rights.

¹⁷ Stewart, “United States Ratification of the Covenant,” 1185.

¹⁸ Jimmy Carter, Letter of Transmittal, on the international human rights agreements, February 23, 1978. Unpaginated.

¹⁹ U.S. Senate, EX. C, D, E, AND F, 95-2-FOUR TREATIES RELATING TO HUMAN RIGHTS: Hearing before the Committee on Foreign Relations, International Human Rights Treaties. United States Senate, Ninety-Sixth Congress, First Session, November 14, 15, 16, and 19, 1979. Accessed November 11, 2017. from HeinOnline.com.

²⁰ U.S. Senate, “Hearing Before the Committee on Foreign Relations,” 1979: 21.

roadblock to ratification is the disagreement over the agreement's substantive provisions.

TREATY SUBSTANCE EVALUATION

H1 posits that the substance of the treaty and disagreements over its legal ramifications contributed to the United States' delay in ratification. To test the validity of H1, the following analysis will track the content of the ICCPR over time, identifying senatorial disagreements regarding the treaty's provisions and executive proposals to limit or widen its scope.

Ratification of international law by the United States hinges on the advice and consent of the Senate, often provided through deliberations of the Foreign Relations Committee and their commentary developed in response to the reservations, understandings, and declarations (RUDs) attached to the treaty document by the executive before its approval. Both Carter and Bush attached a set of RUDs to the ICCPR, which, in accordance with precedent, included protective measures against codifying threats to sovereignty.²¹ Evaluating RUDs highlights the provisions which the U.S. was hesitant to accept, and provides insight as to what, if anything, in the treaty's text prevented the agreement's ratification. Tracking RUDs over time will demonstrate the relevance, or not, of treaty substance to delay.

Senators disagreed as to whether the proposed reservations were too lenient on the U.S. or, conversely, insufficient for protection against infringement on sovereignty. This foundational divide may have contributed to the prevention of immediate ratification following the treaty signing. Exploring this disagreement, as a response to proposed RUDs, is another critical component of understanding the relevance of the treaty's content, or not, to delayed ratification.

The first argument to prevail in the Senate hearings was that the United States reserved too many portions of the agreement and would fall short of the international ideals to which it claimed to subscribe.²² Senators who aligned with Carter's presentation of the agreement as a necessary measure by which to spread international human rights standards wanted the U.S. to commit to each part of the agreement. They hoped accession would commit the state to guaranteeing the international standards which it did not reach. They rejected too-intrusive RUDs

²¹ Quigley, "Supremacy Clause," 1287.

²² U.S. Senate, "Hearing Before the Committee on Foreign Relations," 1979: 6.

that minimized the breadth of rights guaranteed by the ICCPR. However, the senators agreed that ratification with strict reservations would be better than not ratifying at all.²³

For others, the fear that the agreement would infringe upon domestic law was paramount. Within this debate, senators circled a variety of topical concerns and sought increasingly-stringent RUDs. They feared the granting of human rights would entail the removal of otherwise protected liberties, like free speech and penal allowances.^{24,25} They feared that too-stringent human rights guarantees would allow ideologically-different states to accuse the United States of going against the terms of the ICCPR, and these states would wield self-serving power over the United States.²⁶ There was also fear of the associative nature of international agreements, in which a perceived Western democratic state like the U.S., signs onto the same set of guidelines as repressive governments.²⁷ The fear of this negative association, in addition to those fears mentioned above, dominated the Senate hearings.

To remedy these concerns and others, both Carter, the president under whom the agreement was signed, and George H. W. Bush, the president under whom the agreement was eventually ratified, proposed a thorough set of provisos alleviating domestic uncertainties about implications of the treaty substance.²⁸

²³ U.S. Senate, "Hearing Before the Committee on Foreign Relations," 1979: 6.

²⁴ Reservations under Bush addressed these issues, reserving Article 20 to protect free speech, and portions of Articles 7, 10, 14, and 15 to uphold legality of domestic punishments allowed for in the Constitution. *See more details in following footnote.*

²⁵ U.S. Senate, International Covenant on Civil and Political Rights: Hearing before the Committee on Foreign Relations, United States Senate, One Hundred Second Congress, First Session, November 21, 1991: 2. Accessed October 12, 2017 from HeinOnline.com.

²⁶ U.S. Senate, "Hearing Before the Committee on Foreign Relations," 1991: 3.

²⁷ *Ibid*: 6.

²⁸ Stewart writes a qualitative comparison of the provisos submitted by each executive and a brief analysis of their differences, noting, "The principal changes [between the proposed RUDs] concerned replacement of the reservation on federalism with an understanding, a revision to the reservation on the First Amendment, acceptance of the prohibition against imposing the death penalty on pregnant women, and deletion of the understanding interpreting certain rights enumerated in Article 10 as 'goals for progressive achievement.' Among the new elements were an additional reservation regarding Article 7 (cruel, inhuman, or degrading treatment or punishment), an understanding concerning equal protection and nondiscrimination, and a declaration concerning restrictions and limitations on rights." (*See Stewart 1993, page 1190*)
Note: *Carter's submitted provisos in full can be found in Carter's Letter of Submittal from the*

Figure 2 shows the total number of RUDs proposed by each.

Figure 2.

RUDs Proposed Under Carter

Reservations	4
Understandings	1
Declarations	2
Other	1

RUDs Proposed Under Bush

Reservations	5
Understandings	5
Declarations	4
Other	1

While these suggested changes differed slightly in number, both administrations' proposals were characterized in existing scholarship as "not significantly different."²⁹ Bush's package of proposed provisos were based on the proposals set forth in the Carter transmittal and thus were more alike than different.³⁰ Given this condition, it is likely that contestation over treaty substance could have been a factor slowing ratification but it could not be the primary or single factor, rejecting H1 as the leading, or only, argument for the delay in ratification. Since the document evolved in a way which left fundamentals intact—despite differing fears about its content—overcoming differences was not the sole reason delay occurred. The foregoing review of the nearly-unchanged RUDs and evaluation of specific senatorial debates tests H1 and reveals it to be incomplete.

IDENTIFYING LIMITS OF THE FOREIGN RELATIONS COMMITTEE

The insufficiency of legal explanations in fully explaining ratification delay

Department of State, Washington, December 17, 1977. Bush's submitting provisos in full can be found in Executive Report 102-23 on Ratification submitted by Mr. Pell from the Committee on Foreign Relations, on March 24, 1992.

²⁹ Stewart, "United States Ratification of the Covenant," 1189.

³⁰ *Ibid*:1190.

demands a look into larger, domestic-level rationales. H2 thus predicts that the delay in ratification arises instead from the limits of domestic institutions. To evaluate the likelihood of that explanation, the following analysis will scrutinize the bodies through which the ICCPR moved toward ratification.

The format by which the United States ratifies treaties involves seeking the advice and consent of the Senate through the Foreign Relations Committee (FRC). The FRC sets out to work on the list of presidential priorities submitted by the State Department. While the priority list narrows the otherwise innumerable topics on which the committee could work, in practice, it overestimates the abilities of the committee. The former chairman of the FRC, Alexander Wiley, confirms the FRC's limitations and notes that while the State Department reliably submits a list of 60 to 75 items of interest during intersession periods, it is a rule that "only a portion of this list is covered by the end of the session."³¹ The committee functions in ways that may prolong treaty ratification, as is demonstrated by the criticism it receives for neglecting to accomplish all items on its priority list.³²

The committee's capacity is not without limit, as the functions of the committee tend to be bounded by international crises. When pressing international matters arise, the committee tends to them and tables legislative matters like treaty ratification. Scholars and involved politicians alike noted that the conclusion of Carter's leadership demanded the time of the committee in handling events like the Soviet invasion of Afghanistan and the hostage crisis in Iran.³³ The ratification report submitted by Chairman Pell serves as another political primary source confirming this as a barrier to ratification, in which he states that, "domestic and international events at the end of 1979, including the Soviet invasion of Afghanistan and the hostage crisis in Iran, prevented the Committee from moving to a vote on the Covenant."³⁴ These significant primary source accounts lend support for the acceptance of H2. They demonstrate that the United States' process for codifying treaties, which relies on the advice and

³¹ Alexander Wiley, "The Committee on Foreign Relations," *The Annals of the American Academy of Political and Social Science*, vol. 289, Issue 1 (1953): 65.

³² Wiley, "The Committee on Foreign Relations," 65.

³³ Stewart, "United States Ratification of the Covenant," 1189.

³⁴ Claiborne Pell, on behalf of the Committee on Foreign Relations, 102nd Congress, Second Session, Executive Report 102-23. *International Covenant on Civil and Political Rights*. (24 March 1992): 2.

consent of the FRC, can be slowed or prevented outright by the occurrence of international crises.

THE ROLE OF EXECUTIVE (DIS)INTEREST

An additional domestic determinant in the treaty ratification process, as outlined in H3, regards the disproportionate role the executive's preferences play on a treaty's acceptance. H3 is evaluated using qualitative evaluations of executive cases that reveal interests and precedents. How have executive interests come to the forefront of domestic politics in the United States? The amount of executive agreements signed by various presidents increased after World War II, with postwar presidents Carter and Reagan each signing more than 1,000 executive agreements during their respective tenures.³⁵ The preponderance of executive agreements suggests that executives create and push their own agendas during their tenures, thus demanding analysis of the role of executive interests in achieving legislative goals, particularly in the international sphere.

EVALUATING REAGAN (1981-1989)

The ICCPR's delay is captured, to a great extent, by Reagan's tenure as executive (1981-1989). To evaluate the influence of executive interests, this analysis asks how Reagan's preferences shaped the tabling of the ICCPR during this period. It discerns Reagan's preferences by evaluating the list of priorities Reagan submitted to the FRC.

Over the course of his tenure, Reagan never noted the ICCPR as a priority of his international relations work on the list deposited with the State Department.³⁶ Instead, his priorities included goals for environmental issues, like acid rain, fishery disputes, and the International Whaling Commission.³⁷ Additionally, the submitted report on ratification stated directly that, "the Reagan administration did not indicate any interest in ratifying the covenant."³⁸ This depriorization may

³⁵ Kiki Caruson and Victoria A. Farrar-Myers, "Promoting the President's Foreign Policy Agenda: Presidential Use of Executive Agreements as Policy Vehicles," *Political Research Quarterly*, Vol. 69 no. 4 (December 2007): 631.

³⁶ Authorization and Oversight Plan for the House Committee on Foreign Affairs under the 98th Congress, under the Subcommittee on Human Rights and International Organization (24 February 1983). Unpaginated.

³⁷ Authorization and Oversight Plan for the House Committee on Foreign Affairs, 1983. Unpaginated.

³⁸ Pell, "Executive Report," 2.

have left the ratification tabled for over a decade.³⁹ Then-president Reagan also drew upon “realpolitik” viewpoints, which frame international law and cooperation as non-foundational to conducting foreign policy. Realpolitik suggests that national interests supersede concern for promotion or safeguarding of human rights.⁴⁰ Reagan’s preferences, then, can be tied to the delayed process of acceding to the ICCPR.

EVALUATING EISENHOWER AND THE BRICKER AMENDMENT

Precedents regarding ratification rates of international human rights law established in the United States shaped the timeline of the ICCPR. During Dwight D. Eisenhower’s tenure in the late 1950s, senators feared that “internal social changes” associated with too-stringent international human rights law would overrule domestic legislation and punish southern Democrats, like Senator John W. Bricker, for legally institutionalizing racism.⁴¹ Senators fearing changes to, and prosecutions based on current domestic laws resisted international change in human rights. Southern Democratic senators, led by Senator Bricker, proposed the Bricker Amendment, which, if passed, would remove the executive’s ability to make executive agreements.⁴² In order to maintain his power to pass executive orders, Eisenhower defeated the Bricker Amendment in a bargain where he agreed not to accede to emerging human rights conventions.⁴³ Thus, due to concessions made by the executive, international human rights law stagnated. Allowing for the continued passage of executive agreements empowered the president to prioritize ratification of international laws, and this decision exemplifies the crucial role executive opinion plays in shaping international ratification outcomes, supporting H3.

Further data illustrate the decreased U.S. participation in the drafting of

³⁹ The disinterest of the Reagan administration in ratifying the ICCPR is asked, in existing scholarship, not to be conflated with his disinterest in human rights. Some have suggested that while the administration did not first emphasize the necessity of commitment to the ICCPR, it was only because the Reagan administration chose to prioritize the Genocide Convention and the Torture Convention (See Stewart 1993, page 1189).

⁴⁰ Burns H. Weston, “The Reagan Administration versus International Law,” *Case Western Reserve Journal of International Law* 19, no. 3 (Summer 1987): 295-302.

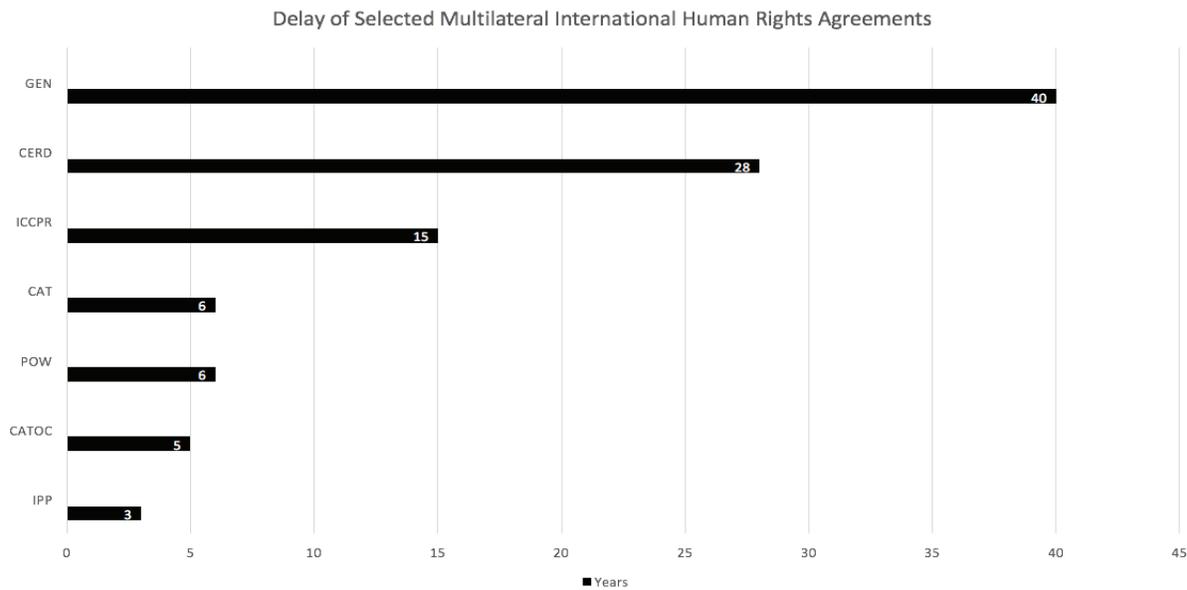
⁴¹ Oona A. Hathaway, “Treaties’ End: The Past, Present, and Future of International Lawmaking in the United States,” *The Yale Law Journal*, vol. 117, no. 7 (2008): 1303. JSTOR.

⁴² Hathaway, “Treaties’ End,” 1240.

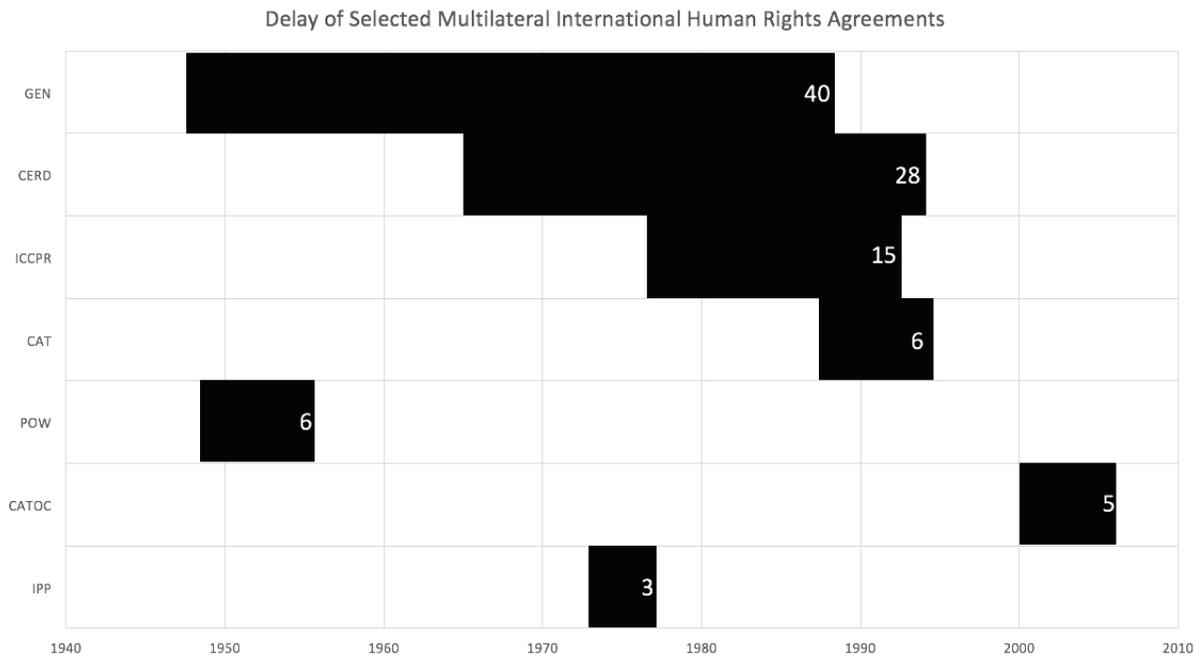
⁴³ *Ibid.*

international human rights legislation, due in part to the precedent established by the deal between Eisenhower and Bricker. A collection of seven major multilateral human rights agreements which the U.S. is party to show that delays between signature and ratification have taken up to 40 years (See Figure 3). Figure 4 displays these seven agreements on a timeline.⁴⁴

Figure 3.



⁴⁴ These agreements were selected as they are most often considered high-profile international human rights agreements, selected as “important” in numerous other scholastic studies. While this selection is meant only to sample and show variety in delay of various international human rights law, future research should evaluate all human rights agreements ratified by the United States. Figures 3 and 4 additionally neglect to display still unratified human rights agreements in the U.S., some of which are also considered “important” by scholars and the international community.

Figure 4.⁴⁵

In review, the roadblocks to ratifying the ICCPR are encompassed in domestic institutional rationales. Legally, disagreements over the substance in a treaty's articles may prolong debate but are often resolved by the inclusion of RUDs, and thus cannot be the primary cause of a near-30-year delay of the law's domestic ratification. Rather, institutional obstacles, such as the Foreign Relations Committee's limits (H2), and political obstacles, such as an executive's disinterest (H3), are notable factors that prevented ratification of the ICCPR. Next, the analysis will posit explanations of the eventual decision to ratify the ICCPR, expanding the evaluation to include international conditions.

RATIONALIZING THE TIMING OF RATIFICATION OF THE ICCPR

Despite the institutional and political obstacles that slowed the

⁴⁵ The abbreviated codes for these agreements are as follows: *Convention on the Prevention and Punishment for the Crime of Genocide (GEN)*, *International Convention on the Elimination of All Forms of Racial Discrimination (CERD)*, *International Covenant on Civil and Political Rights (ICCPR)*, *Convention against Torture (CAT)*, *The Geneva Convention/Convention relative to the Treatment of Prisoners of War (POW)*, *Convention against Transnational Organized Crime (CATOC)*, and *the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons (IPP)*.

ICCPR's ratification in the United States, a divided government⁴⁶ under the Bush administration ratified the document in 1992, a full fifteen years following its signature. Ratification came nearly thirty years following the agreement's conclusion in 1966, when the agreement's drafters originally determined the content of the articles. What was significant about 1992 for the United States' ratification of the primary covenant on human rights? H4 predicts that stasis, like that seen in the ICCPR's political stagnancy in the United States, ends when a catalyst motivates change. In the following analysis, international factors are evaluated for their relevance in catalyzing the United States' sudden decision to ratify.

After extensive delay, incentives for ratification in 1992 surfaced with dramatic shifts in geopolitics. Global standards significantly shifted in the early 1990s when the collapse of the Soviet Union created global uncertainty about how previously occupied nations would land politically. Included among the global events of 1991 was the conclusion of the Cold War, a decades-long conflict which put Soviet and American ideologies in opposition and reinforced the fundamental differences underlying communist ideas in the east and democratic foundations of the west. The Cold War showcased the U.S. as a symbol of the West, and its end created an opportunity for the state to reaffirm international influence in the spread of Western democracy. These geopolitical conditions incentivized the United States to 1) show itself as a leader of democracy, and 2) build its international credibility whereby it could shape world order in instituting democracy and dominance abroad. These incentives ended the nearly 30-year stasis from the agreement's conclusion to its domestic ratification, providing initial support for H4.

In ratifying the ICCPR, the U.S. believed it would boost its international reputation and publicly embrace western ideals, granting itself a leading role in reshaping the Post-Cold War world order. Primary sources and scholastic commentary published soon after ratification reiterated sentiment on the timeliness of the decision to ratify, emphasizing the year as one in which "democracy and democratic ideals enjoy[ed] an unprecedented primacy" and the United States' commitment as one that could "ensure that democratic principles and values [would] take hold in the infant democracies of Eastern Europe, the former Soviet Union, and elsewhere."⁴⁷ It was widely believed that through ICCPR ratification,

⁴⁶ The executive branch was Republican while the legislature was Democratic. While the treaty was signed in conditions of unified government, ratification occurred under differing conditions.

⁴⁷ Michael H. Posner, Peter J Spiro, "Adding Teeth to United States Ratification of the Covenant on Civil and Political Rights: The International Human Rights Conformity Act of 1993," DePaul

the U.S. could protect and promote ideals of democracy internationally.⁴⁸ Evidencing the relevance of geopolitics further is the framing of the agreement by then-President Bush, and the negligible changes in the proposed RUDs.

DIFFERENTIAL AGREEMENT FRAMING

The Pell Report, which came from the 102nd Congress in 1992 and announced ratification, emphasized the uniqueness of the era as one in which democracy needed advocates in the international scene. Sentiment stressing the new opportunity for democracy was prevalent in a compelling portion of Pell's report, which stated,

The historical changes in the Soviet Union and Eastern Europe have created an opportunity for democracy to grow and take hold. By ratifying the Covenant at this time, the United States can enhance its ability to promote democratic values and the rule of law... in those countries... which are beginning to move toward democratization.⁴⁹

Bush's administration emphasized these aspects of the agreement, calling attention to its inherent Westernism and highlighting the uniqueness and importance of the United States in the international scene. Hearings in 1991 involved discussions about democracy and global superiority. Multiple senators were quoted, saying "...we are at a time in world history where we have been presented with new opportunities for the forces of democracy. We are pressing forward to support to every possible degree, the spread of democracy."⁵⁰ Carter, in contrast, wrote and spoke about the ICCPR in a way which emphasized its necessity in propelling human rights issues forward, as explored previously. In the absence of geopolitical incentives, Carter's call for ratification remained unfulfilled. His letter for submittal concluded with encouragement to confirm the nation's commitment to human rights,⁵¹ contrasting Bush's language framing the agreement as a tool for democracy's spread. These contrasting narratives provide

Law Review vol. 42, no. 4 (Summer 1993): 1209.

⁴⁸ Stewart, "United States Ratification of the Covenant," 1184.

⁴⁹ Pell, "Executive Report," 3.

⁵⁰ U.S. Senate, "Hearing Before the Committee on Foreign Relations," 1991: 16.

⁵¹ Jimmy Carter, Letter of Transmittal, 1978: Unpaginated.

compelling evidence that the geopolitical conditions in 1992 were influential in the decision to ratify, further lending support for H4.

CONSISTENCY IN RUDs

The suggestions for changing the accepted substance of the ICCPR domestically through RUDs were similar in the fifteen years between signing and ratifying, as was alluded previously. Pell's report further confirms the similarity, stating that the proposed U.S. conditions in the submitted package under the Bush Administration were largely similar to those proposed under Carter's administration.⁵² The nearly homogeneous proposed provisos both refute the argument that disagreement over the treaty's substance was significant enough to sufficiently explain the delay in ratification and suggest the eventual decision to ratify was not prompted by a sudden shift in content to which the United States would agree (H1). Thus, geopolitical conditions, primarily the ending of the Cold War, created an opportunity for reshaping the world order in favor of democracy, a task that the U.S. wanted to lead. H4 suggests that a catalyst will end the stasis of ratification delay, and as evidenced, the catalyst for the ICCPR was the geopolitical change occurring in the international sphere in the early 1990s.

SIGNIFICANCE OF INTERNATIONAL CREDIBILITY

Prior to ratifying the ICCPR, the United States' credibility was in question. Pell's report states that international concern had circulated regarding the United States' flippant behavior regarding human rights standards, in which U.S. failure to ratify the ICCPR was seen as "conspicuous, and in the view of many, hypocritical."⁵³ In the 1991 FRC hearing debating ratification, numerous spokespersons aired concern regarding the United States' ability to credibly claim leadership in human rights standards or accuse other states of failing to reach said standards without having ratified the ICCPR. A board member from an attending NGO testified that U.S. leadership was critical in the promotion of human rights and that the end of the Cold War led to emerging democracies that exacerbated the need for secure human rights leadership. This speaker, who spoke on behalf of the International Human Rights Law Group, argued, "[United States] leadership has been compromised by our continued failure to ratify this basic international

⁵² Pell, "Executive Report," 2.

⁵³ *Ibid.*, 3.

human rights document.”⁵⁴ Other spokespersons present at the hearing feared the decline of U.S. credibility on the international scene, including the Executive Director of the Lawyer’s Committee, who posited, “Ratification would enhance the credibility and effectiveness of U.S. human rights initiatives abroad, particularly... [in] multilateral fora.”⁵⁵ Commentary from NGOs and other associations including the Association of the Bar (NYC), the American Bar Association, Amnesty International, the American Civil Liberties Union, and the Minority Rights Group aired the same concern.⁵⁶ To repair its international status as a meaningful supporter and proponent of human rights, the United States needed to ratify the ICCPR. This viewpoint was expressed in earlier hearings of the Committee, which suggested that the United States could establish international credibility quickly by “a simple act” of ratification.⁵⁷ It was thus the ending of the Cold War and the resulting opportunity to reshape world order in favor of democracy that motivated the United States to publicly embrace Western ideals and fix its international reputation by ratifying the ICCPR.

ALTERNATIVE AND SUPPLEMENTARY EXPLANATIONS

Numerous scholars propose alternative explanations for the delay between signing and ratification. Following the 1992 decision to ratify, many began commenting on the years-long process and reflected on the motivations and implications of the decision. One idea that arose from post-ratification discussion implicates NGOs. Scholars posited that “ratification never became an important issue on the agenda of the many organizations devoted to the protection of civil rights and liberties within the United States” and supposed this to be a likely impediment to the ratification process.⁵⁸ In the 1991 Senate hearing, many NGOs were present and spoke openly about ratification,⁵⁹ but their influence outside of the senatorial deliberation is not highly studied. While they provided compelling testimonies regarding the necessity of the treaty’s ratification, no formal research has measured their effectiveness in pushing

⁵⁴ U.S. Senate, “Hearing Before the Committee on Foreign Relations,” 1991: 58.

⁵⁵ *Ibid.*, 65.

⁵⁶ *Ibid.*

⁵⁷ U.S. Senate, “Hearing Before the Committee on Foreign Relations,” 1979: 4.

⁵⁸ Neier, “Political Consequences,” 1233.

⁵⁹ See Section IV for partial list in-text of present NGOs.

Senators to ratify.

Another factor often explored is the ratification of the Covenant as a tool to monitor the actions of other nations, using a U.S. seat on the Human Rights Committee as a mechanism for closely observing adherence to human rights standards around the globe. Posner and Spiro, writing after the time of ratification, suggest that the ICCPR's ratification allowed the United States to actively participate in developing and monitoring human rights standards around the world.⁶⁰ This idea has additional support in documentation from the submitted ratification statements by Pell and is discussed in prepared statements of the FRC hearing in 1991. It is likely that an underlying motivation behind U.S. policy to take leadership in democracy's spread was the potential to obtain access to monitor and enforce human rights internationally. This explanation works in tandem, and not independent of nor in contrast to the eventual decision to ratify. While it does not wholly explain the decision to ratify fifteen years following the signature, the ending of the Cold War and aforementioned desires for global control of norm-setting likely influenced the motivation for a role in monitoring. This explanation also connects to the Senate's fears of losing control of ideologically-disparate states or regions in the country. With a role in monitoring, the U.S. would not need to sacrifice any of its control.

CONCLUDING REMARKS AND FUTURE RESEARCH

The puzzle of delay in the ICCPR's ratification by the United States is understood in part by legal, institutional, and geopolitical factors. The legal explanation of contested treaty substance is incomplete in rationalizing delay (H1). Instead, institutional explanations regarding the slowness of committee action and the outsized role of executive preference influence explain the continued "stasis" of the agreement's non-ratification (H2 and H3). The stasis is broken by the catalyst of geopolitical change in 1991, which restructures the global order and incentivizes human rights agreement accession for the United States (H4).

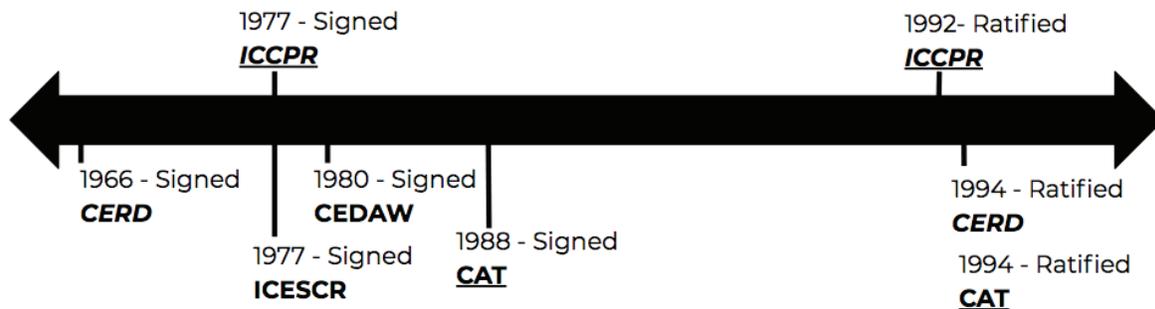
The geopolitical conditions which made the early 1990s a favorable time for the spread of democracy were paramount to President Bush's decision to re-propose ratification of the ICCPR. The salience of democracy and the United States' perceived role in leading democratic and international institutions were critical factors shaping the global reputation of the United States and encouraging

⁶⁰ Posner and Spiro, "Adding Teeth to the United States Ratification," 1209.

it to take action to protect its role of leadership in guaranteeing civil and political human rights. While stasis is explained by institutional limits and executive preferences, the termination of stasis is an international catalyst. Demonstrating leadership in ICCPR negotiations made the United States' non-ratification hypocritical to the international community. How might the United States' international reputation contribute to its decisions to ratify human rights agreements differentially across time? International stimuli may meaningfully alter the course of domestic politics and lawmaking.

Looking at the historical timeline of the United States' relationship to international law reveals numerous timescale puzzles and patterns; five major international human rights agreements were signed between the years of 1966 and 1988, yet only three of these were ratified by the U.S., with delays of six, fifteen, and twenty-eight years (See Figure 5). Each ratification occurred in the post-Cold War period of the 1990s.

Figure 5.



What particular aspects of its identity did the United States uphold with each ratification? Did the motivation of restoring international credibility fall short for the ratification of additional signed human rights agreements? What type of geopolitical change might shift the country out of static complacency on the unratified agreements? Scholarship posits “that the United States [holds] the view that respect for rights [is] a question of geopolitical alignment rather than a universal obligation.”⁶¹ Future research should examine other international

⁶¹ Neier, “Political Consequences,” 1236.

human rights laws as case studies and evaluate geopolitics at the time of their signature and ratification, observing the (in)consistency of international conditions as the catalyst for legislative changemaking.

Other research ought to broadly examine the delays between signing and ratifying of all international agreements by the United States. Might the delay of environmental, economic, and security agreements differ than that of human rights? Future analysis could evaluate agreements by type (congressional-executive, executive, or treaty) and by topic (environment, human rights, disarmament, etc.) to encompass and explain both institutional and geopolitical rationales for delay and ratification in greater detail. Still other research could evaluate the role geopolitical control has on the decisions of other non-ratifiers, or delayed-ratifiers, like Belgium, Ireland, and Israel to the ICCPR. Are geopolitical catalysts necessary for overcoming ratification delay to other states? To further understand the domestic institutions perpetuating delay, future studies should involve a comparative evaluation of geopolitics as the catalyst ending stasis in states around the globe.

The implications of delay are relevant in determining a country's—in this study, the United States'—likelihood of committing to ideals held in the international community and those which will determine the state's credibility. International credibility and a state's reputation may, as demonstrated by the ICCPR ratification timeline, affect its decisions in international lawmaking and subsequently alter its ability to shape global politics. The ICCPR's delay period provides initial insights into other decisions the United States makes in ratifying—or neglecting to ratify—human rights agreements, and it provides meaningful contributions that explore the interaction between domestic institutions and international politics in the realm of human rights.

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INDIA'S DRONES: ASSESSING THE RATIONALE FOR UNMANNED AERIAL VEHICLE ACQUISITION

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ABSTRACT

The United States' increasing dependence on Unmanned Aerial Vehicles (UAVs), more commonly referred to as drones, to carry out targeted killings has captured the attention of several countries across the globe seeking to amplify their military capabilities. While most of the current literature focuses on the strategic value of UAVs as a tool for combating terrorism, scholars have largely overlooked the use of drones as a key to maintaining security between states. This project, in contrast, investigates the implications of drones for security dilemmas between countries. It examines the case of India due to its long-standing rivalry with Pakistan, its border dispute with China, and the prevalence of terrorism in the region. It anticipates that India's leaders view the possession of drones by their rivals as a threat to their own national security, and thus aim to acquire similar technology to maintain the power balance. A content analysis of newspaper articles related to India's drone acquisition indicates that drones are perceived by India's leaders to be almost equally useful in fighting terrorism and balancing a state rival, which demonstrates that, contrary to popular belief, drones do carry significance in interstate conflict.

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INTRODUCTION

Unmanned Aerial Vehicles (UAVs), or drones, are a modern technological innovation that provide a state with the capability to accurately strike a target without directly risking the lives of its own military personnel. As a fairly new technology, drones have become a strategic weapon of the United States and a possession of several other states. The acquisition of drones is a costly, but an arguably useful state investment. Nevertheless, only 28 states are known to actually possess armed UAVs, with the remainder either pursuing drone programs or refraining from acquisition.² Scholarly literature regarding drones most commonly focuses on studying the value, considerations, and consequences of employing armed UAVs as a tool for combating terrorism.³ Despite their noted strategic value, they are often perceived to be a non-revolutionary weapon in the context of warfare. While the majority of the current literature concentrates on the deployment of drones against non-state actors, scholars have paid little attention to the use of drones as a key to maintaining or shifting the balance of power between states. This paper, in contrast, seeks to explore whether considerations in obtaining drones are limited to a method of containing and extinguishing terrorism, or if their desired use extends to the balancing of interstate rivals.

This paper thus aims to contribute to the literature regarding drones on an interstate level through an examination of the logic of state leaders who are engaged in an interstate rivalry, with India serving as a case study due to the two-fold insecurity it faces from interstate rivals Pakistan and China, as well as from domestic and international terrorist organizations. Despite the fact that

² “World of Drones – Who Has What: Countries with Armed Drones,” *New America*, accessed February 22, 2018, <https://www.newamerica.org/in-depth/world-of-drones/3-who-has-what-countries-armed-drones/>.

³ For a variety of academic work discussing the strategic utility of drones for combatting terrorism, see: Daniel Byman, “Why Drones Work: The Case for Washington’s Weapon of Choice,” *Foreign Affairs* (2013): 32-43; Patrick B. Johnston and Anoop K. Sarbahi, “The Impact of US Drone Strikes on Terrorism in Pakistan,” *International Studies Quarterly* 60, no. 2 (2016): 203-219; David A. Jaeger and M. Daniele Passerman, “The Shape of Things to Come? On the Dynamics of Suicide Attacks and Targeted Killings,” *Quarterly Journal of Political Science* 4 (2009): 315-342; Leila Hudson, Colin S. Owens, and Matt Flannes, “Drone Warfare: Blowback from the New American Way of War,” *Middle East Policy* 18, no. 3 (2011): 122-132; Brian Williams, “The CIA’s Covert Predator Drone War in Pakistan: 2004-2010: The History of an Assassination Campaign,” *Studies in Conflict & Terrorism* 33, no. 10 (2010): 871-892.

India's dispute with Pakistan is most widely noted, the complexity added by a recently aggravated conflict with China makes India an interesting case study for implications of interstate rivalries. This paper argues that state leaders undertake a cost-benefit analysis in deciding whether or not drones are essential to the balance of power and to their state's security. Thus, when a state is engaged in one or more regional rivalries, state leaders are likely to value drones for purposes beyond terrorism, and to view the possession of drones by their rivals as a threat to their own national security, leading them to acquire similar technology to maintain the balance of power. An extensive content analysis of newspaper articles related to India's drone acquisition was chosen as the method, as it is expected that the media – serving as the bridge between the government and the public – would report on important developments pertaining to India's military strength, particularly on the topical matter of drone acquisition. The content analysis reveals initial evidence to support the theory that drones are perceived to be useful for balancing an interstate rival, in addition to combating terrorism.

This paper will first review the current literature regarding modern drone technology. Second, it proposes the theory that with their own nation's security in mind, states will perceive drone acquisition by their rivals as a threat and will thus aim to acquire similar technology to maintain the interstate power balance. The third section describes the case of India, and the fourth and fifth sections discuss the methodology and research design employed to carry out the study, and the corollary findings, respectively. The paper concludes with a discussion of the implications of this research and with a few recommendations for further research.

UAVS AND COMBATING TERRORISM

Given the United States' increased deployment of drones, especially during the Obama presidency, a significant level of academic attention has been granted to the utility, significance, and repercussions of obtaining and deploying such technology. Some scholars emphasize the sheer uniqueness that drones present to the global arena as a potential “disruptive technology” that extends beyond the current war and international humanitarian legal framework and which signifies a shift in policy makers' incentive structures away from traditional methods of capturing enemies and toward one that seeks to kill them.⁴ Some add to this idea

⁴ Stephen Sonnenberg, “Why Drones are Different,” in *Preventive Force: Drones, Targeted Killing, And The Transformation Of Contemporary Warfare*, eds. Kerstin Fisk and Jennifer M. Ramos (New

that drones signify a “shift in the nature of warfare,” but believe that it is not drones that are revolutionary, but rather the essence of their role in a new world of data-driven warfare.⁵ Others, however, urge that any claims that imply that drones are “revolutionary” should be uttered with caution, and hold that despite the Predator drone’s instrumental value to transforming the “war on terror,” drones do not drastically alter the “conduct of warfare,” in the same way that nuclear weapons have in the past.⁶

Regarding the deployment of drones to combat terrorism, many scholars posit that, if utilized responsibly, the use of drones against terrorist targets is indeed a viable solution because such strikes are low-cost and low-risk.⁷ These claims are, for instance, supported by a study that drone strikes have lessened lethal terrorist attacks in Pakistan, implying that U.S. counterterror efforts have largely been successful.⁸ Despite this success, others emphasize that the lacking accuracy of strikes is due to potentially unreliable intelligence, pointing to the fact that the vast majority of those targeted by U.S. strikes were low-level operatives that posed little, if any, threat to the United States.⁹

Other scholars have focused on the murky legal justifications and implications of drone deployment, especially in terms of the Just War theory criterion of *jus ad bellum* (just cause, right authority, right intention, last resort, proportionality, and probability of success) and *jus in bello*, (distinction and proportionality).¹⁰ They often posit that more attention should be granted

York University Press, 2016), 115-141.

⁵ Daniel Rothenberg, “Drones and the Emergence of Data-Driven Warfare,” in *Drone Wars: Transforming Conflict, Law, And Policy*, eds. Peter L. Bergen and Daniel Rothenberg (New York: Cambridge University Press, 2015), 441-462.

⁶ Megan Brawn, “Predator Effect: A Phenomenon Unique to the War on Terror,” in *Drone Wars: Transforming Conflict, Law, And Policy*, eds. Peter L. Bergen and Daniel Rothenberg (New York: Cambridge University Press, 2015), 253-284.

⁷ Jennifer Taw, “Preventive Force: The Logic of Costs and Benefits,” in *Preventive Force: Drones, Targeted Killing, And The Transformation Of Contemporary Warfare*, eds. Kerstin Fisk and Jennifer M. Ramos (New York: New York University Press, 2016), 33-57.

⁸ Patrick B. Johnston and Anoop K. Sarbahi, “The Impact of US Drone Strikes on Terrorism in Pakistan,” *International Studies Quarterly* 60, no. 2 (2016): 203-219.

⁹ NYU/Stanford, “Living Under Drones: Death, Injury, and Trauma to Civilians From US Drone Practices in Pakistan,” International Human Rights And Conflict Resolution Clinic, Stanford Law School And Global Justice Clinic, NYU School Of Law (2012): 125-131.

¹⁰ Avery Plaw, Matthew S. Fricker and Carlos R. Colon, *The Drone Debate: A Primer On The U.S. Use Of Unmanned Aircraft Outside Conventional Battlefields* (Lanham: Rowman &

toward the lacking legal framework in place to address the emergence of drone technology.¹¹ Meanwhile, some have concluded that regardless of whether drone usage abides by Just War theory principles, the technology represents a “moral hazard” and should spark a new debate about our acceptance of death and destruction under the Just War theory.¹²

Scholars also discuss the potential for global proliferation of drones to both state and non-state actors, including hostile states and terrorist groups.¹³ While some express concern that the United States’ increasing reliance on drone strikes will lead other states to employ a similar strategy of preventive force and risk escalation,¹⁴ others point out that while the drone industry is growing, there are significant limitations to acquiring drones and arming unarmed drones.¹⁵ Although the “drone debate” in the literature only began to take on a meaningful form during the Obama presidency, there is a plethora of research granted to the utility of drones for counterterrorism operations.

UAVS AND INTERSTATE CONFLICT

Relative to the extensive literature on the impact of drones on counterterrorism, there is barely any discussion of the impact of drones on interstate relations. Those who have written on this topic tend to argue that UAVs carry little significance on an interstate level, as they are unlikely to spark major conflict, and may even enhance security due to the greater monitoring capabilities drones provide.¹⁶ Furthermore, this group of scholars argues that the strategic

Littlefield, 2016): 167-224.

¹¹ Rosa Brooks, “Drones and Cognitive Dissonance,” in *Drone Wars: Transforming Conflict, Law, And Policy*, eds. Peter L. Bergen and Daniel Rothenberg (New York: Cambridge University Press, 2015), 230-252.

¹² David True, “Disciplining Drone Strikes: Just War in the Context of Counterterrorism,” in *Drone Wars: Transforming Conflict, Law, And Policy*, eds. Peter L. Bergen and Daniel Rothenberg (New York: Cambridge University Press, 2015), 285-289.

¹³ Plaw, Fricker and Colon, *The Drone Debate*, 281-326.

¹⁴ Sonnenberg, “Why Drones are Different,” 115-141; Kerstin Fisk & Jennifer M. Ramos, “Actions Speak Louder Than Words: Preventive Self-Defense as a Cascading Norm,” *International Studies Perspectives* 15, no. 2 (2014): 163–185.

¹⁵ Peter L. Bergen and Jennifer Rowland, “World of Drones: The Global Proliferation of Drone Technology,” in *Drone Wars: Transforming Conflict, Law, And Policy*, eds. Peter L. Bergen and Daniel Rothenberg (New York: Cambridge University Press, 2015), 300-344.

¹⁶ Michael C. Horowitz, Sarah E. Kreps and Matthew Fuhrmann, “Separating Fact from Fiction in the Debate over Drone Proliferation,” *International Security* 41, no. 9 (2016): 7-42.

value of UAVs is weakened because they are vulnerable to destruction by defense systems. Other scholars, on the other hand, claim that states are more likely to employ drones in regional rivalries than in the counterterror context of U.S. deployment, and that despite short-term interstate tension reduction is due to the information provided by drones, the risk of drone accidents could easily give rise to the escalation of interstate conflicts.¹⁷ Additionally, because drones have extensive surveillance capabilities, states that feel they are being watched may become more secretive in their activities (such as concealing nuclear weapons development) and consider deploying counter-UAV operations that could result in a conflict spiral.¹⁸ Furthermore, states may use drones as a low-risk vehicle to test or “probe” antagonistic relationships, which could lead to unpredictable reactions.¹⁹ Lastly, some state that while the current generation of drones is “mildly destabilizing,” a second generation of stealthier, more powerful Unmanned Combat Aerial Vehicles (UCAVs) could prove to be significant destabilizers if used to impair a rival’s infrastructure or destroy an adversary’s air defenses.²⁰ These ideas, however, focus primarily on theories regarding the deployment of drones and not on the states’ original motives for acquiring them. Thus, this article seeks to further develop the discussion and add to the current literature by exploring drones’ significance on an interstate level at the acquisition stage of national drone programs.

The idea of the balance of power holds that the anarchic nature of global politics leads to a situation in which “great powers monitor the material power possessed by all other states in the international system and endeavor to manipulate the resulting distribution of power in their own favor as a means of enhancing their chances of survival.”²¹ However, once this balance of power is threatened, it can lead to a security dilemma in which a state’s real or perceived threat to their own security causes them to enhance their own security by

¹⁷ Michael J. Boyle, “The Race for Drones,” *Foreign Policy Research Institute* (2015): 76–94.

¹⁸ *Ibid.*

¹⁹ *Ibid.*

²⁰ Michael Mayer, “The New Killer Drones: Understanding the Strategic Implications of Next-generation Unmanned Combat Aerial Vehicles,” *International Affairs* 91, no. 4 (2015): 765–780.

²¹ Richard Little, *The Balance Of Power In International Relations: Metaphors, Myths And Models* (Cambridge University Press, 2007), 11.

whatever means necessary.²² The balance of power is not permanent, and instead is constantly evolving with factors such as military strength.²³ Shifts in power balance can be seen clearly in the transformation of the world order from the 20th century to the 21st century, the former observing a multipolar system of reigning European powers, and the latter a unipolar system with the U.S. as the main power emerging from the second World War and the Cold War.²⁴

With the new technological development of nuclear weapons, the balance of power transformed to one maintained by the doctrine of deterrence.²⁵ Kenneth Waltz argued when states engage in successful foreign policy other states “will emulate them or fall by the wayside.”²⁶ If Waltz’s philosophy applies today, aspiring powers may try to emulate the United States and its arguably “successful” foreign policy with respect to the use of drones. The United States has profusely used drone strikes in states like Pakistan, Somalia, and Yemen,²⁷ and some worry this has resulted in a global norm that such use of preventive force is acceptable and therefore more likely to be employed by other countries.²⁸ The appeal of drones is hardly debatable – the idea of such technology has been described as “seductive” for leaders²⁹ and “low-cost, low-risk tools with disproportionately large benefits,”³⁰ making drones a highly useful technology, especially for deployment against terrorist targets.

Nevertheless, these benefits are often quickly met with arguments concerning debates over the legal, ethical, and moral implications of drone deployment. Despite widespread American support for the United States’ use of drones abroad, polls reveal massive disapproval in many other countries of the world.³¹ Much of this disapproval originates from the fact that drones, as former

²² Michael J. Sheehan, *The Balance Of Power: History And Theory* (New York: Routledge, 1996), 1-23.

²³ Sheehan, *The Balance Of Power*, 13.

²⁴ Little, *The Balance Of Power In International Relations*, 5.

²⁵ Sheehan, *The Balance of Power*, 170-172.

²⁶ *Ibid.*, 193.

²⁷ Sonnenberg, “Why Drones are Different,” 115.

²⁸ Kerstin Fisk and Jennifer M. Ramos, “The Preventive Force Continuum,” in *Preventive Force: Drones, Targeted Killing, And The Transformation Of Contemporary Warfare*, eds. Kerstin Fisk and Jennifer M. Ramos (New York University Press, 2016), 1.

²⁹ Sonnenberg, “Why Drones are Different,” 124.

³⁰ Fisk and Ramos, “The Preventive Force Continuum” 2.

³¹ Peter Bergen and Daniel Rothenberg, *Drone Wars: Transforming Conflict, Law, And Policy*, eds. Peter L. Bergen and Daniel Rothenberg (New York: Cambridge University Press, 2015), 1.

Secretary of State Robert Gates claimed, allow leaders to perceive war as “bloodless, painless, and odorless.”³² Regardless of these concerns, a handful of state (and non-state) actors still seek to follow in Washington’s footsteps in acquiring or developing drone technology -- armed and unarmed -- to provide intelligence via surveillance of terrorist activity, air support, and precision-strike capabilities.³³ As states aim to catch up to the United States’ military might in the drone realm, states also strive to check their competitors in these military advancements, creating a sort of modern-day “arms race.” Michael J. Boyle compares this scramble for modern technology to the pursuit of game-changing military aviation programs in the early and mid-1900s, as states, witnessing drone proliferation, are beginning to realize the strategic value that drone technology has for their own national security interests.³⁴

Although nearly 100 countries are reported to possess some type of military drones, the majority of these states do not own armed UAVs.³⁵ As of 2018, twenty-eight countries are known to have armed drones, nine of which (United Kingdom, United States, Israel, Pakistan, Nigeria, Iran, Azerbaijan, Iraq, and Turkey) are known to have deployed drones in combat.³⁶ As this technology continues to proliferate to states worldwide, countries begin to fear for their national security. If or when one state deploys UAVs, another state may then feel uncertain about whether the drone-deploying state has offensive or defensive motives, which could then lead to forceful reciprocation.³⁷ This paper builds on this theory and argues that when one state gains possession of UAVs, a regional rival state will fear for their insecurity and endeavor to maintain a balance of power by acquiring similar technology in return.

INDIA, CONFLICT, AND UAVS

Dubbed an “emerging superpower” by many, India’s vast economic growth in recent years and its growing influence in the world has led key officials

³² Horowitz, Kreps and Fuhrmann, “Separating Fact from Fiction in the Debate over Drone Proliferation,” 23.

³³ Brawn, “Predator Effect: A Phenomenon Unique to the War on Terror,” 260.

³⁴ Boyle, “The Race for Drones,” 78.

³⁵ Horowitz, Kreps and Fuhrmann, “Separating Fact from Fiction,” 11.

³⁶ “World of Drones – Who Has What: Countries with Armed Drones,” and “World of Drones – Who Has What: Countries with Drones Used in Combat,” *New America*.

³⁷ Horowitz, Kreps and Fuhrmann, “Separating Fact from Fiction,” 28.

and scholars alike to acknowledge India's changing role in global politics.³⁸ India's rise is mirrored by other powers, such as China, which some U.S. leaders fear will soon eclipse the United States' role as the global hegemon. Recognizing this role, India has sought to bolster its economy and industry, with Prime Minister Modi launching the "Make in India" initiative in 2014, which set out a vision for India as a manufacturing center for both domestic and transnational companies. The initiative, among other sectors, emphasizes the realm of technology, even making advancements in partnerships on drone developments.³⁹ Seeking to pave its path to power, India aims not only to bolster its economy but also its security, putting it in a unique position to balance growth, contain terrorist threats, and monitor interstate competitors. This section will address these varying challenges faced by India by providing a brief background on India's interstate rivalries, its battle against terrorism, and its pursuit of drone technology.

INTERSTATE RIVALRIES

India's extensive shared border with nuclear Pakistan and China and its exposed coastline make the state geographically insecure in many ways.⁴⁰ The interstate rivalry between India and Pakistan originated years ago due to territorial disputes over the Kashmir region, which resulted in a number of wars and a weak and frequently violated ceasefire in 2003 on the Line of Control.⁴¹ Constant shooting takes place across the India-Pakistan border, killing both citizens and soldiers. In one week in January 2018 alone, shelling across the Line of Control reportedly killed thirteen civilians and nine soldiers, wounded dozens, and forced tens of thousands to flee from their homes.⁴² These tensions have manifested in various hostile actions between the two states, including the expulsion of diplomats, the

³⁸ Sumit Ganguly, "Think Again: India's Rise," *Foreign Policy*, July 5, 2012, <http://foreignpolicy.com/2012/07/05/think-again-indias-rise/>.

³⁹ "Make in India: The Vision, New Processes, Sectors, Infrastructure and Mindset," *Make in India*, accessed January 31, 2018, <http://www.makeinindia.com/article/-/v/make-in-india-reason-vision-for-the-initiative>.

⁴⁰ Aditi Malhotra & Rammohan Viswesh, "Taking to the skies – China and India's quest for UAVs," *Journal Of The Indian Ocean Region* 10, no. 2 (2014): 174.

⁴¹ "Conflict Between India and Pakistan," *Council On Foreign Relations*, accessed February 22, 2018, <https://www.cfr.org/interactives/global-conflict-tracker#!/conflict/conflict-between-india-and-pakistan>.

⁴² *Ibid.*

mobilization of troops along the border, and the exercise of combat operations.⁴³ More recently, India has expressed a desire to pull further away from its neighbor by signaling that it could turn away from regional cooperation groups involving Pakistan and shift toward other potential partners, such as Afghanistan, whilst simultaneously strengthening relations with Islamabad's enemy, the United States.⁴⁴

Although India's dispute with Pakistan is perhaps more widely acknowledged, its long-running and recently agitated conflict with China makes India an ideal prototype for analyzing contentious interstate relationships. Just recently in mid-2017, the two states were able to ease tensions in the contested territory of the Doklam plateau, but satellite imagery released in early 2018 revealed a consistent military build-up by both sides since the agreement.⁴⁵ While India competes with China as a fellow "rising power," India must also monitor China's support of Pakistan, especially in relation to potential missile support from Beijing to Islamabad.⁴⁶ Although the three states are known to possess nuclear weapons, India's quarrels with Pakistan and China have not yet led to escalation on this front. However, Kashmir, administered by the three states, is noted to be the "largest and most militarized territorial dispute" in the world, and it remains a major point of contention between the three powers.⁴⁷

TERRORIST THREATS

Ranked by the Institute for Economics and Peace's Global Terrorism Index as the sixth most terrorism-impacted country in 2015 and eighth in 2016, India is also impacted more by terrorist activity than many observers might

⁴³ Richard M. Rossow, "India-Pakistan Tensions: India's Expanded Toolkit," *Center For Strategic & International Studies*, accessed February 16, 2018, <https://www.csis.org/analysis/india-pakistan-tensions-expanded-toolkit>.

⁴⁴ Richard M. Rossow, "India-Pakistan Tensions: India's Expanded Toolkit," *Center For Strategic & International Studies*, accessed February 16, 2018, <https://www.csis.org/analysis/india-pakistan-tensions-expanded-toolkit>.

⁴⁵ Jonathan Marcus, "China-India border tension: Satellite imagery shows Doklam plateau build-up," *BBC News*, January 26, 2018, <http://www.bbc.com/news/world-asia-china-42834609>.

⁴⁶ "The World Factbook: India," *Central Intelligence Agency*, accessed February 16, 2018, <https://www.cia.gov/library/publications/the-world-factbook/geos/in.html>.

⁴⁷ *Ibid.*

suspect.⁴⁸ The region's stretches of dense foliage, its mountainous terrain, and its porous borders allow terrorist groups to operate successfully in and around India.⁴⁹ Intertwined with India's conflict with Pakistan are the Indian accusations that Islamabad sponsors terrorists on Pakistani soil, which oftentimes muddies the waters of what is meant by military capabilities build-up by India. This question of whether military advancements are meant to combat regional terrorism or build military might in the face of a neighboring state obscures an already antagonistic relationship. In addition to Pakistan-sponsored terror, India faces challenges from internal non-state groups, such as the left-wing Maoist insurgents, and is the target of threats from ISIS and AQIS terror groups.⁵⁰ In response to heightened terror activity and threats in India, the state has stepped up cooperation with the U.S. in combating terrorism during the Obama presidency, and in June 2017, Prime Minister Modi reaffirmed this shared effort by issuing a joint statement on the matter with President Trump.⁵¹

DRONE ACQUISITION

Unarmed drones have been in the possession of Pakistan and India for years now, assisting in surveillance and reconnaissance missions within the region. Given the constraints of their defense industry, India turned outwards to other nations for competing technologies. The Indian Army began to acquire UAVs from Israel in the 1990s, the Navy and Air Force following closely behind it.⁵² Most recently, the U.S. approved the sale of unarmed Guardian reconnaissance drones to India, although New Delhi still seeks General Atomics' Avenger Predator

⁴⁸ "Global Terrorism Index 2015," *Institute For Economics And Peace* (2015), <http://economicsandpeace.org/Wp-Content/Uploads/2015/11/Global-Terrorism-Index-2015.Pdf>;

"Global Terrorism Index 2016," *Institute For Economics And Peace* (2016), <http://economicsandpeace.org/wp-content/uploads/2016/11/Global-Terrorism-Index-2016.2.pdf>.

⁴⁹ Monika Chansoria, "A Perspective on India," *Center For A New American Security*, accessed February 23, 2018, <http://drones.cnas.org/reports/a-perspective-on-india/>.

⁵⁰ "Chapter 2. Country Reports: South and Central Asia," *U.S. Department Of State*, accessed February 16, 2018, <https://www.state.gov/j/ct/rls/crt/2016/272233.htm>.

⁵¹ *Ibid.*; "India, U.S. call on Pakistan to stop terror attacks launched from its soil," *Times Of India*, June 27, 2017, <https://timesofindia.indiatimes.com/india/india-us-call-on-pakistan-to-stop-terror-attacks-launched-from-its-soil/articleshow/59330104.cms>.

⁵² Chansoria, "A Perspective on India."

armed drones as well.⁵³ However, the United States no longer has a monopoly on UAV technology as Israel and China have expanded their drone market in recent years.⁵⁴ In light of this, India has relied heavily on Israel, obtaining their unarmed Harpy UAV and, recently, the Heron TP-armed drones.⁵⁵ Despite initial struggles, India was able to become the 35th nation to join the Missile Technology Control Regime (MTCR) in 2016, providing it with greater access to surveillance drones and potential armed drones on the foreign market.⁵⁶ India is now recognized as one of the largest importers of drones worldwide.⁵⁷ India has also advanced its indigenous UAV program, led largely by India's Defense Research and Development Organization (DRDO), which has partnered with private national companies and technical universities to develop new technology.⁵⁸ A year after Pakistan unveiled its homemade Burraq UAV in 2015, India managed to develop its own Rustom II MALE (Medium-Altitude, Long-Endurance) combat drone, checking its neighbor's progress.⁵⁹ Reports indicated that India's interest in using drones is for surveillance in areas such as Kashmir, regions impacted by Maoist insurgency, and its coastline.⁶⁰ India has indeed operated UAVs on its borders, into Pakistan airspace,⁶¹ near the Line of Actual Control (LOAC) between India and China, and domestically for disaster response⁶² and terrorist activity monitoring.⁶³

⁵³ Nyshka Chandran, "New Delhi wants to buy US drones to monitor China in the Indian Ocean," *CNBC*, September 27, 2017, <https://www.cnbc.com/2017/09/27/india-news-modi-wants-naval-drones-to-watch-china-in-indian-ocean.html>.

⁵⁴ Horowitz, Kreps & Fuhrmann, "Separating Fact from Fiction," 41.

⁵⁵ Manu Pabbly, "India all set to get missile armed drones from Israel," *The Economic Times India*, last modified July 14, 2018, <https://economictimes.indiatimes.com/news/defence/india-all-set-to-get-missile-armed-drones-from-israel/articleshow/57980098.cms>.

⁵⁶ Ashna Mishra, "India joins MTCR: 7 things the country stands to gain," *The Economic Times India*, last modified July 12, 2018, <https://economictimes.indiatimes.com/news/defence/india-joins-mtcr-7-things-the-country-stands-to-gain/articleshow/52934056.cms>.

⁵⁷ "World of Drones – Introduction: How We Became a World of Drones," *New America*.

⁵⁸ Malhotra and Viswesh, "Taking to the Skies," 172.

⁵⁹ "World of Drones – Introduction," *New America*.

⁶⁰ Boyle, "The Race for Drones," 86.

⁶¹ *Ibid*, 86-90.

⁶² Chansoria, "A Perspective on India."

⁶³ "Strategic UAV base shifted to Maoist hotspot in Bastar," *The Economic Times India*, October 8, 2017, <https://economictimes.indiatimes.com/news/politics-and-nation/strategic-uav-base-shifted-to-maoist-hotspot-in-bastar/articleshow/60992553.cms>.

WHY DID INDIA ACQUIRE UAVs?

To test the theory that drones are significant to the balancing of interstate rivals, I conducted a content analysis of a number of reputable news sources that discuss India's acquisition of drones. I chose this methodology expecting to find that journalists, assuming their role as the channel of information between government undertakings and public awareness, would report on news of the Indian government's desire or progress in acquiring such military technology. The resulting value of the content analysis is that it allows for the study of rhetoric used to describe drone acquisition, which serves as a measure of India's motives for possessing Unmanned Aerial Vehicles. Articles were found through the LexisNexis Academic Database by using the advanced Boolean search string "India AND drone AND acquisition OR armed drone OR produce OR develop OR seek OR acquire OR buy." The results were then limited to sources dating up until June 20, 2017, reduced to "Newspapers," and filtered for "Duplicate Option: On – High Similarity." The results were sorted by "Relevance." Of approximately 500 articles that were coded from the article search, 100 articles were "Relevant" to the study and became the sample. Articles were first coded for "Relevance" – namely, if the article made some reference to India's desire to acquire drones or India's process of obtaining or developing this technology. A range of drone types were included in the sample pool, such as armed drones, reconnaissance or surveillance drones, "mini" drones, and Unmanned Combat Aerial Vehicles.

Articles were ruled "Irrelevant" if the content did not include India's desire or action to gain drone capabilities, if the author expressed a clear opinion or bias in the writing, if the content was a clear repeat of a previously coded article, or if the drones mentioned were intended solely for commercial purposes. Articles were then coded for references to "Terrorism" or "Interstate Rivalry." Articles were coded for "Terrorism" if they directly referred to terrorist activity in relation to the acquisition and future use of drones or alluded to the use of drones against terror groups with language such as "cross-border strikes" and "porous borders" that is contextually related to counterterrorism tactics in the region. Articles were coded for "Interstate Rivalry" if the content directly referenced an interstate competitor or contentious region, such as Pakistan or China, in the context of drone acquisition. The remaining articles were coded "Ambiguous" if they were "Relevant" but solely mentioned India's drone acquisition and did not specifically refer to interstate rivals or terrorism in this context.

QUANTITATIVE FINDINGS

The majority of the “Relevant” articles only vaguely referenced India’s desire to acquire the technology, as might be expected due to the fact that state leaders may be hesitant to publicize their rationales for pursuing weapons technology. Even so, this set of articles is informative in helping us understand the motives of India’s drone acquisition. “Relevant” articles dated back as early as January 2003 and continued through May 2017, and the plurality of the sources are from India’s *Economic Times* and *The Times of India*. Of the 100 articles selected for relevancy, there were 24 references to drone acquisition for terrorism and 26 references to drone acquisition to compete with an interstate rival, and 11 articles coded for both terrorism and interstate references. When separated according to *References to Both Interstate Rivalries and Terrorism (B)*, *References to Terrorism (T)*, *Reference to Interstate Rivalries (I)*, and *Ambiguous References (A)*, the results were: $B=11\%$, $T=13\%$, $I=15\%$, and $A=61\%$. However, when taking a closer look at only the articles with direct references and excluding the ambiguous reference articles, we get $B=28.2\%$, $T=33.3\%$, and $I=38.5\%$. Therefore, one category (*Terrorism or Interstate*) did not significantly outweigh the other, although references to *Interstate Rivalries (I)* did slightly surpass those to *Terrorism (T)*.⁶⁴

QUALITATIVE FINDINGS

The references to interstate rivals narrowly surpassed those to terrorism, indicating that leaders in India may perceive drones to be equally useful in combating terror threats and balancing a state rival. Of the articles that alluded to terrorism or interstate tensions, many did not use direct quotes from military or state officials and instead were statements made by the author or journalist, possibly indicating that motives to acquire drones as recorded by this study may be just as much of a reflection of the media’s perception of acquisition rationale as the government’s true intentions. However, it would be surprising if officials were to openly discuss acquisition of UAVs with the media, as this publicity of military technological gains could in fact incite more unintended tension or

⁶⁴ It should be noted that given the relatively small number of direct references (39 out of 100), these results should only be taken as a preliminary study into the subject matter. See “Conclusion & Implications” section for avenues of further research

conflict with neighboring rivals Pakistan and China. Although this study revealed a noticeable lack of media attention and official statements made on behalf of the Indian government regarding drone acquisition, some sources did prove to be quite telling to the nature of the study. Listed below are a few representative excerpts from the coded articles revealing India's potential motives in acquiring drone technology:

'It's risky, but armed UAVs can be used for counter insurgency operations internally as well across the borders; sneak attacks on terrorist hideouts in mountainous terrain, perhaps.' – An army officer in the defense planning staff⁶⁵

'There is no advantage in them (Pakistan) having drones capable of striking deep inside our country and our not having defence...even from the perspective of deterrence, it is useful for us to have drones...It is something that will be used in a tactical sense or either for hot pursuit or other missions like that. In certain scenarios, it might end up being used in escalation. It is something that the commandos will have to talk about. I think they are primarily going to be used for surveillance and deterrence and it is a good option to have.' – Jayadeva Ranade, Additional Secretary (retired), Cabinet Secretariat⁶⁶

'These systems have a great deterrent value, whether there is war or not. Pakistan must not be allowed to think India is a weak nation.' – Military analyst Lt. General Shankar Prasad⁶⁷

Former IAF vice chief air marshal R K Sharma says the development will be the most ideal as these UAVs that identify targets will also have the capability to strike. The armed drones will be able to destroy terrorist

⁶⁵ "India turns to Israel for armed drones on Pakistan, China build fleets," *The Northlines India* (2015), LexisNexis Academic.

⁶⁶ Kanishka Singh, "India advances combat mechanism with drones," *The Sunday Guardian*, April 2, 2016, <http://www.sundayguardianlive.com/investigation/4006-india-advances-combat-mechanism-drones>.

⁶⁷ Shiv Aroor, "India to induct smart 'suicide bomber' drone," *Mail Today* (2010), LexisNexis Academic.

launch pads from the height of 30,000 feet, he said; pointing out that these unmanned vehicles can fly over the Pakistan-occupied Kashmir (PoK) for some time to gather accurate intelligence and then mount attack causing greater damage than what the Army troops can do.⁶⁸

Interestingly, a number of the articles mentioned the mere possession of drones as a “deterrent,” a word reminiscent of the nuclear balance of power politics of the Cold War era. Others outlined the sheer value of drones for monitoring terrorist activity in otherwise difficult to reach terrain, mirroring the United States’ logic for drone possession and deployment. Such statements bolster the quantitative findings of this paper by demonstrating the dual-motive of combating terrorism and balancing interstate rivals in the process of drone acquisition.

CONCLUSIONS & IMPLICATIONS

India’s position as a rising global power, a victim of terrorism, and an adversary in regional rivalries made it a perfect case for studying domestic and interstate motives of drone acquisition. This study factored these considerations into a quantitative analysis of the rationale of India’s leaders for obtaining or developing drone technology. As mentioned, the results of this study provide evidence in support of the theory that drones are significant in interstate considerations. These findings ultimately reveal that the desire to acquire drones to counter an interstate rival is often underplayed by scholars of these technological developments. According to the results from this study, interstate rivalries are given just as much weight, if not more, as terrorist threats in the consideration of acquiring drone technology. However, given the relatively small number of references in this study, we can infer that the discussion surrounding the acquisition of drone technology is not that large, and may be overshadowed by the dialogue concerning actual use and deployment of such technologies, which is a different subject matter. There may be some reasons for the apparent lack of discussion and narrow results. First, the sources used in this study were English-speaking news sources, and the majority of the top Indian news sources are published solely in other languages popular to the country, such as Hindi, Malayalam, Marathi, Gujarati, Telugu, Tamil, and Bengali. Therefore, it

⁶⁸ FPJ Bureau, “India to put missiles on drones,” *Free Press Journal India* (2016), LexisNexis Academic.

is very possible that relevant information that would otherwise be published by non-English speaking sources is unaccounted for in this study. Additionally, it is possible that the timing of this study was simply too soon, as defense cooperation on drones, particularly between the U.S. and India, expanded after June 2017, the end date through which articles were coded.

Future research in this area of study could include additional qualitative analysis of official correspondences between India and states with desirable drone markets, state or military officials' memoirs, or unclassified military or policy briefs, which would be conducive to a comprehensive understanding of the alleged motives of leading officials for obtaining military drones. Another recommendation might be to focus solely on the state's acquisition of armed drones or to include the analysis of actual deployment of such technology. This study focused on a wide variety of UAVs due to the relevancy of the material available; however, as India's weapons programs expand, more information should become available in the coming years. Another avenue for further research would be to repeat the design on cases that are similar in nature to the rivalry between India and Pakistan. Possible cases to consider are the ongoing conflict between Russia and Ukraine and the persistent rivalry between North and South Korea.

Considering the rapid proliferation of drones in the modern day, the discussion surrounding UAV acquisition should extend beyond the realm of counterterrorism efforts and into other, seemingly disregarded areas of international security, such as interstate competition. We no longer live in a world in which conventional war and nuclear weapons are the only major threats to international security; the meaning of the word "warfare" has transformed to suit modern-day realities, and technology has transformed with it. It is therefore integral that rigorous academic research be dedicated to this area of study to better inform state leaders and policymakers of the potential benefits, repercussions, and perceptions that arise from their decision to acquire drones in today's foreign policy arena.

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THE STRATEGIC CONVERGENCE OF SECTARIANISM AND GEOPOLITICS: THE CASE OF BAHRAIN

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INTRODUCTION

The convergence of sectarianism and geopolitics was the main reason for the failure of the Bahraini Uprising in 2011. Further, by reinforcing one another, these factors, in conjunction with the increasing salience of identity-based politics, will continue to exacerbate domestic tensions within Bahrain for the foreseeable future. The sectarian and exclusionary policies implemented by the Al Khalifa regime under the guise of protecting national sovereignty instead establish exploitable communal grievances and fault-lines, ironically providing geopolitical actors the ability to stifle Bahrain's sovereignty. This article challenges the common narrative propagated by the Gulf Cooperation Council (GCC) states and supported by the United States that sees Iran as solely or primarily responsible for sectarianism within Bahrain.

This analysis aims to establish a methodological framework that analyzes the intersection of sectarianism and geopolitics in a national context of domestic exclusionary policy and resulting external geopolitical manipulation. This analysis is all the more relevant given the recent ascension of hawkish officials such as Donald Trump, John Bolton, Mike Pompeo, and others, who appear determined to push back against perceived Iranian expansionism at whatever cost, and in whatever theater. Accordingly, Bahrain is likely to acquire significance within the United States' Middle East policy moving forward.

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There is not a single way to explain the outcome of the Bahraini Uprising. Therefore, an interdisciplinary approach that recognizes the significance of political, economic, historical, religious, and cultural elements is critical. This analysis aims to avoid the reductionist and essentialist assumptions that sectarianism is an immutable and fundamental force in the region. Rather, this research argues that, in the Middle East, sectarianism is an effective mechanism to advance state interests due to the turmoil within the region and the resulting entrenchment of sectarian and communal identities.

To analyze the effects of sectarianism and geopolitics in the Bahraini context, this paper will discuss: (1) and history of sectarianism in Bahrain, (2) a political economy of contemporary sectarianism within Bahrain, (3) the geopolitical significance of Bahrain, and (4) the convergence of sectarianism and geopolitics. The first section analyzes the different historical narratives propagated by the Sunni and Shia communities within Bahrain, how these narratives shape their respective collective memories and how they approach the issue of sectarianism in the modern context. It also examines the institutionalization of sectarianism stemming from the colonial and post-colonial periods, and how this history still influences contemporary communal relations and identity politics. The second section reviews political and economic marginalization of the Shia by the Al Khalifa regime, why a strong cross-communal opposition has not emerged, the significant role that oil and security forces play, the scattered elements of Sunni opposition, and the prevailing master narrative promulgated by the regime. The third section examines the geopolitical significance of Bahrain to both regional and extra-regional powers. The fourth section explores how these regional and extra-regional powers exploit and reinforce sectarianism in the pursuit of their respective geopolitical agendas. It will also analyze the regional sectarian and geopolitical context within which Bahrain is situated and the shaping effects regional dynamics have within the domestic sphere.

LITERATURE REVIEW

This literature review aims to examine the primordialist and instrumentalist arguments regarding the emergence and entrenchment of sectarian narratives in Bahrain. There are two primary schools of thought on the origins and prevalence of sectarianism throughout the Middle East. The first is the primordialist camp, which argues that the Sunni-Shia conflict across the Arab world and within

Bahrain, is rooted solely in the 1,300 year-old religious schism that arose over the issue of political succession following the death of the Prophet Muhammad.¹ Proponents of this argument prefer the “ancient hatreds” explanation for current domestic and regional political dynamics, as explained by Bassel Salloukh in the book *Sectarianism: Mapping the New Politics of the Middle East*.² Salloukh illustrates how even President Barack Obama, in his 2016 State of the Union address, invoked history to explain the current regional turmoil, stating that “the Middle East is going through a transformation that will play out for a generation, rooted in conflicts that date back a millennia.”³ Frederic Wehrey, in his book *Beyond Sunni and Shia: The Roots of Sectarianism in a Changing Middle East*, examines the primordialist argument advanced by Paul Dixon who views the sectarianism in the Middle East as a consequence of immutable and timeless religious differences rooted in “identity, history, and collective belief.”⁴ For primordialists, contemporary sectarianism within the region is rooted in the doctrinal differences and respective histories of Sunni and Shia.

Instrumentalists offer the second explanation for the prevalence of sectarianism in the Middle East. According to Wehrey, this theory assigns blame for the spread of sectarianism to ruling elites and state policies.⁵ These policies include distribution of wealth along ethnic lines, discriminatory employment strategies, and geopolitical policies. In *A Political Economy of the Middle East*, Melani Cammett et al. argue that ethno-religious divisions do not produce conflict per se, but rather can form the base of political mobilization in response to state-enacted policies.⁶ To Cammett et al., sectarianism goes beyond primordialist

¹ Justin Gengler, *Group Conflict and Political Mobilization in Bahrain and the Arab Gulf: Rethinking the Rentier State*, (Bloomington, Indiana University Press, 2015), 63.

² Bassel Salloukh, “The Sectarianization of Geopolitics in the Middle East,” in *Sectarianization: Mapping the New Politics of the Middle East*, eds. Nader Hashemi and Danny Postel, (Oxford University Press, 2017), 35.

³ Karla Adam, “Obama Ridiculed for Saying Conflicts in the Middle East ‘Date Back Millennia’ (Some Don’t Date Back a Decade).” *The Washington Post*, WP Company, January 13, 2016, www.washingtonpost.com/news/worldviews/wp/2016/01/13/obama-ridiculed-for-saying-conflicts-in-the-middle-east-date-back-millennia-some-dont-date-back-a-decade/?utm_term=.fe794a9ed96b.

⁴ Frederic Wehrey, introduction to *Beyond Sunni and Shia: The Roots of Sectarianism in a Changing Middle East*, ed. Frederic Wehrey (Oxford University Press, 2018), 5.

⁵ Ibid.

⁶ Melani Cammett, et al, *A Political Economy of the Middle East*. (Boulder, CO: Westview Press,

assumptions, arguing instead that modern context and institutionalized policies determine which, and when, identities become salient. Salloukh advocates an instrumentalist approach to sectarianism, arguing that the current wave of sectarianism engulfing the region is driven primarily by state policies deployed to balance “often overlapping domestic and external security threats.”⁷ In this sense, sectarianism becomes a tool used by different regimes to bolster their own security by keeping society divided and preventing a unified opposition from emerging.

This theme of “external security threats” is particularly relevant to the Bahraini context.⁸ The overwhelming majority of literature focuses either exclusively or primarily on the role that Iran has played in fomenting sectarian discord within the country. This ignores sectarian policies implemented by the Al Khalifa regime to ensure their own authority and security that have led to legitimate grievances among the Shia community.⁹ However, since the majority of scholarship produced on Bahraini sectarianism and geopolitics is primarily focused on the extent of Iranian influence, the prevailing narrative tends to present an overly simplistic and incomplete analysis of the root causes behind the entrenched divisions within the country. By continuing to advance the flawed narrative of Iranian manipulation, the prevailing scholarship incorrectly serves to legitimize and justify such claims by allowing them to dominate the discourse surrounding the topic.

Instead of aligning with either camp, this research establishes a middle-way through which both primordialist and instrumentalist arguments are given equal credence and incorporated into the overall analysis of the Bahraini context. In Bahrain, sectarianism goes beyond the primordial assumption that division within the Muslim community is inevitable. Since the colonial period, sectarian policies have entrenched religious divisions and have led to the dominance of identity-based politics. However, the primordial elements of doctrine, history, collective memories, shared symbols and motifs, etc., cannot be disregarded because they provide the traction for sectarian policies and geopolitical manipulation. Primordialism on its own, however, does not adequately address the situation due to the extended periods of Sunni-Shia coexistence throughout history. Therefore,

2015), 8.

⁷ Salloukh, “The Sectarianization of Geopolitics in the Middle East,” 36.

⁸ Ibid.

⁹ See Doron Itzchakov, “Iran and Bahrain: Ancient Ambitions, New Tactics,” *Begin-Sadat Center for Strategic Studies*, March 7, 2018, <http://www.besacenter.org/perspectives-papers/iran-bahrain/>.

this type of holistic methodological approach, which considers both historical and contemporary contexts of sectarianism within Bahrain, avoids generalization and reification. The argument in favor of this type of approach is expressed best by Wehrey, who emphasizes the need to “navigate a path between the two poles” before examining sectarianism within the region.¹⁰

The primary takeaway from this literature review is that the prevailing scholarship tends to address historical division and contemporary policy-making—and their outcomes independently. However, the analysis herein, argues that, in the Bahraini context, these two concepts need to be examined in tandem to understand how their convergence affected the 2011 uprising and continues to divide the country. Sectarianism and geopolitics must therefore be analyzed together in order to understand their interdependent relationship, thereby forging a clearer picture of Bahraini developments.

ARGUMENT

THE HISTORY AND HISTORICAL NARRATIVE OF SECTARIANISM IN BAHRAIN

Competing Sunni and Shia Historical Narratives

This section details the development of the narratives surrounding sectarianism within both the Sunni and Shia communities. The seeds of contemporary Bahraini sectarianism were planted with the arrival of the Al Khalifa dynasty and its Sunni allies from Central Arabia in 1783.¹¹ This period marked not only the end of Persian rule over the island nation, but also the establishment of the Sunni Al Khalifa tribe as the prevailing authority within Bahrain. Immediately after wresting the country from Persian control, the Al Khalifa sought to legitimize the Sunni tribal Arabs as the true Bahrainis, casting the Shia as not only a Persian and non-indigenous people, but a serious political and security threat to the country. The primary source of economic revenue – pearl diving – was concentrated in the hands of the Sunni tribal community and the Al Khalifa, while the Shia were relegated primarily to the less profitable

¹⁰ Wehrey, *Beyond Sunni and Shia*, 6.

¹¹ Omar Alshehabi, “Contested modernity: divided rule and the birth of sectarianism, nationalism, and absolutism in Bahrain,” *British Journal of Middle Eastern Studies*, 44(3), 333–355, <https://doi.org/10.1080/13530194.2016.1185937>.

agricultural sector.¹² This marked the initial implementation of exclusionary, sectarian policies which created a serious wealth disparity between the two sects that would last up to the present day.

The arrival of the Al Khalifa to Bahrain has been portrayed differently by the country's Sunni and Shia communities. Unsurprisingly, the Sunni community portrays the arrival of the Al Khalifa in an overwhelmingly positive manner, while the Shia community denounces the arrival as an illegitimate takeover by a foreign entity. These differing portrayals are critical because they establish a historic precedent of sectarianism in Bahrain and are still invoked in the contemporary period as a means of legitimizing the political status quo.

When seventh-century Muslim armies fought to spread their nascent religion across the Arab world and beyond, they were effecting "fath al-Islam" (the "opening of Islam), a euphemism for the conversion of non-Muslim peoples to the "true faith."¹³ In the Bahraini context, this euphemism is used to describe the opening of the country by the Al Khalifa to the "true faith" (in this case, Sunni Islam) from the Shia Persians. Furthermore, the Sunnis contend that historically, the Shia have never constituted a majority of the population and have based their nativist claims on a false historical narrative.¹⁴ Conversely, Bahraini Shia portray themselves as the actual indigenous population and refer to themselves collectively as the Baharna in reference to their status as the legitimate and original inhabitants of the country.¹⁵ In fact, Laurence Louer explains how Shias promote the idea of a "golden age," drawing on the historical usage of the appellation "Bahrain" to refer to the entirety of the gulf coast from Basra to the Qatar peninsula (with the Bahrain archipelago, along with al-Qatif and al-Hasa in present-day Saudi Arabia's Eastern Province constituting the heart of this ancient territory):

There was a time when the Shias of Eastern Arabia were united in one single country called Bahrain extending from Basra to Oman. Its inhabitants were called the Baharna and had embraced Shiism since the beginning of Islam. Bahrain was a wealthy country blessed by several natural resources:

¹² Gengler, *Group Conflict and Political Mobilization in Bahrain and the Arab Gulf*, 46.

¹³ *Ibid.*, 39.

¹⁴ *Ibid.*, 50.

¹⁵ Laurence Louer, *Transnational Shia Politics: Religious and Political Networks in the Gulf*, (Oxford University Press, 2012), 37.

fresh springs, arable land, and pearls. People were living a simple but fully satisfactory peasant life in accordance to the prescriptions of the Imams. Everything changed when the Sunni tribes – the Al Khalifa and the al-Saud – took over the region, appropriated the natural resources for their own use, and imposed their brutal and autocratic manners on the native population. They not only oppressed the Shias but cut their unity by breaking the organic ties between the islands and the inland. Since then, marginalized Shias have fought to recover their legitimate rights as the native inhabitants of Ancient Bahrain.¹⁶

This account by the Shia interviewee is significant because it reflects the idealized past venerated in the Shia community to this day. In other words, the presence of this collective Shia memory and the idea that they are the rightful inhabitants of Bahrain serves as the foundation for Shia mobilization. Equally significant is the fact that this account draws a direct parallel between the plight of the Shia in Bahrain and that of the Shia in Saudi Arabia's Eastern Province. Therefore, the Saudis – who also portray their Shia population as disloyal and beholden to external authorities – have an incentive to support the narrative espoused by the Al Khalifa to legitimize their suppression of the domestic Shia community.

The Al Khalifa continue to perpetuate the “opening” narrative as a way of crafting a larger national (Sunni) identity in the image of the ruling dynasty, and outlaw all opposing literature on the royal family and pre-Al Khalifa Bahrain. Similarly, the Shia continue to use the notion of an “Ancient Bahrain” as a common historical starting point and a symbol of their contemporary struggle.¹⁷

The colonial and post-colonial periods

This section analyzes the critical importance of the colonial and post-colonial periods and their effect on the institutionalization of sectarianism within Bahrain. While the Al Khalifa were the first to implement exclusionary, sectarian policies, the British colonial period witnessed the formal institutionalization of such divisions under the auspices of protecting British interests. The British

¹⁶ Louer, *Transnational Shia Politics*, 23.

¹⁷ Gengler, *Group Conflict and Political Mobilization in Bahrain and the Arab Gulf*, 39.

colonial era in Bahrain began in 1861 and depended on divide and rule policies that recognized the Al Khalifa as the best protector of British interests and subsequently the legitimate puppet authority.¹⁸ Bahrain went on to become the primary military headquarters for British operations in the Gulf, representing the most significant British military installation in the region. In order to protect such a vital asset, the British established within Bahrain the most militarized colonial police force in the Near East, and began recruiting nonpartisan groups from the Indian subcontinent in order to shore up their authority.¹⁹ The British recruitment of foreigners to police the native Bahraini population established the precedent of non-Bahraini Sunnis controlling the domestic Shia population which still holds true today.

It is significant to mention that during the colonial period, cross-sectarian currents against colonialism did emerge and played a significant role in the subsequent independence movement. Identities such as class and anti-colonialist nationalism at times trumped the notion of sect and confessional identity.²⁰ In other words, religion was not always the primary mobilizing tool for anti-government or anti-colonial opposition. This is notable because it demonstrates that sectarian tensions are not inevitable or immutable in nature, but rather become prevalent when identity-based policies are implemented or when sectarianism itself is promoted.

It is during the post-colonial period, however, that opposition came to acquire strict sectarian identities due to policies adopted by the Al Khalifa in the wake of Bahrain's independence. Following the departure of the British in the early 1970s, the Al Khalifa continued colonial policies of divide and rule. These included the recruitment of non-nationals into the nation's security forces in order to increase support for the regime and marginalize the Shia and the segments of the Sunni community that were either anti-Al Khalifa or pro-cross communal cooperation.²¹ After independence, the primary job of the security forces was controlling Shia opposition and quelling Shia political activism.

¹⁸ James Onley and Sulayman Khalaf, "Shaikhly authority in the pre-oil Gulf: An historical-anthropological study," *History and Anthropology*, 17(3): 189–208.

¹⁹ Staci Strobl, "From colonial policing to community policing in Bahrain: The historical persistence of sectarianism," *International Journal of Comparative and Applied Criminal Justice*, 35(1), (2011): 19-37, DOI: 10.1080/01924036.2011.535687.

²⁰ Ibid.

²¹ Laurence Louër, "Sectarianism and Coup-Proofing Strategies in Bahrain," *Journal of Strategic Studies*, 36 (2): 245-260, DOI: 10.1080/01402390.2013.790314.

After the Iranian revolution in 1979 and the institutionalization of a Shia Islamic theocracy based on the concept of *Wilayat al-Faqih* (authority of the jurist), sectarian tension within Bahrain was further exacerbated. The Shia were now cast by the Al Khalifa, and the other Gulf monarchies, as a potential Iranian “fifth column” and an existential security threat. Tensions reached new heights in 1981 when Bahrain thwarted an alleged coup attempt by the Iranian-linked Islamic Front for the Liberation of Bahrain (*al-Jabhab al-Islamiyah li-Tahrir al-Bahrain*), which led to dramatically increased political repression throughout the 1980s and early 1990s.

The sectarian divide reached crisis proportions in 1994-97 when students and clerics took to the streets demanding social, economic, and political rights for the disaffected Shia population. These protests ultimately resulted in the arrests of at least 2,700 people (primarily Shia), the majority of whom were not afforded procedural rights such as representation or trials.²² Such discriminatory actions and policies continued unabated into the 2000s and would serve as the foundation for mass mobilization in 2011.

A POLITICAL ECONOMY OF CONTEMPORARY SECTARIANISM IN BAHRAIN

Shia political and economic marginalization

This section examines the way in which Shia have been marginalized both politically and economically, and the subsequent impact it has had on communal relations within Bahrain. Bahrain is currently the only majority-Shia Arab state ruled by a Sunni authority and the Bahraini Shia have been institutionally marginalized by the ruling Al Khalifa regime both politically and economically. Sectarian policies and the regime’s oppression of Sunnis sympathetic to the Shia situation have effectively ensured that internal Bahraini politics and economics adhere to strictly sectarian lines. One of the foundational components of sectarian policies within Bahrain is the fact that no one truly knows the religious demographic composition of the state: the last time the government of Bahrain reported official statistics on its Sunni and Shia communities was in its very first census of 1941.²³ Therefore, most external

²² Frederic Wehrey, “Bahrain’s Decade of Discontent,” *Journal of Democracy* 24(3): 116–126, doi:10.1353/jod.2013.0054.

²³ Fahim I. Qubain, “Social Classes and Tensions in Bahrain,” *Middle East Journal* 9(3),

observers have resorted to the limited number of field surveys available, and assert that the Shia currently represent roughly between 60-70% of Bahrain's population, and that Sunnis represent approximately 30-40%.²⁴ Furthermore, the Al Khalifa regime has been deliberately trying to alter the demographic balance within Bahrain through political naturalization of non-Bahraini Arabs and non-Arab Sunnis (known popularly as "*al-Tajnis*").²⁵ If the Al Khalifa were actually able to alter the demographic composition of Bahrain to the point where Shias no longer represented an outright majority, it would deprive the Shia of their primary tool for mobilization: that they are the majority and being oppressed at the hands of the minority.

Although many hoped that the rule of Sheikh Hamad in 1999 would usher in an age of liberalization, these hopes were crushed as the status quo of political marginalization maintained itself throughout the 2000s.²⁶ Political marginalization is most evident in the demographics of the top government positions which are held almost exclusively by Sunnis. According to the Bahrain Center for Human Rights, 42.65% of the top positions in government are held by the Al Khalifa family, 42.65% are held by other, non-royal Sunnis, and only 14.7% are held by Shia (despite the fact that Shia represent an estimated 60-70% of the Bahraini population).²⁷ This problem is further compounded by the fact that voting districts are gerrymandered along sectarian lines and Shias are dramatically underrepresented in the lower house of parliament. In the last fully-contested election in 2010, the average Shia-majority district represented about 9,500 electors, while the average Sunni district represented only about 6,000.²⁸

(1955): 269; and Gengler, *Group Conflict and Political Mobilization in Bahrain and the Arab Gulf*, 96.

²⁴ Joseph Kechichian, "Bahrain's Royal Family Has History of Favoring Sunni Minority." *Public Radio International*, March 20, 2013, www.pri.org/stories/2013-03-20/bahrains-royal-family-has-history-favoring-sunni-minority.

²⁵ Justin Gengler, "Bahrain's Sunni Awakening," in *The Arab Revolts: Dispatches on Militant Democracy in the Middle East*, eds. David McMurray and Amanda Ufheil-Somers, (Bloomington: Indiana University Press, 2013), 232.

²⁶ See Ala'a Shehabi and Marc O. Jones, *Bahrain's Uprising: Resistance and Repression in the Gulf*, (London: Zed Books, 2015).

²⁷ Bahrain Center for Human Rights, "Discrimination in Bahrain: The Unwritten Law," September 2003, <http://www.bahrainrights.org/files/BCHRreportonDiscrimination.pdf>.

²⁸ Justin Gengler, "How Bahrain's Crushed Uprising Spawned the Middle East's Sectarianism." *The Washington Post*, WP Company, February 13, 2016, www.washingtonpost.com/news/

These two elements have served to virtually eliminate Bahraini Shia from the decision making process within the country at the national level, and ensures that actual representation is limited at best.

Just as the political sphere has served to disenfranchise the Shia, the economic sphere has isolated the Shia community and has continued to award those Sunnis who side with and support the Al Khalifa regime. While Bahrain's economy is primarily based on rentierism through oil, it does not fit the standard rentier model that is typically associated with such a system. This is due to the allocation of funds along strictly-sectarian lines in order to shore-up support among the nation's Sunnis and marginalize the Shia. Furthermore, the lack of abundant oil supplies within Bahrain (pre-2018 discovery, discussed below) means that the regime wants to allocate only as much as is needed to shore up its own base of support. Justin Gengler notes how even if rentier states could buy the unanimous support of their citizens, they need not attempt to do so. He believes that the state should not waste limited resources on chasing those opposed to the status quo as they require only a minimum coalition of powerful supporters to protect themselves from potential challengers.²⁹

The Al Khalifa have sought to distribute this rent exclusively among Sunnis in order to not only maximize their resource wealth, but to manufacture societal dependence on the regime. Economic marginalization is also present in the disparity in public sector jobs, with Shia virtually excluded from public sector employment. This also means that Shia lose out on the benefits that typically accompany public sector employment, such as job security, public housing, higher wages, and other public services.

It is with this strategy in mind that the Al Khalifa has sought to distribute resources to Sunnis in the hope that they would support the regime – or, at least, remain politically agnostic – while marginalizing the Shia whom they can suppress through force. Therefore, the regime is incentivized to foment sectarian discord between Sunni and Shia in order to ensure the loyalty of the former against what is portrayed as a constant security threat from the Shia community. Sunnis, then, become dependent upon the regime for providing them with

monkey-cage/wp/2016/02/13/how-bahrains-crushed-uprising-spawned-the-middle-east-s-sectarianism/?noredirect=on&utm_term=.7224b77a3050.

²⁹ Gengler, *Group Conflict and Political Mobilization in Bahrain and the Arab Gulf*, 8.

benefits, and fear a loss of their economic and political welfare if the Shia were to ever come to power and reverse the status quo. Therefore, the Sunni population now has both an economic and political incentive to ensure the survival of the regime and the status quo.

Role of the security forces

This section analyzes Bahraini security forces, a significant area of Shia exclusion.. Most of the naturalized Arab and non-Arab Sunnis previously mentioned above are enlisted into the Bahraini military and security services. These “mercenaries” consist of Yemenis, Jordanians, Iraqis, Syrians, Indians, and Pakistanis, and others. This political naturalization effort is a deliberate attempt to engineer social demographic change by increasing the number of Sunnis in Bahrain and it is estimated that at least 60,000 individuals have been granted Bahraini citizenship this way.³⁰

This strategy serves a dual purpose for Bahrain: first, it creates a community completely dependent and beholden to the regime and the preservation of the status quo, and second, it alters the demographic balance within the country by expanding the Sunni citizenry. On the other hand, Shias are not only barred from employment within the security forces and military, but viewed by these apparatuses as the primary threat to state security. The continued political nationalization of these “mercenaries” and their brutal repression of the Shia on behalf of the regime enforces and aggravates domestic sectarian sentiments and rhetoric.

Sunni (de)mobilization and the regime’s “master narrative”

This section details the narrative the Al Khalifa have sought to construct in opposition to Shia narratives in the hope of mobilizing the Sunni community in their defense. From its outset, the 2011 Bahraini Uprising has been portrayed as a Shia plot inspired by Iran, and led by Iranian agents, Shia extremists, and Shia gangs. The Al Khalifa have promoted this sectarian “master narrative” in order to prevent not only a cross-sectarian opposition to their rule, but also stoke fear within the Sunni community of a Shia-Iranian takeover and a reversal of the benefits they reap from the current status quo. In addition, the regime has promoted a similar

³⁰ Sossie Kasbarian and Simon Mabon, “Contested spaces and sectarian narratives in post-uprising Bahrain,” *Global Discourse*, 6(4), (2016): 677-696, DOI: 10.1080/23269995.2016.1259232.

narrative of Iranian expansionism — and the idea that the Al Khalifa represent a buffer against such pursuits — to regional Sunni allies like Saudi Arabia, and to the United States and Great Britain in order to gain external backing for the regime and its policies.

The construction, mobilization, and control of this official narrative by the Al Khalifa have led to a discourse—both internally and externally—that focuses almost exclusively on Iranian expansionism, leading to the disempowerment of any cross-sect or pro-democratic counter-narrative. It is within this dominant discourse that sectarianism begins to spread not only from the top-down, but also from the bottom-up as Bahrainis themselves begin to advance sectarian sentiment and as it becomes socially acceptable to hate the “other.” Indeed, a Bahraini Sunni interviewed by *The New York Times* in 2010 stated, “If the Shias took control of the country, they would pop out one eye of every Sunni.”³¹ It is this type of deep animosity and suspicion that the regime relies upon and manipulates accordingly.

The Al Khalifa has effectively mobilized the Sunni community against the perceived Iranian-linked threat that the Shia community poses. Significantly, this mobilization is actually meant to *demobilize* the Sunni community and prevent them from joining any sort of cross-sect opposition. The primary way the regime achieves this is through the negative legitimacy it acquires by arguing that the only alternative to the regime would be an Iranian-controlled Shia state where the Sunnis are stripped of their rights and privileges.³² For the Sunnis beholden to it, therefore, the survival of the regime takes on an existential importance. A primary example of this is the fomenting of sectarianism among the expatriate community within Bahrain, the vast majority of whom are Sunni. The regime has promoted the notion that if the Shia were to ever come to power, they would expel or otherwise disenfranchise these foreign Sunni workers.³³ By doing so, the regime is able to shore up anti-Shia support, while convincing the large expatriate community that the continuation of the Al Khalifa regime and

³¹ Thanassis Cambanis, “Crackdown in Bahrain Hints of End to Reforms,” *New York Times*, August 26, 2010, <https://www.nytimes.com/2010/08/27/world/middleeast/27bahrain.html>

³² See Lawrence G. Potter, *Sectarian Politics in the Persian Gulf*, (Oxford University Press, 2014).

³³ Gengler, *Group Conflict and Political Mobilization in Bahrain and the Arab Gulf*, 142-158.

the repression of the Shia is inexorably linked to their ability to live and work in Bahrain.

A significant factor worth mentioning is regime's use of *Ashura* (the event where the Shia remember and celebrate the martyrdom of the third Shia Imam – Hussain) to demonstrate not only the security threat posed by the Shia community, but also their foreign allegiances. Indeed, domestic Sunnis have often accepted the paranoia promoted by the Al Khalifa due to a misperception of religious symbols used and expressed within the Shia faith.³⁴ However, this paranoia is unwarranted and rooted in misinterpretation; while the imagery of the martyrdom of Hussain, celebrated during *Ashura*, is often used as a metaphor for Bahraini Shia frustrations, it is not necessarily a call for a pan-Shia state or allegiance to Iran as the Sunnis and government fear.³⁵ However, it does not help that various foreign Shia authorities such as Khomeini, Khamenei, al-Sistani, and others are often depicted on posters during the celebrations.³⁶ The manipulation of symbols such as *Ashura* is but one example of how the Al Khalifa regime attempts to paint all Bahraini Shia as an Iranian fifth column and the country's most pressing security threat.

Sunni Opposition

While the vast majority of Bahraini Sunnis have an economic and political incentive to support the Al Khalifa in order to preserve the status quo, this section will examine the elements of Sunni opposition that do exist and pose a serious challenge to the regime. As already mentioned in this analysis, the first category of Sunni opposition is comprised of those individuals (primarily of non-tribal pedigree) promoting cross-communal cooperation between sects against grievances affecting both communities: corruption, lack of affordable housing and land, etc. This subset of Sunnis has been viciously repressed and the regime has, as demonstrated in the section above, promoted a discourse of sectarian division within Bahrain in order to prevent such cross-cutting cooperation. Sunni participants in the protests of early 2011 such as Muhammad al-Buflasa and Ibrahim Sharif (who gave speeches of cross-sect cooperation at the Pearl Roundabout), have since been imprisoned,

³⁴ Mahmoud Bassiouni, et al, "Report of the Bahrain Independent Commission of Inquiry," *Bahrain Independent Commission of Inquiry*, November 23, 2011, <https://files.bici.org.bh/BICIREportEN.pdf>.

³⁵ Gengler, *Group Conflict and Political Mobilization in Bahrain and the Arab Gulf*, 147.

³⁶ Strobl, "From colonial policing to community policing in Bahrain," 19-37.

crushing the narrative of “not Sunni, not Shia, just Bahraini” which was heard throughout the early days of the protests.³⁷

The next category of Sunni opposition encompasses those Sunnis who feel that the prevailing authority within Bahrain – the Al Khalifa – only represent their own interests as opposed to those of the Sunni community writ large. Gengler examines this segment of the Sunni populous, who view the Al Khalifa almost as a “third sect” comprised of the ruling and tribal class, and who demand a more active role in the decision-making process.³⁸ These Sunnis feel that their interests have been sidelined by a regime that is primarily concerned with using the Sunnis to solidify its own authority, as opposed to genuinely promoting Sunni interests.

The final category of Sunni opposition consists of those who have capitalized upon the wave of mobilization among the Sunnis by the Al Khalifa regime against the Shia, and who actually challenge it on the grounds that of not doing enough against the perceived “Shia problem.” These Sunnis have called for harsher security measures against the “traitors” and have lambasted the Al Khalifa for not cracking down hard enough on the protests. The emergence of this type of opposition is ironic because the policies advanced by the Al Khalifa on the basis of dividing society with the ultimate goal of preventing cross-communal cooperation and to shore up Sunni support, have actually led to the emergence of sectarian opposition among Sunnis who challenge the government for not being extreme enough in their approach. The more the Al Khalifa rely on sectarianism throughout the country in the hopes of ensuring its own authority, the more the Al Khalifa risk inciting sectarian hatred and mobilization beyond its capacity to control.

THE GEOPOLITICAL SIGNIFICANCE OF BAHRAIN

By virtue of its location in the heart of the Persian Gulf, Bahrain controls the single most significant maritime chokepoint for petroleum exports in the Middle East—the Strait of Hormuz—through which almost 20% of maritime-transported oil passes annually.

Bahrain is also one of the six members of the Gulf Cooperation Council

³⁷ Gengler, “Bahrain’s Sunni Awakening,” 234.

³⁸ Gengler, *Group Conflict and Political Mobilization in Bahrain and the Arab Gulf*, 137.

(GCC) which also includes Saudi Arabia, The United Arab Emirates (UAE), Qatar, Kuwait, and Oman. Given their economic and institutional relevancy, there are both regional and extra-regional geopolitical actors who have critical interests in Bahraini stability and the preservation of the current status quo.

The regional power with the greatest geopolitical stake in Bahrain is Saudi Arabia.³⁹ Bahrain is the epicenter of regional “sectarian disenfranchisement” due to its majority Shia population and its perceived ties to Iran;⁴⁰ therefore, the continuation of Sunni control via the Al Khalifa regime and the preservation of the status quo is of paramount importance to Riyadh. Beyond the preservation of a Sunni-dominated status quo, Saudi Arabia and the other GCC states have a critical interest in preventing the emergence of political liberalization and democratization in Bahrain. Such pressures would ultimately challenge regional authoritarian governments.

Therefore, the preservation of the status quo entails not just maintaining Sunni dominance, but the conservation of regime legitimacy within the Gulf monarchies, all of whom work zealously to constrain domestic political opposition. This determination has become even more prominent following events such as the 1979 Iranian revolution, the removal of Saddam Hussein in 2003, and the eruption of post-2011 sectarian conflicts in Syria, Iraq, and Yemen. The strategic importance of Bahrain to Saudi Arabia was demonstrated in 2011 when, following the eruption of protests, Saudi-led GCC Peninsula Shield forces crossed the King Fahd Causeway into Bahrain to quell the uprising.

Saudi Arabia also has significant economic ties with Bahrain; for example, the causeway linking the two countries facilitates mutual trade and travel and is crossed by 18 million people every year.⁴¹ In addition, the vast majority of Bahrain’s oil revenues come from the Abu Safa oil well located in Saudi territorial waters. The well is jointly owned by Saudi Arabia and Bahrain but solely operated by Saudi ARAMCO.⁴² Aiding this partnership, Saudi Arabia effectively subsidizes Bahraini

³⁹ Mohamed Riad, “Geopolitics and politics in the Arab Gulf States (GCC),” *GeoJournal*, 13(3), (1986): 201–210, <https://doi.org/10.1007/BF00190506>

⁴⁰ See Frederic Wehrey et. al., *Saudi-Iranian Relations Since the Fall of Saddam: Rivalry, Cooperation, and Implications for U.S. Policy* (Santa Monica, CA: RAND Corporation, 2009).

⁴¹ Toby Matthiesen, *Sectarian Gulf: Bahrain, Saudi Arabia, and the Arab Spring that Wasn’t*, (Palo Alto: Stanford University Press, 2013), 30.

⁴² Laurence Louër, “Sectarianism and Coup-Proofing Strategies in Bahrain,” *Journal of Strategic Studies*, 36(2), (2013): 245-260, DOI: 10.1080/01402390.2013.790314.

refineries by providing discounted crude oil. In contrast, Bahrain actually possesses little strategic importance for Tehran. Iran and Bahrain have no considerable economic or political ties, and Iran has greater regional interests in other countries. Iran, then, views Bahrain opportunistically, as a low risk lever which allows Iran to harass their Saudi rival. Conversely, as demonstrated above, Saudi Arabia's interests in Bahrain are not merely incidental, but instead inextricably tied to its own economic and political concerns.

Beyond the region, two primary powers that have a strategic interest in Bahrain are the United States and the United Kingdom. Bahrain has had a continued U.S. military presence since the 1950s, and has housed the Fifth Fleet of the United States Navy since 1995.⁴³ The Fifth Fleet is formally responsible for the Persian Gulf, the Red Sea, and the Arabian Sea, and it also plays an important role in U.S. counterterrorism operations while serving as a bulwark against Iran. Both the U.S. and U.K. are major arms suppliers to Bahrain, and have repeatedly expressed their support for the Al Khalifa regime.⁴⁴ Bahrain is also beginning to play an increasingly important role for the U.K. With the November 2016 re-opening of the HMS Juffair, the Royal Naval Support Facility in Bahrain, the United Kingdom re-invigorated its military presence “east of Suez”. The base will serve to support its increasing operations in the broader region, and represents the first permanent British military base to be established in the Middle East since 1971.⁴⁵

THE CONVERGENCE OF SECTARIANISM AND GEOPOLITICS

Sectarianism and geopolitics have begun to merge in such a way within Bahrain (and the greater region) that they reinforce and feed off one another cyclically, a phenomenon – which can be referred to as *geosectarianism*.⁴⁶ The sectarian policies implemented and advanced by the Al Khalifa – on the premise that they are curbing Iranian interference and expansionism – have paradoxically provided geopolitical actors with strategic “entryways” through which they can

⁴³ Matthiesen, *Sectarian Gulf*, 22.

⁴⁴ See Potter, *Sectarian Politics in the Persian Gulf*.

⁴⁵ “UK Opens Naval Support Facility in Bahrain.” *BIDEC 2017*, November 15, 2016, www.bahraindefence.com/bidec-news/uk-opens-naval-support-facility-in-bahrain.

⁴⁶ See Robert Mason, *Reassessing Order and Disorder in the Middle East: Regional Imbalance or Disintegration?* (Lanham, Maryland: Rowman & Littlefield, 2017).

manipulate sectarian sentiments and rhetoric for their own interests. Moreover, the use of sectarianism by both regional and extra-regional geopolitical actors has caused the entrenchment of these identities and narratives, which have come together to spread a sectarian-driven politics throughout Bahrain and the region. The continued manipulation and hardening of these identities will further entrench divisions within Bahrain, and the Middle East exacerbating the phenomenon that domestic conflicts are linked to one another throughout the region.

This new type of “sectarian geopolitics” within Bahrain cannot be treated in isolation from developments in the region. This is particularly true given the degree to which these two elements are intertwined and sectarian divisions continue to entrench themselves – thereby making the geopolitical manipulation of such sectarian identities even more potent. Within this broader regional context, there are several events that have contributed to the strategic merging of sectarianism and geopolitics: the Iranian Revolution in 1979, the Lebanese Civil War and the subsequent proxy conflict, and the 2003 invasion of Iraq and the subsequent devastating insurgency.

The most significant of these for the convergence of sectarianism and geopolitics in the contemporary Middle East is the 2003 invasion of Iraq and the following insurgency and 2014 civil war. Post-2003, sectarianism has become the dominant narrative throughout the region as a new landscape emerged for state competition post-Saddam Hussein.⁴⁷ It is within this context of gradual convergence between sectarianism and geopolitics that the Bahraini Uprising must be analyzed in order to understand the strategies employed by the various actors involved. As Toby Matthiesen notes, “what distinguishes this new sectarianism (post-2003) from previous periods of sectarian tensions is that rulers now make decisions on the basis of a sectarian assessment of politics” (i.e. they think strategically in sectarian terms, and shape their foreign policies accordingly).⁴⁸ However, as mentioned earlier, this type of sectarian geopolitics is not based on advancing a doctrinal agenda, but rather utilized on behalf of advancing the state’s strategic interests. It is within this new regional context that the Bahraini Uprising – like the other “Arab Spring” uprisings – emerged and was immediately defined in regional sectarian terms. The phenomenon of *geosectarianism* has been amplified

⁴⁷ Benjamin Isakhan, *The Legacy of Iraq* (Edinburgh: Edinburgh University Press, 2015).

⁴⁸ Matthiesen, *Sectarian Gulf*, XXII.

exponentially following the 2011 uprisings, as geopolitical “camps” are now overwhelmingly overlapping with sect – particularly the geopolitical conflict between Saudi Arabia and Iran. In fact, the responses to the Arab uprisings and the dynamic of state competition, both within Bahrain and regionally, have reinforced sectarianism, arguably making it more significant than in any other period of history of the modern Middle East.

Within Bahrain, the regime and its backers continue to promote and weaponize the notion of a geosectarian threat from Iran in order to marshal support and legitimacy. This rhetoric is not solely aimed at the domestic Sunni population, but proliferated throughout the region and internationally. The proliferation and dominance of this specific narrative shifts the discourse surrounding the Bahraini uprising from legitimate political and socio-economic grievances and the hope of reform, toward countering the geopolitical threat singularly posed by Iran and maintaining the status quo. Furthermore, by linking geopolitical and sectarian events within Bahrain to those in countries like Iraq, Syria, and Yemen, the Al Khalifa and the Saudis are themselves constructing the narrative of calculated Iranian expansionism through the co-opting of Shia communities within the region. This, in turn, serves as the legitimizing and mobilizing “call” around which the Al Khalifa continue to pursue their strictly sectarian policies. These policies are backed fully by Saudi Arabia, which wishes to push back against Iran geopolitically and maintain the Sunni-dominated status quo (not to mention the interests the Saudis have in ensuring that such a large-scale uprising does not spread to its Shia Eastern Province). This narrative is reinforced deliberately by statements made by Iranian leaders, the rhetoric surrounding sectarianism in places like Iraq, Syria, Lebanon, and Yemen. Indeed, even if Iran were not intervening directly in the Bahraini Uprising, pro-Iranian Arabic-language outlets like al-Alam, Hezbollah’s al-Manar TV, and the Iraq-based Ahl al-Bayt TV, were hard at work to convince the Shia, not only in Bahrain, but more importantly throughout the region, that the conflict was a fight to resolve long standing political and religious differences between sects.⁴⁹ Therefore, this joining of Bahrain to other regional developments has transformed a domestic issue into a regional power competition between sectarian and geopolitical rivals.

⁴⁹ Geneive Abdo, *The New Sectarianism: The Arab Uprisings and the Rebirth of the Shi’a-Sunni Divide*. (Oxford University Press, 2017), 127.

By pursuing the domestic sectarian policies detailed within this analysis, the Al Khalifa regime claims to be countering Iranian influence within the region – and is gaining the backing of the U.S. – but is actually implementing the said policies in order to solidify its power and silence any form of dissent. In other words, the Iranian threat is being blown out of proportion by the Al Khalifa and the Saudis in order to gain the backing and support of the U.S. Therefore, these policies would appear to advance the shared strategic interests of both the United States and the Al Khalifa: countering Iranian expansionism and influence within the region for the former, and solidifying its own rule for the latter. While the U.S. does not benefit per se from sectarian policies within Bahrain, it does benefit from a strong Al Khalifa regime that maintains its grip on power against what is seen as a constant threat from an expansionist and opportunistic Iran. Therefore, the U.S. has granted the regime and Saudi Arabia near impunity when dealing with the “Shia issue” inside Bahrain, tacitly supporting the narrative that the Shia are Iranian agents and loyalists, under the assumption that doing so will advance the United States’ interests. Because of the narrative espoused and enforced by Al Khalifa and Saudi Arabia, the U.S. has come to view Bahrain as the next possible regional “domino” following the growing influence of Iran in places like Lebanon, Iraq, Syria, and Yemen. This near unconditional support of the U.S. also serves to undermine any legitimate counter-narrative from emerging, while the continued manipulation of sectarianism for geopolitical purposes entrenches divisions within Bahrain.

CONCLUSION AND THE ROAD FORWARD

It is this strategic convergence of geopolitical interests and sectarian politics that crushed the 2011 Bahraini uprising, secured the prevailing status quo, and will continue to dictate domestic realities within Bahrain for the foreseeable future. Bahrain’s future prospects are inextricably linked to the regional balance of power and the further entrenchment and utilization of sectarianism for geopolitical purposes. As the preceding analysis demonstrates, Shias are likely to suffer politically and economically inside Bahrain whether or not they are actively engaged in anti-government activism. This may come to serve as a self-fulfilling prophecy: continued policies of exclusion will only serve to further cement communal divisions and could potentially—if the country’s Shia come to believe that the only method for tangible change is through unconventional means—serve

to actually push segments of society into the arms of external actors claiming to be genuinely supportive of their plight, such as Iran.

An interesting recent development is the growing relationship between Israel and Bahrain. The Israelis—who view Iran as their primary regional adversary—share the strategic interests of the Al Khalifa, the Saudis, and the U.S. in maintaining the Sunni-dominated status quo within Bahrain. In 2017, a 23-person Bahraini delegation of influential business, social, and religious figures visited Israel. This followed a visit from senior Israeli officials at the 67th FIFA Congress, representing the first official visit from Israel to Bahrain.⁵⁰ This growing relationship is significant because it demonstrates the overall geopolitical calculus of the states in the region: the need to push back against Iran at all costs. Israel too falls within this camp, and seems to have bought into the discourse surrounding Bahrain and the threat of growing Iranian influence and interference.

Moving forward, there is also the threat that sectarianism could evolve and take on a life of its own inside Bahrain. In other words, is it possible that the Al Khalifa and their backers have divided society to the point where it can no longer be contained? As explained earlier, elements of an extreme Sunni opposition to the Al Khalifa have begun to emerge, arguing that the regime is not doing enough to suppress the Shia traitors.⁵¹ The aforementioned ties being developed between Bahrain and Israel for geopolitical purposes have brought strong condemnation from sections of the Sunni community, particularly among Salafis and groups associated with the Muslim Brotherhood. Shia extremist cells allegedly backed and supplied by Iran have also begun to emerge, carrying out several low-scale attacks throughout the country. If the more extreme elements of the Sunni community decide to strike back against the Shia because of these attacks, the situation could spiral out of control. As sectarianism within Bahrain encroaches from above and below, the Al Khalifa regime may find itself unable to sustain the delicate balance it has created.

All factors considered, it is likely that the status quo will be sustained for the near future. The recent discovery of an oil reserve with an estimated

⁵⁰ “Bahrain and Israel, a Friendship Rising in a Sea of Hostility,” *Middle East Eye*, September 23, 2017, www.middleeasteye.net/news/analysis-bahrain-and-israel-match-made-manama-482678491.

⁵¹ Gengler, *Group Conflict and Political Mobilization in Bahrain and the Arab Gulf*, 135.

80 billion barrels means that the regime now has the ability to continue its preferential allocation of state funds to the Sunni community, at the expense of Shia enclaves. The increased interests of the U.S. and Israel in Bahraini stability also means that external backing in the name of deterring Iran will persist for the foreseeable future. Therefore, the Al Khalifa face no incentive to change their sectarian policies. On the contrary, with newfound oil revenue and increased external support, it appears likely that the regime will double-down on its exclusionary policies. Whether or not they will be able to contain the balance between these two communities and restrain their more fringe elements has yet to be demonstrated. Moving forward, Bahrain finds itself in the middle of a regional geopolitical and sectarian power struggle that seems likely to intensify as religious divisions continue to entrench themselves and regional geopolitical actors continue to exploit and manipulate such cleavages.

Several recent developments support the likelihood of continued and increased support for the Al Khalifa regime. The first of these is the ascension of Donald Trump to the U.S. Presidency and his hawkish anti-Iran vision and cabinet. Shortly after assuming the presidency, Trump decided to renew previously suspended sales of F-16 fighters and other military hardware to Bahrain. These arms sales had been halted by former U.S. President Barack Obama due to Bahrain's deteriorating human rights record.⁵² As such, Trump appears to be returning to traditional U.S. policy, stating, "Our countries have a wonderful relationship together, but there has been a little strain [referencing the aforementioned decision by Obama regarding the sale of F-16s], but there won't be any strain with this administration. We're going to have a very, very long-term relationship. I look forward to it very much—many of the same things in common."⁵³ When Trump states that the U.S. have "many of the same things in common," he is almost undoubtedly referring to opposition to Iran. President Trump followed this statement with the announcement of \$9 billion in bilateral trade agreements, including the extension of a defense cooperation agreement for

⁵² Josh Lederman and Jon Gambrell, "Trump Administration to Allow Bahrain F-16 Deal," *Defense News*, August 8, 2017, www.defensenews.com/air/2017/03/30/trump-administration-to-allow-bahrain-f-16-deal/.

⁵³ "Trump Says Ties with Bahrain Won't Be Strained Anymore," *Reuters*, Thomson Reuters, May 21, 2017, www.reuters.com/article/us-usa-trump-saudi-bahrain-idUSKCN18H05Y.

fifteen years.⁵⁴ Also significant was Trump's first foreign terrorist designation after assuming office, which labeled two individuals as "Iranian-based senior members" operating inside Bahrain for the purpose of destabilizing the country.⁵⁵ Trump's recent decision in May 2018 to withdraw from the Joint Comprehensive Plan of Action (JCPOA), popularly known as the Iranian Nuclear Deal, also demonstrates the hardline approach he wishes to implement vis-à-vis Iran.

Considering the example of Bahrain, it is beneficial to forecast what can be expected for other countries within the region that find themselves in similar situations and caught within the matrix of sectarianism-based geopolitics. Syria, Iraq, Lebanon, and Yemen are the four countries within the region suffering from the same malaise that is plaguing Bahrain: the convergence of geopolitical interests with sectarian sentiments and rhetoric that is being used to mobilize and legitimize the actions of domestic and international actors who are all ultimately seeking the advancement of their own interests. Present within all of these contexts are the competing interests of Saudi Arabia and Iran, the former of which is backed staunchly by the United States, and the latter who are attempting to mobilize Shia communities across the Middle East, ultimately in the hopes of advancing its own geopolitical interests. As demonstrated by the Bahraini case, however, these theaters are not monolithic. Instead, the respective historical contexts of both sectarianism and geopolitics must be considered on a case-by-case basis in order to understand the roots of this phenomenon.

⁵⁴ Kenneth Katzman, "Bahrain: Unrest, Security, and U.S. Policy," *Congressional Research Service*, October 11, 2018, <https://fas.org/sgp/crs/mideast/95-1013.pdf>.

⁵⁵ "State Department Terrorist Designations of Ahmad Hasan Yusuf and Alsayed Murtadha Majeed Ramadhan Alawi," U.S. Department of State, March 17, 2017, www.state.gov/r/pa/prs/ps/2017/03/268504.htm.

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CHANGES IN ESTONIAN DEFENSE POLICY FOLLOWING EPISODES OF RUSSIAN AGGRESSION

BENJAMIN COOPER¹

ABSTRACT

After successive episodes of Russian aggression, both Estonia and the North Atlantic Treaty Organization (NATO) remain on edge about the future of their relationship with Moscow. To understand how Estonia has deterred Russia from further hostile acts, this paper analyzes the Estonian government's response to them and how the establishment of defense programs have made Estonia a pillar of anti-Russian policy in Europe. Such programs and policy changes which continue to deter Russia from these aggressive tactics include but are not limited to NATO's Cooperative Cyber Defense Center of Excellence, the EU's East StratCom Task Force, and the development of dependable relationships between NATO, the EU, and the Estonian private defense sector. The paper also analyzes the overall successes and deficiencies of these policy changes, makes future recommendations for the Estonian government, and evaluates the implications of these changes in the broad realm of international security. Analyzing these successes and deficiencies is important for determining the overall effectiveness of the changes in Estonian policy over the past decade. Through in-person interviews with both American and Estonian government officials, online research, and interactions with academic experts on the subject, the paper argues these new programs and evolving relationships are an adequate and effective deterrent to prevent further Russian cyber and conventional military attacks.

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INTRODUCTION

Since the fall of the Soviet Union in December of 1991, Estonia and the Baltic States have been in a precarious position of balancing between Russia and the Western alliances of NATO and the EU. In the past decade, acts of Russian aggression toward the West have not only become more frequent but also significantly more impactful and dangerous. Specifically, in 2007, Russia targeted Estonia in a series of cyberattacks over the movement of the Bronze Horseman statue. How and why has Estonia responded to the 2007 attacks and each successive bout of Russian aggression since? In contrast to countries like Germany, who have chosen to remain closer with Russia due to its energy resources, Estonia has taken a hardline stance on the issue.

This paper argues that the government of Estonia has solidified its relationship with NATO, the EU, and the private defense sector in response to three events: the 2007 Bronze Horseman incident in Tallinn, the 2008 Russo-Georgian war, and the 2014 seizure of Crimea. In the process, Estonia has set an example for other states threatened by Russia on how to fight against the Kremlin. Each section of the paper breaks down Estonia's relationship with one of the entities listed above (i.e. NATO, EU, or private defense sector). Within each section, the paper analyzes the state of the current relationship with the entity, systemic and practical security policy changes within the entity in response to Russian aggression, obstacles to successfully implement those policy changes, and overall successes and failures of the policy changes and the government-entity relationships. These metrics best determine how Estonia has responded to Russian aggression because they provide a holistic understanding of the relationships between the Estonian government and the entities that support their fight. The Estonian government's relationships with its defense apparatus, NATO, the EU, and the Estonian private sector each have unique and consequent implications and, as a result, must be analyzed separately in order to fully understand Estonia's response to what it deems to be unacceptable acts of aggression.

WHY ESTONIA?

Estonia's importance as an actor on the geopolitical stage cannot be understated. It is one of only three NATO member countries that share a border with Russia proper. As a result, Tallinn must worry about Russian troops on its border and a potential invasion.

Estonia is unique in the Western-aligned European world in regard to its

ethnic makeup. The Estonian government focuses most of its efforts on keeping the peace between the Russian and Estonian ethnic groups in Harju (55% of the ethnic Russian population) and Ida Viru (32% of the ethnic Russian population) counties.² The ethnic Russian population in the remaining counties of Estonia represent 5% or less of the population of the county itself. These ethnic Russians are a significant political and economic faction of the population which must be analyzed to help avoid future ethnic conflict.

While relations between ethnic Estonians³ and ethnic Russians⁴ are calm, there are significant socioeconomic differences between the two groups which the Estonian government must monitor.⁵ These socioeconomic differences are compounded by the differing media consumption by the ethnic Russians and ethnic Estonians. The easternmost county of Ida Viru is 72.8% ethnic Russian, and these ethnic Russians receive most of their news from Russian language news outlets controlled by the Kremlin.⁶ As a result, just 27% of Russian-speaking Estonian citizens support the NATO presence in the region.⁷ These socioeconomic differences must be noted. If they are not, Russian propaganda and disinformation campaigns can take advantage of the divide and create a divisive population.

Furthermore, Estonia's population size makes the country a prime target for an experienced and modern military force such as that of Russia. Its small population of 1.3 million people impacts the government's decision-making when it comes to future investments, tangible military strategy, and the setting of development goals in Estonia's Long-Term Development Plans released by the government each decade.⁸

While many cities in Estonia are densely populated, the countryside is sparsely inhabited and consists mostly of flat marsh. The abundance of marshland

² "Population By Sex, Ethnic Nationality And County, 1 January." *Statistics Estonia* 2018.

³ Estonian citizens of Estonian descent

⁴ People of Russian descent who are citizens of Estonia or are stateless people but are not citizens of the Russian Federation

⁵ Martin Herem (Major General of the Estonian Army), in-person interview, June 11, 2018.

⁶ "Population By Sex, Ethnic Nationality And County, 1 January." *Statistics Estonia* 2018.

⁷ Dario Cavegn, "Majority of Estonia's Russian-speaking residents against NATO presence" last modified June 10, 2017. *Estonia Public Broadcasting*. <https://news.err.ee/601288/majority-of-estonia-s-russian-speaking-residents-against-nato-presence>

⁸ "Estonia Population 2018," *World Population Review*, last modified June 12, 2018, <http://worldpopulationreview.com/countries/estonia-population/>.

makes invasion a tough task but also represents a difficult barrier to building adequate and substantive defensive measures. The flatness of the country ensures that invaders face few physical barriers; therefore, an advancing Russian military force would find little resistance as it moved through the countryside.

Overall, Estonia's combination of a small population size, open terrain, and ethnic Russian minority makes it a critical liability amongst the NATO alliance. Russia has also demonstrated in Crimea what a hybrid invasion with a minority ethnic group acting as a catalyst would look like. Estonian Major General Martin Herem indicated in his interview that he has little doubt Russia sees Estonia as a land grab opportunity and would act on its instincts if it were not for the relationships Estonia has built with NATO.⁹ While the Estonian government is confident that the economic and political success of Estonia keeps ethnic Russians devoted to Tallinn, they are aware of the ties that many ethnic Russians have to Moscow. Because of this dichotomy and the unique ethnic makeup and demographics of Estonia, the country represents an important case study in how the NATO alliance and the West are standing up to an increasingly aggressive Russia.

ESTONIAN DEFENSE FORCES (EDF)

The Estonian Defense Forces, the first entity analyzed in this paper, are vital to the Estonian government because they are the first line of defense against any outside threat. More importantly, the EDF is the heart of the Estonian effort to defend against Russia. Without such a force, the Estonian government would have no capacity to defend against an outside incursion. The EDF provides land, sea, and air power to fight against any attack, and the force's strong presence in the Baltics gives confidence to Estonia's NATO allies that the country can be depended on in a time of war. Furthermore, the EDF acts as a uniting force amongst the Estonian population and helps mitigate any internal ethnic conflict which could arise in times of peace.

OVERVIEW OF THE ROLE OF THE EDF IN ESTONIAN DEFENSE SOCIETY

With the EDF acting as Estonia's first line of defense, its primary goals are the protection of Estonian sovereignty and the communal defense of the NATO alliance. The Estonian Ground Forces currently consist of about 3200 conscripts and 6000 active duty soldiers.¹⁰ The Ground Forces are reinforced by an extensive reserve unit and have participated in NATO combat activities in both Mali and

⁹ Maj. General Martin Herem, June 11, 2018.

¹⁰ Maj. General Martin Herem, June 11, 2018.

Afghanistan, providing soldiers with combat and advanced weapon system skills they are unable to acquire in Estonia.

While the ground forces are Estonia's main fighting force, the Air Force and Navy provide important tactical support to the military, as well as essential infrastructure that could be utilized during a Russian invasion. Both Navy and Air Force missions remain vitally important to Estonia's defense against Russia, but they have not evolved as significantly as the Army's in response to Russian threats because of the immense cost to build and maintain effective weapons systems.

EDF SECURITY GOALS: DETERRENCE AND COLLECTIVE DEFENSE

Deterrence and collective defense are at the heart of the Estonian government's policy to combat a Russian invasion. The Defense Forces understand the impracticality of launching an offensive attack and following acts of Russian aggression, the Estonian government has depended on and worked to develop even stronger relationships with its NATO allies. These relationships help deter Russia from invading and provide security to Estonia's population. As a result, and as outlined in the subsection below, the government is building up the EDF to compliment the weapons and training provided by NATO to ultimately possess a powerful military capability to deploy in defense against Russia.

NATO acts as the communal defense force for Estonia in case of invasion. According to Article V,¹¹ NATO considers an attack against one NATO state as an attack against the entire alliance, which plays an important role in Estonian military policy. The 2018 Siil Exercise brought together nineteen different countries and put Estonian military and Defense League forces on the battlefield with allied partner troops to increase cooperation and combat-readiness in the event of an attack.¹² The Siil exercise and other cooperative military efforts, such as the Cooperative Cyber Defense Centre of Excellence (CCDCOE) in Tallinn, have demonstrated to the Russian government the advanced capabilities of an allied response against any aggressive action. The exercises also symbolize successful shifts in policy resulting in an

¹¹ The collective defense clause laid out in the NATO treaty which states "an armed attack against one or more [of the NATO allies] shall be considered an attack against them all"

¹² "Exercise Siil 2018 kicks off in Estonia," *North Atlantic Treaty Organization*, Last modified May 8, 2018, https://www.nato.int/cps/su/natohq/news_154275.htm

increase in deterrence and a more powerful response against a Russian threat.

EVOLUTION OF EDF POLICY IN RESPONSE TO RUSSIAN AGGRESSION

Estonia was one of the first countries to have a well-rounded response to Russian aggression. Following the 2008 Georgian invasion, Estonia made an emphatic change in policy towards Russia from one of support and encouragement to one of opposition and open resistance. The policy changes listed below helped Estonia respond adequately to acts of Russian aggression.

The Estonian government regularly publishes documents explaining their long-term military development plans and strategy regarding Estonian National Security. The decisive change mentioned above is clearly presented in the difference in rhetoric in the National Security Concept document from 2004 and the one produced in 2010 after both the Bronze Horseman incident in 2007 and the invasion of Georgia in 2008. These documents are the foundation of Estonia's stance against Russian aggression, and their evolution signifies a broader shift of policy within the government as a whole. These documents also represent concrete guidelines to the Estonian population on how the government is combating this threat.

The Concept document of 2004 spoke of an effort by Estonia and its western alliances to cooperate with Russia and look for options to promote democracy in Moscow. There was less emphasis placed on building up NATO and Estonia's defenses and instead more on a need for defending "Europe's border."¹³ The rhetoric directed towards Russia changed sharply in the document from 2010, and NATO even discussed the potential for a military conflict.¹⁴ Even while President Obama called for a reset in Russian relations, Estonians were on the front line of Russian aggression and understood the seriousness of the Russian threat.

Beyond the National Security Concept document, Estonia also introduced the Long-Term Development Plan. Following the Georgian War in August of 2008, there was an extensive overhaul of the Long-Term Development Plan. The Plan, released in 2009 and set to finish in 2018, recognized the deficiencies within the Estonian system, sought to overhaul the communication and intelligence capabilities within the Estonian military, and made system and organizational compatibility

¹³ National Security Concept of the Republic of Estonia (2004). Date accessed July 9, 2018. <https://www.files.ethz.ch/isn/156841/Estonia-2004.pdf>

¹⁴ National Security Concept of the Republic of Estonia (2010). Date accessed July 9, 2018. <https://www.eda.europa.eu/docs/default-source/documents/estonia---national-security-concept-of-estonia-2010.pdf>

with NATO and the Baltic States a priority. These policy changes helped ensure the future success of a NATO response to an attack on a member state such as Estonia.¹⁵

The Long-Term Development Plan also contained more practical and tangible upgrades than the broad, abstract statements and lack of professionalism that constituted Estonian military training policy before the Georgian war.¹⁶ Specific upgrades included replacing the older MILAN anti-tank system with the Javelin system anti-tank weapons and the development of high-alert readiness groups that could respond to any invasion at a moment's notice.¹⁷

Both of these documents are essential to understanding changes in Estonian military policy towards Russia because they provide insight into the mindset of the Estonian government officials creating the policy and how they viewed the Russian foreign ministry's goals. Furthermore, these documents lay out very specific action plans that the Estonian populous and outside analysts can use as evidence for or against the success of the response to Russian aggression.

SUCCESSFUL IMPLEMENTATION OF ANTI-RUSSIAN POLICY IN THE EDF

The Estonian Defense Forces have been successful in converting these policies into tangible results. This success is important because it shows progress in the government's plans and also proves to Estonia's NATO and EU allies that Estonia is serious in its efforts to combat Russian aggression. More specifically, the EDF ground forces have expanded the capabilities of their light infantry brigades through the adoption of Howitzer guns and participation in snap exercises to increase brigade readiness.¹⁸

Rather than investing in expensive twenty or thirty year development plans, Estonia focuses on improving the capabilities of their own army with training exercises and weapons systems that are reasonable and affordable.¹⁹ For example,

¹⁵ Estonian Long Term Defence Development Plan 2009-2018. January 22, 2009. http://www.ecfr.eu/page/-/Estonie_-_2009_-_Estonia_long_term_development_plan_2009_2018.pdf

¹⁶ Maj. General Martin Herem, June 11, 2018.

¹⁷ Estonian Long Term Defence Development Plan 2009-2018. Date published January 22, 2009.

¹⁸ National Defence Development Plan 2018-2022. <http://www.kaitseministeerium.ee/riigikaitse2022/riigikaitse-arengukava/index-en.html>

¹⁹ Ingvar Pärnamäe (Estonian Defence Industry Association), in-person interview, June 8, 2018.

the defense budget focuses primarily on increasing Defense League training, speeding up communications and transportation, increasing reaction speed and command capability, and maintaining barracks and armored personnel carriers.²⁰ These improvements ensure NATO's advanced weapons systems and Estonia's well-trained defense forces will complement each other in the event of conflict.

Following Russia's annexation of Crimea in 2014, the Estonian government felt it was important to invest in the more advanced Javelin anti-tank weapon system. The Javelin missiles, an example of a strategic investment to maximize the government's return on investment, were funded by the U.S. Government through the European Reassurance Initiative set up by the Obama Administration to bolster NATO's defenses in Europe and demonstrated how Estonia uses its alliances and partnerships to their fullest potential. The Javelins are capable of attacking targets at distances of up to four kilometers and are a critical weapon system as Tallinn has no battle tanks in its armed forces.²¹

As a result of these policy changes and acquisition of new weapon systems, there has been a significant change in mindset of the soldiers in the Estonian military. While hard to prove in peacetime, Major General Herem described an Estonian military always prepared for war with Russia whether war is likely or not. He stated, "if you leave some to be taken, Russia will take it," and that following the conflicts in Georgia and Crimea, Estonian conscripts understand that war is a reality and are prepared to die in battle.²² Sending troops to Afghanistan and Mali helped to prepare soldiers for the reality of war at home. With that combat experience, a general acceptance of the consistency of Russian meddling and aggression, and a renewed sense of responsibility to be a pillar of defense against Russia, the military has shifted its mindset from one of complacency towards the possibility of a conflict to one of preparedness and pragmatism.

OBSTACLES TO FURTHER IMPLEMENTATION OF ANTI-RUSSIAN POLICY WITHIN THE EDF

If the policy changes in the previous section are not successfully

²⁰ Defence Budget," *Republic of Estonia Ministry of Defence*, last modified February 12, 2018, <http://www.kaitseministeerium.ee/en/objectives-activities/defence-budget>

²¹ Jakub Palowski, "Estonia Receives Javelin Anti-Tank Missiles From the United States" *Defence 24*. Last modified March 22, 2016. <https://www.defence24.com/estonia-receives-javelin-anti-tank-missiles-from-the-united-states>

²² Maj. General Martin Herem, June 11, 2018.

integrated, Estonia will only become weaker and incapable of defending against a Russian invasion. While there is support amongst the Estonian population for the policy changes outlined in the National Security Concept and the procurement of more advanced weapons systems, there are some systemic problems within the EDF, described in the following paragraphs, which make integrating these policies an issue. More specifically, these systemic problems can hinder the effectiveness of the policy changes which, in the event of a Russian invasion or cyber-attack, could make the policy changes irrelevant. While the obstacles listed below are not barriers to a successful policy of deterrence targeted against Russia, they must be considered by the Estonian government.

The most significant obstacle to a successful deterrence model for the Estonian military is the feeling of many Estonian citizens that state defense is not an appropriate, necessary, or viable career path.²³ Many cadets may have had bad experiences during their year of conscription and some are not inclined to continue their service. Some simply want to explore opportunities of employment in other EU countries and others have committed a crime or offense that makes them ineligible for service.²⁴

As a result of disinterest, crime, and the effects of globalization, the EDF was unable to meet its goal of 4000 military professionals by 2018.²⁵ The Forces are currently comprised of about 3200 professionals, up from 3000 professionals when the 2009 Long-Term Development Plan was written.²⁶ This failure to increase the amount of military professionals is an example of a policy change by the Estonian government not being implemented successfully.

These experiences have led to a low professional military participation rate amongst the Estonian public. While motivating the population to devote their careers to state defense may be difficult, investing in socio-economic programs to decrease wealth inequality and increasing awareness about Estonian military career options within the population could help increase the number of military professionals in the Defense Forces.

It can be concluded from these obstacles that a successful implementation

²³ Maj. General Martin Herem, June 11, 2018.

²⁴ Enno Motts (Commandant of the Estonian National Defence College), in-person interview, June 12, 2018

²⁵ Estonian Long Term Defence Development Plan 2009-2018. Date published January 22, 2009.

²⁶ Maj. General Martin Herem, June 11, 2018.

of these policies is not guaranteed. The EDF is an extensive and intricate force which cannot be reformed overnight. Reform requires a feasible yet rigorous and meticulous assessment of the current EDF in order to succeed.

ESTONIAN DEFENSE LEAGUE (EDL)

While the EDF is an integral part of the plan to defend against Russia, the Estonian Defense League is a military unit unique to Estonia which provides a civilian response to an attack on the country. The EDL and EDF work hand in hand to act as a credible deterrent against an enemy with a larger and far more experienced military. The EDF uses the EDL as a unit already deployed inside of what would be enemy territory if Russia invaded and as a result, the EDL can act as a guerilla force against an invading military. The EDF relies on the steadfastness and determination of Estonian civilians in the EDL who will represent the first line of defense against Russia.

OVERVIEW OF THE ROLE OF THE EDL WITHIN THE ESTONIAN GOVERNMENT

While the EDF is the government's main military force, the Estonian Defense League (EDL) is a voluntary wing of the Estonian Defense Forces which focuses on local defense and a civilian response in the event of an invasion or security threat. It is a local force which tactically supports the Estonian Defense Forces with light infantry units. The units compliment the Defense Force's heavier equipment as well as NATO tanks and jets which would operate on Estonian soil in the event of an invasion. The EDL is a strictly deterrent force and do not take part in offensive propaganda efforts in the heavily Russian eastern region of Estonia.²⁷

POLICY CHANGES IN THE EDL IN RESPONSE TO RUSSIAN AGGRESSION

Following acts of Russian aggression, the EDL has expanded its role within the Estonian military apparatus and instituted a number of programs to better equip civilians with the weapons and tools necessary to fight off an attack from the East. The EDL established the Estonian Defense League Cyber Unit (EDLCU) in 2007 which works with the private sector to allow cyber companies to be called upon in the wake of a cyberattack.²⁸ The command provides education and training and is a direct result of the findings that primarily private

²⁷ Lieutenant Colonel Lillenrum, May 31, 2018.

²⁸ Ingvar Pärnamäe, June 8, 2018.

companies, not the government, were able to counter the 2007 cyberattacks.²⁹

After Crimea in 2014 and to better prepare against a Russian hybrid invasion, the EDL now provides new 90mm anti-tank guns, Carl Gustav grenade launchers, MG-3 machine guns, and Swedish AK 4 rifles to its members.³⁰ These weapons, provided now in greater numbers than ever before, enable the EDL to more adequately fight an invading Russian force.³¹ The weapons are provided by the EDL and given directly to the League's members for home storage which drastically shortens the time it would take to mobilize a unit to under 24 hours.³²³³

These policy changes within the security apparatus of the Estonian government have been a success and the weapons and increased preparation with which the EDL now operates greatly increases the League's chance of an effective defense against Russia. The coordination and cooperation between the EDL and EDF further prove Estonia's commitment to improving their internal military apparatus, and as a result, show the NATO alliance their commitment to its defense. These successes also set an example to other NATO members on how to adapt practical policies to fight Russia.

OBSTACLES TO SUCCESS FOR THE EDL WHEN RESPONDING TO RUSSIAN AGGRESSION

Similar to the Estonian Defense Forces as a whole, the Defense League faces some issues with ethnic Russians potentially fighting against their Russian brothers in the event of an invasion. This would create a conflict of interest amongst League members. However, Defense League LTC Lillenrum is confident that Russians who fight on the side of the Defense League understand the poverty on the Russian side of the border.³⁴ There have been instances where local Estonian police have needed backup to quell pro-Russian riots in the east

²⁹ Tom Gjelten, "Volunteer Cyber Army Emerges in Estonia." *NPR*. Last modified January 4, 2011. <https://www.npr.org/2011/01/04/132634099/in-estonia-volunteer-cyber-army-defends-nation>

³⁰ "Kaitseliit marsib suurimal kaitseväe paraadil," *Kaitseliit*, last modified February 21, 2014, <http://www.kaitseliit.ee/et/kaitseliit-marsib-suurimal-kaitsevae-paraadil>

³¹ Andrew E. Kramer, "Spooked by Russia, Tiny Estonia Trains a Nation of Insurgents." *New York Times*. Last modified October 31, 2016. <https://www.nytimes.com/2016/11/01/world/europe/spooked-by-russia-tiny-estonia-trains-a-nation-of-insurgents.html>

³² Lieutenant Colonel Lillenrum, May 31, 2018.

³³ Léo-Paul Jacob, "How can the Estonian Defence League Ensure Estonia's Security?" *NATO Association of Canada*. Last modified January 20, 2017. <http://natoassociation.ca/how-can-the-estonian-defence-league-ensure-estonias-security/>

³⁴ Lieutenant Colonel Lillenrum, May 31, 2018.

of Estonia. In these instances, entire ethnically Russian Defense League units came to the aid of the local ethnically Estonian police force and suppressed the uprisings.³⁵ Therefore, despite media and outsider speculation, there is very little conflict between ethnic Russians and ethnic Estonians within the Defense League and the voluntary force remains a strong deterrent to Russian aggression.

Similar to the EDF, reform in the EDL will not come easily. The lack of participation of ethnic-Russians in the League certainly presents a concern. The League was established over a century ago, and change can be difficult. However, with an enthusiastic and determined Estonian government, these obstacles can be overcome.

ESTONIA AND NATO

NATURE OF THE ESTONIA-NATO RELATIONSHIP: EXAMPLES OF ESTONIAN LEADERSHIP IN THE CYBER SPHERE AND BEYOND

NATO is the most important global partner of the Estonian military and is the guarantor of its safety and security. NATO provides Estonia with both heavy support weaponry such as tanks and jets, but also, under Article V of the NATO treaty, a collective defense policy which gives Estonian officials peace of mind when dealing with Russia. The success of this relationship is critical from a perspective of Western defense against Russia.

Estonia has done as much as possible to return the favor and provide NATO with a staging ground for cyber defense. Despite only being supported by the U.S. immediately after joining the alliance in 2004, Estonia set up the NATO Cooperative Cyber Defense Centre of Excellence (CCDCOE).³⁶ Only after the 2007-2008 cyberattacks on Estonia and Georgia did the rest of NATO alliance begin to understand the importance of the CCDCOE. Estonia also hosts the Cyber Coalition exercise on cyber security and has provided the entire NATO alliance with advanced and up-to-date cybersecurity policy to mitigate potential future threats.³⁷

Estonia's creation of the CCDCOE of its own volition and support of cyber exercises help prove to its NATO allies both the seriousness of the cyber threat as well as Estonia's willingness to set an example as a country who stands up to the Russian bully in the east. Estonia dealt with the cyber-attacks of 2007 by making clear to the public that the aggressor was Russia.³⁸ By calling

³⁵ Maj. General Martin Herem, June 11, 2018.

³⁶ Lauri Almann (Co-Founder of BHC Laboratory), in-person interview, June 1, 2018.

³⁷ Dr. Pauli Järvenpää, Piret Pernik, Ivo Juurvee, Kalev Stoicescu, June 4, 2018.

³⁸ Lauri Almann, June 1, 2018.

out the Kremlin, the Estonian government maintained the trust between itself and its citizens. Maintaining this trust was necessary to avoid a mass panic and damaging consequences such as a bank run which can ensue during times of crisis.

Estonia has also significantly bolstered its conventional defense forces to provide stability to the NATO alliance. The expanded and improved EDF and EDL help NATO ensure that Estonia can draw out a Russian invasion long enough to maintain some sovereignty before help arrives. This effort guarantees that a hypothetical NATO mission to remove Russian soldiers from Estonian territory would have a place to anchor itself rather than being forced to dislodge a Russian occupying force in the whole of Estonia proper.

Deployments of troops to NATO missions, the establishment of programs like the CCDCOE, and the building up of the EDF, all assist NATO in the fight against Russian aggression and help contribute to the Article V commitment of the alliance. Overall, the relationship between NATO and Estonia is symbiotic with each providing an integral and significant part of the other's defense capabilities. This symbiotic relationship will help NATO successfully defend against a Russian attack.

Evolution of NATO Policy in Estonia

NATO's defense against Russia must run through Tallinn. Therefore, to understand how Estonia has responded to episodes of Russian aggression, the history of NATO's relationship with Estonia, Estonia's internal developments in response to NATO policy, and the overall support of NATO amongst the Estonian people must be analyzed.

Following the invasion of Crimea, NATO convened for a summit in Wales in September 2014. The goal of the summit was to reassure NATO allies, especially border states like Estonia, of NATO's commitment to their defense. President Obama even visited Tallinn days before the summit to meet with all three Baltic leaders and give them personal reassurance of the Alliance's support.³⁹ The Wales summit produced a joint declaration condemning Russian advances into Ukraine as well as a communiqué reassuring the Baltic states that Article V would be invoked if any Russian troops entered a NATO member state's territory. Although much of the 2014 summit was talk rather than action, it provided NATO states the support and reassurance they needed to avoid any potential internal crisis.

³⁹ Gregory Korte, "Obama visit to Estonia sends message to Russians," *USA Today*, last modified September 3, 2014. <https://www.usatoday.com/story/news/politics/2014/09/02/obama-estonia-nato-summit/14951427/>

Two years later in Warsaw, NATO produced a more comprehensive response to Russian actions in Crimea with three affirmations that directly affected Estonia:

Enhanced Deterrence – NATO promised to enhance deterrence by increasing the forward presence, specifically in the Eastern flank of the alliance which is only connected to the rest of the NATO European member states by the 104km border between Lithuania and Poland.⁴⁰

Developing Partnerships – NATO planned to develop mutually beneficial partnerships with Sweden and Finland, two non-member states. Both countries are enhanced opportunity partners and participate in NATO activities on a regular basis. They are both advanced free-market economies, and Finland's extensive military capabilities and large shared border with Russia would strengthen the alliance's stance against the Kremlin.⁴¹

Visible Security Upgrades – NATO deployed an Enhanced Forward Presence (EFP) in the Baltics consisting of four battalion-size battle groups.⁴² The EFP is a visible step towards ensuring the security of the Baltic states and sends a clear message to Russia that NATO will not tolerate any Russian attack on a member state.

The 2016 Warsaw summit declaration not only turned talk into action, but showed Russia that NATO was serious about defending its members' borders. While it took the annexation of Crimea for NATO to understand the gravity of the Russian threat, Estonia is in a much safer position now than it was before the Warsaw Summit Communiqué. Estonia depends on NATO for protection and is projected to be one of only eight-member countries in 2018 which will

⁴⁰ "Warsaw Summit Communiqué," *NATO*, Last modified March 29, 2017, https://www.nato.int/cps/en/natohq/official_texts_133169.htm

⁴¹ Christopher S. Chivvis, "Sweden, Finland, and NATO," *The German Marshall Fund of the United States*, last modified June 30, 2017. Sweden, Finland, and NATO." <http://www.gmfus.org/publications/sweden-finland-and-nato>

⁴² "Warsaw Summit Communiqué," *NATO*.

meet NATO's requirement to spend 2% of GDP on defense.⁴³ Estonians are proud they do their part; the NATO alliance and its strong, determined response during the Warsaw summit reassured the Estonian government of its security.

NATO policy towards Estonia and Estonia's policy towards the alliance have been extremely successful. Estonia has taken initiative to establish programs and be a leader in the fight against Russian aggression. They have also promised to spend the required 2% of GDP on defense which secures praise from more powerful members of the alliance such as the U.S. These programs and policy changes established during NATO summits have strengthened the NATO alliance and helped Estonian society live without fear of an attack.

While the Estonia-NATO fight against Russian aggression has been successful, there has been a significant lack of motivation amongst other NATO member states who have a more intimate relationship with Russia. The reluctance of many NATO member states to spend 2% of GDP represents a major concern for the alliance. Estonia should continue to push its NATO allies to increase their defense spending by being the example.

ESTONIA AND THE EUROPEAN UNION

NATURE OF THE ESTONIAN-EU RELATIONSHIP

Estonia joined the EU in 2004. Although being less direct in its defense policy requirements for member states, the EU recommends actions for member states to undertake to ensure their protection. Similar to the actions of the Estonian government within the NATO alliance, Estonia has been prominent in promoting EU security policy against Russia and in using EU resources to combat disinformation campaigns. Through its membership in the EU, Estonia can help change policy to better align with its anti-Russian views.

EAST STRATCOM TASK FORCE

Founded in 2015, The East StratCom Task Force aims to promote EU policies in the Eastern Partnership Countries, strengthening the media environment in the East, and improve the capacity to respond to, address, and forecast

⁴³ Martin Banks, "Results are in: Here's how much NATO allies spent on defense in 2017," *DefenseNews*, last modified March 15, 2018. <https://www.defensenews.com/global/europe/2018/03/15/results-are-in-heres-how-much-nato-allies-spent-on-defense-in-2017/>

disinformation campaigns.⁴⁴⁴⁵ To improve the media environment, Estonia has reinforced the media environment goals of the Task Force when it comes to the Estonian media environment by launching the Russian -language Estonian television channel ETV+ in 2015 as a way to challenge traditional Russian -language media from Moscow.⁴⁶ The Task Force produces a weekly disinformation review further enabling Estonia to respond to tactics and strategies employed by the Kremlin to cause chaos in the West. This review analyzes news coming from Moscow and verifies facts to ensure its credibility and the accuracy.

While focusing on the Eastern Partnership countries, the Task Force still requires cooperation from the rest of the EU that can be hard to come by as many EU states have minimal experience with the effects of disinformation campaigns and are not mandated, only suggested, to act against Russian fake news. Estonia, supported by Latvia, Denmark, and Finland, has called for permanent funding of the Task Force, but the majority of member states have not been as supportive.⁴⁷ Comprised of only 14 staff members, size is a challenge for the Task Force as it aims to counter Russian media propaganda, a campaign that gave the government-backed company “RT” a \$19 million funding boost between 2016-2018.⁴⁸

Due to the Task Force, Estonia has become a top EU fighter of Russian disinformation. However, similar European Union efforts in North Africa and the West Balkans have resulted in no substantial opponent to disinformation campaigns.⁴⁹ Estonia stands by its commitment to deterrence and has zero counter-offensive propaganda campaigns on Russian soil.⁵⁰ Estonia, as one of the

⁴⁴ A European Union initiative to cooperate with the countries of Armenia, Azerbaijan, Belarus, Georgia, Moldova, and Ukraine

⁴⁵ “Questions and Answers about the East StratCom Task Force,” *European Union External Action*. Last modified November 8, 2017, <https://eeas.europa.eu/headquarters/headquarters-homepage/2116/-questions-and-answers-about-the-east>

⁴⁶ Rachel Nielsen, “Estonian Launches New Channel to Win Over Its Russians,” *The Moscow Times*. Last modified September 27, 2015. <https://themoscowtimes.com/articles/estonia-launches-new-channel-to-win-over-its-russians-49854>

⁴⁷ “Estonia calls for permanent funding for task force countering Kremlin propaganda,” *Estonia Public Broadcasting*. Last modified October 22, 2016, <https://news.err.ee/119464/estonia-calls-for-permanent-funding-for-task-force-countering-kremlin-propaganda>

⁴⁸ “Kremlin Boosts Budget for TV Channel RT,” *The Moscow Times*. Last modified December 1, 2016, <https://themoscowtimes.com/news/rt-channel-gets-additional-12-bln-rubles-56375>

⁴⁹ Representative from Estonian Foreign Ministry, in-person interview, June 13, 2018.

⁵⁰ “Questions and Answers about the East StratCom Task Force,” *European Union External Action*.

smaller member states in population, GDP, and area, proudly holds its own when combating disinformation. Overall, the EU as a whole has failed to understand, predict, and thwart Russian disinformation campaigns. By continuing to lobby for assertive anti-Russian policy and by setting an example for the rest of the Union, Estonia will be able to more successfully combat Russian cyber aggression.

PRIVATE INVESTMENT

THE RELATIONSHIP BETWEEN THE ESTONIAN PRIVATE DEFENSE SECTOR AND THE ESTONIAN GOVERNMENT

Estonia's anti-disinformation relationship with the EU and NATO are important, but without proper support from the private defense sector in Estonia, the expanded relationship of Estonia and NATO/EU will be for not. The EU and NATO provide support to the Estonian government rather than a continued presence advising and aiding the military. The Estonian Ministry of Defense must then use all of its available partnerships to improve upon its own security capabilities and to adequately defend against a Russian threat. Private companies who develop military weapons and cyber hardware are capable of inventing more efficient and effective tools than the Estonian government. Harnessing the success and innovation of the Estonian private sector can help bolster a military who must focus the majority of its spending on training and upkeep and enable a more successful and credible deterrent force against Russia.

EVOLUTION OF ESTONIAN GOVERNMENT POLICY TOWARDS THE PRIVATE SECTOR

While private contractors and private investment have become a more integral part of Estonia's military-industrial complex, there was no specific Russian attack that caused the drastic change in private investment in Estonian defense companies. Instead, there has been a slow and steady increase in the amount of private contracting with the Estonian military, which has enabled the country to be better prepared in the private and government sectors in the event of a Russian attack. This steady increase has been the result of the continued growth of the Estonian economy and its further integration with the EU. By increasing the domestic production of military hardware, the EDF can become less reliant on their NATO allies for weapon systems support and can focus on the personal and professional development of their soldiers.

Specifically, the Estonian government has focused on developing market-ready military hardware and software. The government has also supported

amendments which would provide the legal framework necessary for Estonian defense industry businesses to manufacture, handle, and sell heavy military equipment and the profits from these sales would then be reinvested back into the Estonian military.^{51 52 53} While the Estonian government is not in the market for heavy military systems, passing these amendments would open up the Estonian defense industry to more business with allied nations and profits which would provide opportunities for foreign direct investment, jobs for Estonian citizens, and growth in the economy.⁵⁴ Through an increase in private investment, the Estonian government is bettering itself as much as possible without relying on NATO or the EU for support. While this increased support will lead to a more successful defense against Russia, the private sector has yet to have a significant impact on the Estonian Defense apparatus. When the private sector does sufficiently grow to fully compliment the EDF, Estonia will be a more secure society.

OVERALL SUCCESSES OF ESTONIAN POLICY CHANGES TOWARDS THE EDF, NATO, EU, AND PRIVATE SECTOR

The success of these relationships is necessary for the safety and security of the Estonian state, and without them, the peace that has permeated the European continent since the fall of the Soviet Union is once again under threat from Russia. Furthermore, the Estonian military has gone beyond its partnered government institutions with and is attempting to prepare for the future through public-private sector relationships that many developed countries rely on.

Strategically, the EDF has drastically toughed its rhetoric and changed its military policy from one of potential cooperation with Russia to one of defending Estonia from Russian cyber and conventional attacks with the aid of NATO. The international community followed suit after the 2014 Russian invasion of Crimea, and today, there exists a unified and strong anti-Russia sentiment amongst NATO member states. The placement of the battalion-sized battlegroups as well as the

⁵¹ “Committee Oks bill allowing defense industry to handle military weapons,” *Estonia Public Broadcasting*. Last modified April 16, 2018, <https://news.err.ee/820411/committee-oks-bill-allowing-defense-industry-to-handle-military-weapons>

⁵² “Technology Focus Drives Estonian Defense Industry Growth,” *DefenseNews*. Last modified November 10, 2016. <https://news.err.ee/820411/committee-oks-bill-allowing-defense-industry-to-handle-military-weapons>

⁵³ Ingvar Pärnamäe, June 8, 2018.

⁵⁴ “Technology Focus Drives Estonian Defense Industry Growth,” *DefenseNews*.

establishment of multiple cyber-defense organizations in Estonia have strengthened both the Estonian defense community and NATO as a whole. Furthermore, the strategic spending of defense funds and the continuation and expansion of Estonian anti-disinformation efforts have all been important successes of the Estonian defense community. The domestic growth of Estonia's military capabilities helps the NATO alliance be more secure and confident in the Article V commitment in a time when conventional deterrence methods can be complex and incessant.

OVERALL DEFICIENCIES OF ESTONIAN POLICY CHANGES TOWARD THE EDF, NATO, EU, AND PRIVATE SECTOR

The lack of growth within the Estonian military defense community is the biggest outright failure of Estonian military policy in its response to Russian aggression. The number of military professionals in Estonia grew only from 3000 to 3200 between 2009 and 2018, thus failing to meet the goal of 4000 set by the nation's 2009 Long-Term Development Plan. The culprits behind this minimal growth are the lack of desire in Estonians to defend their state and the opportunity to find other career paths in other EU member states. There is also a lack of participation in the Defense League by the ethnic Russian minority which could create a divisive environment in Estonian society. While many Estonian officials believe the poverty on the Russian side of the border mitigates this conflict, the Kremlin has proven through the Bronze Horseman attacks that they are capable of taking advantage of the discontent amongst the minority.

Within NATO, and more specifically, the EU, there is hesitation on the part of other European powers to acknowledge the extent of the Russian disinformation and hybrid warfare threat. Estonia remains one of the few NATO countries spending the required 2 percent of GDP on defense. Within the EU, Tallinn continues to be the main combatant to disinformation campaigns due to the East StratCom Task Force. While there has been more commitment by EU countries to fight against Russian disinformation campaigns following Crimea in 2014, there is still not enough funding for the Task Force, whose funding is continually dwarfed by the €1.2 billion spent by Russia on information warfare.

EVALUATION OF THE NET CHANGE OF THE ESTONIAN RESPONSE TO RUSSIAN AGGRESSION

While it can be difficult to determine the exact net change in effectiveness of the Estonian, NATO, EU, and private defense policies in regard to Russian

aggression, it cannot be denied that the Estonian government has taken significant steps to improve the military's preparedness, strength, and cooperation with allies to combat the threat of Russian invasion. The government has taken these steps to prove to the world that it is serious about defending its sovereignty and to prove to Russia that an invasion of Estonia would be costly and detrimental to Russian interests.

The Estonian military has evolved to be leaps and bounds ahead of where it was in 2007 before the Bronze Horseman incident and subsequent cyber-attacks. Before 2007, the honeymoon phase following Estonia's admission to NATO and EU contentment with the status quo led conscripts to train with little motivation or seriousness. The 2007 incidents forced the government to evolve and adapt to the changing times. The EDF has created comprehensive development plans that adequately fund vital systems to create a deterrent force in Estonia and the EDL now has significantly more weapons training than it did in 2007 for the purposes of fighting off a hybrid warfare attack by Russia. Moreover, the private investment of the Estonian military has had a slow yet steady climb, enabling private industry to adequately complement the EDF.

Cyber defense in Estonia has also evolved to be more effective than it was before 2007. The establishment of the CCDCOE in Tallinn as well as the EDLCU teaching private citizens on offensive cyber security tactics such as phishing techniques and disinformation campaigns are all representative of significant policy changes.

EU and NATO policy have also shifted since 2007 on issues that pertain to Estonian military defense. Prior to 2007, NATO and EU policy included working with Russia to cooperate on common interests and promote a secure Russo-Europe relationship. Beginning with Georgia in 2008, and, more significantly, following Crimea in 2014, the policy has changed to one of balancing against Russia rather than accommodating it.

Overall, Estonia is in a significantly stronger and more robust position to combat a direct Russian threat today than it was in 2007 or even 2014 following Crimea. The Estonian government as a whole has changed its rhetoric towards Russia, shifting from one of a desire to cooperate and improve relations in the 2004 National Security Concept to an adversarial one in the 2010 National Security Concept, which takes a hardline stance against Russian rhetoric, policy, and military advancements. War plans have been drawn up and rehearsed with

other Allied nations and Estonia has built up its weapons systems that—when partnered with NATO heavy weaponry—will effectively block a Russian invasion. The economy has grown enough that many Estonian leaders feel confident that ethnic Russians living in Estonia will not want to return to living in poverty. While there is no way to test Estonia’s military evolution over the past decade, it is clear that any Russian incursion into Narva, the largest city in Ida-Viru county, will be met with stiff resistance from the Estonian Defense League, robust support from the Estonian Defense Forces, and a weaponized response from NATO.

FUTURE RECOMMENDATIONS FOR ESTONIAN DEFENSE SOCIETY

Without Estonia’s continued defense of the eastern edge of the alliance, Russia will have the opportunity to gain a geopolitical foothold in the Baltics, which would accelerate the Kremlin’s plan to sow distrust amongst NATO member. My interviews made it clear that both the defense and foreign ministries of Estonia are aware of the threat that Russia poses. To this point, even a representative from the Ministry of Education was conscious of how Russian-language elementary schools can exert enormous influence when students only receive information from one side of the story. Russia has and continues to carry out cyberattacks, election meddling, and disinformation campaigns in former Soviet states and around the world. In order to counter these efforts, Estonia must continue to develop their weapons systems, cyber education, and their partnerships with other NATO members—failing to do so would trigger Article V. Developing these systems and focusing on their own capabilities will help mitigate the potential liability that Estonia presents to the NATO alliance and will better complement a NATO advanced force in the event of conflict.

In the past decade, Estonia has been tirelessly fighting Russian aggression and disinformation. While there has been talk of wavering support for NATO and EU alliances in countries such as the United Kingdom, United States, and France, Estonia has remained committed to the alliance’s continued defense of their homeland. While other European countries may feel Russia is a distant threat, Estonia is on the front lines of both a conventional and cyber conflict with Russia. The potential for conflict is real and has only magnified since 2007. While members of the Estonian government and military are confident the NATO alliance is key to peace in Tallinn, that does not mean the country can remain complacent. Russia has strategically evolved their military for modern conflict (i.e., the hybrid invasion of Ukraine), and they have continued to show the West

their disregard for human rights and their desire to reclaim a lost hegemony.

Estonia is a unique case in the NATO alliance due to its prominent Russian minority living amongst an ethnically Estonian population. Continuing to invest in programs that peacefully integrate the ethnically Russian population into Estonian society will not only help reduce the potential for future conflict with Russia but also present a more united front against the Kremlin, who would gladly reclaim their lost territory. Furthermore, encouraging allied countries to invest in fighting disinformation campaigns and in education (to help others learn and understand the capabilities of the Russian cyber and conventional threats) will help Estonia become a more confident and stable member of NATO. Estonia has and will continue to fight Russia on all fronts and after each event of Russian aggression in the past decade, Estonia has improved, innovated, and expanded its military capability to be a convincing and effective force against the Kremlin.

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