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Dear Readers,

As President of the Center for International Relations and International Security (CIRIS), it is my honor to introduce this year's edition of the Panoply Journal. This publication continues to serve as a platform for critical discussions, groundbreaking research, and interdisciplinary dialogue in the fields of international relations and human rights.

This year marks a significant milestone for the Panoply Journal: the introduction of Digital Object Identifiers (DOIs) for all our articles. DOIs represent a new threshold for our journal, enhancing the visibility, accessibility, and citability of the important work shared within these pages. By aligning with global publishing standards, we reaffirm our commitment to advancing open access and fostering meaningful contributions to academia.

I extend my deepest gratitude to our Journal Director, Dominique Batiste, whose leadership and vision have been pivotal in shaping this publication. I also wish to acknowledge the invaluable efforts of our reviewers, such as Raffaele Petroni, whose dedication ensures the integrity and quality of the research we present. Finally, to our authors, thank you for trusting us with your work and for contributing to the ongoing dialogue on pressing global issues.

As you explore this year's edition, I encourage you to engage with the diverse perspectives and innovative ideas it contains. Together, we continue to push boundaries, question assumptions, and inspire action.

We also invite you to support the Panoply Journal and the mission of CIRIS. Your contributions help us maintain the journal's open-access model, expand its reach, and continue fostering impactful research and dialogue. If you would like to support us, please consider making a donation via our website: www.ciris.info Your generosity makes a difference and ensures that critical ideas and research remain accessible to all.

Thank you for your continued support of the Panoply Journal and the mission of CIRIS.

Warm regards,

Sergei Oudman

President, CIRIS

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The decriminalization of drugs leads to the reduction of drug consumption

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ABSTRACT

The reduction of drug consumption is wanted. Prevailing the actual consumption of drugs is undesirable because of the risk that it supposes towards the health and well-being of individuals that are surrounded by that reality. The decrease of substance use is supported by the principles regarding Human Rights, such as the right to autonomy, health, safety, or freedom. The decriminalization of drugs is necessary to achieve a successful and healthy process of reduction of drug consumption. This is why Decriminalization must be implemented.

Justification

‘Health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity’ (WHO, 1946) This statement refers to the basis of the intention to promote Decriminalization as the hypothesis for the Reduction of Drug Consumption, which is supported by the Human Rights, such as health, social dignity, autonomy, etc. To begin with, decriminalization is a concept that addresses the eradication of the penalty for substance possession for consumption; maintaining the prohibition of distribution, sale, importation and levels of possession of drugs in a higher quantity as permitted. The search for a consumption reduction ought to lead to health and, therefore, an improved well-being socially; individually and collectively.

Description of the issue

To begin with, substance use is widespread in most of the cultures of the world, so it is a universal issue that ought to be addressed. Currently, the prohibitive system is the procedure that is applied the most, although it is observable that the issue of the relationship towards drugs persists. The Decriminalization measures addressed in the hypothesis should lead to the Reduction of Drug Consumption, as they are supported by facts.

Garzon Ardila (2014) investigates the use of decriminalization and palliative measures in Portugal. Since 2001, consumption stopped being criminalized which led to a decrease of the use of drugs, as well as the deaths and crime related with substances; making an improvement in the speed of the process in the justice system. It also decongested the penal system, being below the average of the countries of the European Union. With this appliance, substance users stopped

being treated like criminals and a wide range of programs of attention started working. Moreover, medical assistance was implemented in order to treat their health issues, such as the substitution of substances like heroin with methadone. In addition, Portugal reduced the spread of HIV and AIDS disease that happened because of needle-sharing, and now has the leader in least overdose mortality (as it is observable on the European Monitoring Centre for Drugs and Drug Addiction). This was a consequence of focusing on the health treatment instead of the penal one. Artur Domoslawski (2012) mentions that the palliative measure with drugs in Portugal is based on five pillars: the guarantee of access to a mitigating drug (and equipment), the comprehension that dependence is an illness, and the respect and the assurance of health attention. This country has not been a tourism center for drugs in spite of its laws because of politics. Moreover, prevalence rates for the youth have decreased in absolute terms since decriminalization, as we can see in the Figure 1 attached in the annex.

Furthermore, it is pertinent to mention other countries to also apply this kind of measure and one of them is the Netherlands. Uprimny Yepes (1995) expresses that the politic applied in the Netherlands, which is also palliative, reduces the harms and even has positive effects. The consumption did not increase and since 1977 marihuana and hash consumption has decreased, as well as the number of people who consume heroin which still prevails. To compare, it is perceivable that the example of prohibitive measures in Spain could be optimal for representing the failure, given the fact that it is the country of Europe with the most consumption of drugs per capita (according to the European Observatory of Drugs and Toxicomanies).

To sum up, alternative reforms do not cause as much harm as criminalization politics do. It is presented as an opportunity to face up the issue of the relationships towards drugs in an improved process. That is why the Public Health focus should lead so that Risk Reduction

Measures can accompany the transformation process. Nevertheless, it is essential to emphasize that, while the policies share specific Ends such as controlling consumption, preventing addiction, and reducing the link between crime and drug; they respond to unique realities. It would be needed to strike a balance between two imperatives: being simultaneously flexible enough (in terms of pricing and distribution rules) to prevent the spread of a parallel illegal market, yet severe enough to discourage abuses (Garzón Ardila, 2014).

Legal articles

The Universal Declaration of Human Rights reflects in its first article that all humans are born free and equal in dignity and rights. In addition, the declaration of Human Rights also expresses in the 3rd and 5th articles that everyone has the right to life, liberty, and security of person, as well as no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. It means that the fact of consumption doesn't mean that any person can be affected by criminalized measures in case it violates their Human Rights. In Portugal, the consumption and possession of drugs for own use has been decriminalized since 2001. It is based on Lei nº 30/2000 de 29 de Novembro.

The single convention of Narcotic Drugs of 1961 established a legal framework for the international control of psychotropic and narcotic substances, focusing on the regulation, production, and traffic of drugs.

Moreover, in 2009 a serial session of the Substances Commission took place to reduce the issue generated by drugs, they also defined the priorities and areas that required new measures, as well as the aims and objectives that should have been established.

Reasons

The use of palliative measures addresses the issues arising from drug-related problematics from a Public Health perspective rather than a criminal one, implying the treatment of addiction as a disease. It can be observed that prohibitionist measures did not result in a reduction in substance use. According to Hidalgo (2010), the prohibition of alcohol in the United States in 1993 led to a high level of smuggling, resulting in scarce quality controls and unsanitary conditions that caused the deaths of thousands of Americans due to intoxication and poisoning. Moreover, a 2008 survey regarding substance use among Americans brought up the fact that it is the country with the highest level of illegal cannabis and cocaine use in the world (Greenwald, 2009). Non-penalization safeguards Human Rights, as criminalization constitutes a violation of these, and all individuals must be protected and treated with respect regardless of the decisions they make as individuals.

Additionally, palliative measures encompass prevention and education programs aimed at addressing the underlying causes of the issue. Likewise, it has been contrasted that the primary obstacle to providing treatment to individuals struggling with addiction stemmed from the apprehension among addicts about potential arrest. The individuals' concern about the stigma associated with such allegations was significant, even without the prospect of imprisonment. For instance, the example of Colombia explains the issue in an illustrative way. Every young person can access drugs with penalization or without it, so the issue rests in the relationship with the conditions of illegality (threats, blackmails...) The punishment system lacks legitimacy, as Uprimny Yepes implies in 1995, as it came with corruption and abuse because of being unequal. That is why the intended purpose of the suggested hypothesis would be the defense of individual autonomy, to experience it according to the principle of equality and free personal development.

Ethics

Firstly, the reduction of drug consumption ought to be desirable given the fact that the Categorical Imperative is based on good will; which refers to a universalized intention of preservation for all individuals. It should also be a moral requirement to approach human dignity, appealing to Kant's work, as it is a duty based on reason and rightness of actions. Moreover, the maxim of the main affirmation relies on the following desirable universal law: reducing drug consumption to assure a better well-being of the population.

In regard to morality, it is observable that the basis of achieving wellness follows the Golden Rule of treating people as one would like to be treated. Thus, substance use should not affect the otherness, as it is privative, which makes the End morally permissible. The values are based on Human Rights; such as the assurance of autonomy, self-determination, dignity, freedom, or well-being of individuals, and also as a collective.

Subsequently, it is pertinent to bring up the fact that the Means appear to be contradictory with the End of the argument, supposing that the measures appear to promote consumption. Notwithstanding, Jeremy Bentham brought up the concept of Utilitarianism which expresses the Result of an Act as the real measure; emphasizing End over Means. Ensuring the well-being of the population addresses the Total Utility in every action of the process. The evidence, in addition, was previously contrasted in order to enlighten the intention of rightness as the Most Moral regarding the use of palliative methods for the reduction of drug use following a healthier (and happier) path. The Utility Principle supports this process, as it is observable, for instance; with the usefulness of the experiment in Portugal that had a positive effect collectively, as a consequence.

Henceforth, it is assumed that the argument is Normative, as it seeks to justify values and norms as much as it is relevant in the context of actuality in the society. Furthermore, the acts of depenalization are based on spreading wellness, for instance, by all the palliative methods that come with it, and the inherent eradication of the criminalization towards the individuals that use substances; which is a discrimination that causes risk. The social acceptance that is sought is based on reason and equality values, which are also prescriptive and can be addressed by the deontology of the laws that affect the state of the norms regarding drug consumption.

Dilemmas

The main moral dilemma may appeal to the possibility of the measures to lead to the unwanted effect ‘not reducing drug consumption.’ As Gamella affirms, drugs are an abstract topic, so none of the measures are guaranteed to work for every individual in the same way. Thereby, there are no dogmas applicable to the procedure of the reduction of substance use. Indeed, the most plausible evidence is basing the evidence on the positivist method, and the facts state that the effective feasible way leads to decriminalization. Still, the majority of countries use prohibition as the preferred system of control, even though Gamella (n.d) expresses the lack of logic in establishing penal laws, coercion, vigilance, persecution, and punishment as the regulation process regarding drug use, being in a democratic society.

Of course, the End can be achieved by other paths, such as the legalization of drugs in a certain state, which eliminates the corruption, crime and violence associated with the prohibitive system. (Hidalgo, 2010) The method includes the controlled dispensation of demanded or therapeutic substances by the state. Nevertheless, none of the options are perfect due to the fact that society is a changing concept forged by changing individuals, as it is reflected in the work ‘Inventing Human Rights’ by Lynn Hunt. Accordingly, some factors could emphasize the value

of the End by choosing decriminalization. For instance, measures of prevention, risk and harm reduction, treatment, reintegration to life in health and society or even commissions of dissuasion could be part of the alternative methods to accelerate the positive result that is searched, being based on Ejemplius (2022). Furthermore, programs of substitution of drugs would be crucial in the process. Anyway, the general intention of the population to improve and take care of themselves by achieving mutual agreements ought to be essential for the desired maxim (in regard to laws, social issues, relationships, education, systematic conducts...) The economy of the country should also participate in offering resources to improve the effectiveness. Conflict resolution ought to be effectuated through empathy and reciprocity.

Potential solution and a critical

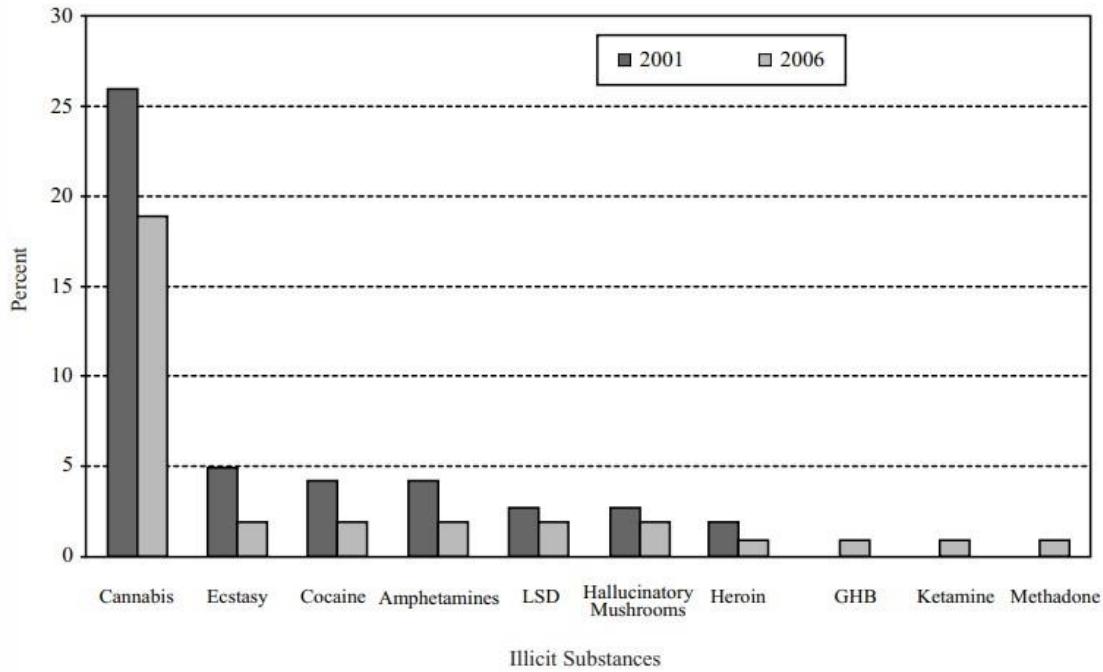
Foremost, it is convenient to address the modernist fallacy of the magic solution, as history shows the belief of a perfect status in regard to social relationships towards drugs; which has not been recorded to be achieved ever. Even so, the potential solution should consist of the implementation of decriminalization measures towards drug consumption being supported by palliative structures for a better relationship between the individual and the substance; such as primary prevention, healthcare networking, the guarantee for voluntary treatments and mechanisms for alternatives to the prison system, etc. The action of executing these measures that lead towards the intended End of reducing the risks in regard to production, sale, and consumption of substances, have to be supported by the state. Herewith, devices to discourage drug use may be adopted, as long as they are not punitive (Husak, 2003).

To conclude, it is observable that the hypothesis ought to be the most morally permissible given the facts that were previously exposed, for instance, the increase of safety by reducing the risks linked to the issue, the improvement of health by preventing the spread of illnesses or the dignification of life that comes with the harm reduction measures. It is equally supported by the fact that ‘The need for new laws [in regard to drug consumption] is a matter of correcting a social injustice.’ (Hakique, 2019), which refers to the SDGs of Reducing Inequality, as well as Good Health and Well-Being. Of course, the issue which would still persist would be the one of the structural gaps of the sociopolitical system of basis, which is why some questions ought to be brought up in order to be able to eradicate the issue of the relationship with substances that the society has. For instance, there could be critics about the penal system and the way it is structured, as the punitive system does not seem to be reintegrating people successfully and, instead, it is observable that there is a major exclusion alluding to the ‘punished’. It would be needed to rethink the measures of power and repression in order to achieve a recovery of the individuals and a successful insertion in society.

APPENDIX

Figure 1:

National Investigation in School Environment, 2001 and 2006, Secondary (10th, 11th, and 12th years), Portugal, Prevalence Over Entire Life



Source: Instituto da Droga e da Toxicodependência de Portugal, Draft 2007 Annual Report, slide 14.

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The good Voice -Terror Witnessing: From Time of War to Time of Healing

Dr. Yaelle Chouraqui-Elfassi

Introduction

The land of Israel is currently navigating challenging and distressing times. The abrupt shift from the celebratory high holidays to the disturbing terror acts of Hamas has deeply affected a new, contemporary generation. This generation, accustomed to a strong sense of security and the comfort of life in the Jewish homeland, had hoped that any future conflict would involve a 'clean' cyber war fought from the safety of their own living rooms.

The national memory, intertwined with the Yom Kippur War and the captives, revives a national trauma. The belief in our strength and the feeling that we would never again witness horrendous scenes shatters and reveals wounds that have yet to heal. Revisiting a time of warfare with Iron Swords and tanks, images of Jews suffering in inhumane conditions, not tolerated for their Judaism, even within their own land, is unsettling. The intensity of cruelty, the loss of basic moral principles, the slaughter of women, children, and infants, and scenes of horror—these transcend beyond the terrifying wounds inflicted upon us, causing severe disruptions in our perceptions and affects.

In these days, we are all witnesses to terror and affected by it in one way or another. Within the framework of this article, I aim to depict the concept of 'terror witnessing,' outline this experience in general terms, and propose appropriate intervention principles. In doing so, I will address the unique highlights of our current situation due to terror witnessing as an entire nation. This is to contribute, to the rapidly accumulating body of knowledge for the intervention and treatment of the numerous victims of the attack and war drawing from my research and therapeutic experiences.

Terror witnessing

One of the concepts I addressed previously in my research 'The Invisible Victims' Experience of Terrorism – Miracle or Disaster' (Chouraqui-Elfassi, 2006) is the witnessing to acts of terrorism. Under this general heading, I included people who were witnesses to severe acts of terrorism but were not directly affected, or those who witnessed the difficult events or heard of it through the media. Naturally, it is essential to refer to witnesses who were present at harsh incidents as they were exposed and affected in one way or another. However, in my approach, I aimed to emphasize the importance of addressing the broader audience who, in the modern age, observes horrific scenes from the comfort of their living room, such as during the terrorist acts on the Twin Towers when millions of people watched live as people jumping out from the building windows to their death and other horrifying scenes. Thus, the public becomes a witness to terror (Nader, 2001). Despite the fact that we live in an era where there are terrorist attacks worldwide, and many people are exposed to this, it is interesting to note that when I began my research, there was almost no available literature about terror witnessing.

According to my perception, there are unique signs and characteristics to terror witnessing (Chouraqui-Elfassi, 2006). One of them arises from the fact that a central feature of terror is the potential for random harm to any person and any place (Tal & Pearl, 2001). The very existence of this potential penetrates the core of the initial psychological devastation that corrodes within. The chilling knowledge is that no one is truly protected. This intensifies even more for those who may have been in places where acts of terror occurred or are frequently found there, experiencing difficult and complex feelings in this regard. This population is referred to as 'near-miss survivors' (Kalish, 1994).

In my research, it was found that all terror witnesses exhibit, at least one or more symptoms of post-traumatic stress disorder. Among the symptoms they endured were persistent anxiety states and panic attacks.

Consequently, it can be inferred that extensive exposure to horrors turns us into witnesses of real trauma, which can significantly impact the core-self over the long term. These findings encourage further research on the effects of exposure through media to terrorism and traumatic events in general on the development of post-traumatic disorders. Presently, there is still no professional consensus that those exposed to traumatic events through the media constitute a population at risk for developing post-traumatic stress disorder, as indicated, for example, by the criteria of diagnosis and statistics outlined in the DSM (Diagnostic and Statistical Manual of Mental Disorders).

One more unexpected discovery uncovered in my research is that unlike non-terror traumatic events, participants lack the marker of memory erasure (even though there was a sense of memory impairment). In other words, when it comes to terror witnessing, the memories of exposed witnesses are vivid and precise (the terrifying moments before the event, the event itself, and thereafter).

Furthermore, according to research, in the case of terror against a nation, such as in the current situation in Israel, there is a unique state: on one hand, everyone is gripped by fear to varying degrees, as every place poses a potential threat. On the other hand, there is a strong sense of resilience and continuance of life, despite the unbearable situation, which empowers others—which is addressed further in the article.

Terror Witness Impact

The impact of terror witnessing and the responses it encompasses vary significantly from person to person and depend on various factors (the type of terror event, level of exposure, individual personality, self-perceptions, past experiences, support systems, and more). However, despite individual differences, several types of reactions and key challenges emerge from research. Some are unique to terror witnessing, while others are characteristic of experiences from different types of traumatic events:

De-legitimization: One of the unique features that emerged from my research is the fact that witnesses felt de-legitimized as victims. They were not physically injured or killed, therefore they believed they had no right to complain or feel victimized. This is despite the fact that many of them actually suffered from post-traumatic representation. Due to this feeling, witnesses might feel that they have no place to tell their story and might refrain from doing so.

Guilt: Feeling guilt in traumatic situations. For example: "I'm not well," "I'm not contributing enough," "everyone is contributing," "I have forbidden or embarrassing thoughts (to desert/to escape/to leave)," "I'm not caring enough for others in times of hardship," and thought of this nature. In trauma witnessing situations, there's an additional guilt, survivor's guilt, which raises the question among the witnesses: "Why were they 'chosen to be saved' and not others?" (Vergolias, G. L. 1997). In this context, one of the findings in my research was that most witnesses made a dramatic professional change post witnessing, moving to professions that provide nourishment, usually therapeutic professions. The reason was that by doing so, they felt a justification for their existence.

Isolation: Occasionally, isolation is one of the anxiety features accompanying trauma. This applies even to individuals engaged in vital professions such as doctors, therapists, teachers, and more. Although occupation is positive and useful, and there is often a push to encourage witnesses to act, it must be understood that not everyone can cope with employment.

Anger: Feelings of anger also appear: anger towards politicians, the state, army personnel, and anger towards God, towards oneself, towards family members. For example: "How do they think such thoughts at such a time?" "Why aren't they considerate towards me when I need peace from all this tension?" "How do they not help at such a time?" "Why are they arguing in such a difficult time?"

Feelings of Failure: Feelings that can manifest in various ways in these situations. For example: "I failed as a parent," "I broke down and frightened my children," "I failed to protect them," "I didn't draft to the army," "I drafted to the army and left my family alone to cope," "I can't console my wife," and more.

Non-visual becomes Visual: Coping with visual images seen on-site or in the media is indeed difficult. Additionally, as revealed by my research, there are images that were not seen. In situations where witnesses are heard and there's exposure to alerts or difficult stories, the non-visual becomes visual, and the images that arise in the imagination take on real visual vitality that needs to be coped with. These images can surface uncontrollably in consciousness and must be coped with.

Speech/Silence: Some people have a desire to talk about what they have experienced or seen and what they are going through now, while others have a desire to be silent, self-contain, focus on self-listening.

Loss of Humor: In many conflict situations, there is an attempt in thought or speech to see things from a different perspective and use humor for healing. In severe crisis situations like the ongoing war in Israel, this perspective was taken from us. Only the reality on the ground and the mental reality remained. This significantly intensifies the difficulty and complicates coping, preventing any dimension of escapism.

Good Mingled with Bad: Scenes perceived as positive, soothing, or joyful in everyday routine situations can mix and generate opposite feelings of pain, fear, and anxiety after terror witnessing. For example, children's drawings, children are asleep, an empty stroller. That once seems ordinary now perceived as dark and traumatic given terrorism impact context.

Disruption of Routine: Reactions to terror witnessing can also manifest in disrupting habits and daily routines. For instance, changes in sleep patterns and erratic eating, people waking up in panic, feeling chest pains, anxiety, difficulty eating and other change in what is known as ordinary behavior.

Intervention Principals

It becomes evident from my research findings as well as my personal experience in therapeutic sessions with patients the distinct stages in the psychological processing of witnessing terror. This trend is much like the processes observed in loss and mourning. Furthermore, advocating for conversation or treatment might not always be the most fitting response, particularly in the initial phases. It is more beneficial to support individuals exposed to trauma with a 'step-by-step' approach rather than trying to guide them towards a specific theoretical treatment direction.

The patient's adjustment of treatment depends is individual and depends on many factors such as person's personality, childhood experiences, previous trauma, resilience etc. Generally, in the initial stages, witnesses aren't ready for treatment but are more focused on organizing the 'core-self' (reorganizing their thoughts and life, finding both physical and mental stability to hold on etc.). Furthermore, in situations of indirect exposure to traumatic events and proximity to the event, it's recommended that the individual undergo tailored initial intervention before seeking treatment. The preparation for this treatment is a time-consuming process. The reason is that disassembly (treatment and touching upon trauma) cannot be allowed before creating a renewed stable structure. For example, a patient came to me four years after being in a car in which part of her family was murdered, and she was also attempted to be murdered. She came for treatment four years after the incident, from the day of her witnessing to the attack. Only then was she able to speak and 'touch' the trauma.

Throughout my years of providing treatment to victims and holding a management position at AVNET, the first Israeli association for terror victims in Israel, we discovered that individuals often required a period of 'organization' and structure for months, or sometimes even years, before they could engage in conversation. At the beginning of my journey, even before I was a professional, I initiated meetings with terror victims across the country, and crowds arrived. Due to the high response, I invited clinical psychologists to guide the next meeting. Surprisingly, no one showed up. In another subsequent meeting without therapeutic guidance, the entire audience returned. The difficulty in talking and the time required before treatment meetings to face the trauma 'face to face' has been expressed in various ways over the years.

When a person is ready and seeks treatment, it's important to tailor the therapeutic response and treatment specifically to their needs, while identifying the person's triggers, fractures, injuries, and identifying their resilience and strengths:

Identifying the Fractures:

In a state of trauma, one's stable ground trembles, and the person's core—self and foundation are shaken. This state often has an impact on our deepest ideological perceptions and beliefs, those that served as internal protective resources for us in normal situations. Confidence in the country, in the military, in one's family, in the belief that the world is good, that the self is strong, that the future is bright, the belief in God—all of these can cause instabilities (ground trembles) and leave one's core-self feeling exposed and unprotected. These deep internal trembles and therefore fractures require reconstruction. Therefore, it's important to invest in an internal restorative process after identifying and diagnosing each person to locate the existence of these fractures.

Identification of Life Cycles and Coping Methods:

Professor Edna Foa, an Israeli researcher and a global expert in the field of trauma, describes three fundamental life cycles of an individual: the perception of oneself, the perception of the world, and the perception of the future, which are affected and vulnerable to upheaval due to exposure to a traumatic situation (Foa, 2011). Based on this understanding, therapists need to ask meaningful questions, such as: Do the positive and stable resilience factors before exposure to the traumatic situation strengthen or weaken these three cycles in the exposed individual? That is, whether the collapse of a sense of previously unshakable security before exposure leads to a

breakdown, or conversely, the individual's natural resilience factors and positive perceptions continue to support them during trauma exposure. Before providing therapeutic responses to trauma victims, it's crucial to investigate and understand these cycles and their influence on the exposed individual to provide appropriate responses. Generally, and although needs to be personalized tailored, there are several principles and emphases for treating terror victims that are important for us as therapists to keep in mind:

Encouraging Coping Mechanisms: It's important to remember that there isn't one appropriate way to act or cope in dire situations, and it's essential to help patients see the internal logic and strengths in their coping mechanisms. It's also important to help them release their guilt about anything they didn't do or weren't able to protect (themselves or others).

Not Everyone Has the Same Strengths: It's important to remember that each person is constructed differently, and their needs vary. Not everyone was born the same, and not everyone has absorbed the same baggage throughout their lives. Everyone has different strengths—some are stronger, others are weaker. Therefore, we should not demand a specific goal from our patients. In light of this, the patients' recognition of their own needs and strengths is important; it can assist in self-acceptance and alleviate feelings of guilt or failure.

Reducing Exposure to Media: The desire to know and be in control is a basic need that cannot be ignored. Sometimes, it is expressed by the wish to be constantly connected to the media. It's essential to explain to patients the dangers associated with this and provide recommendations or guidelines to reduce exposure.

Treatment for Anxiety: In treating anxiety, it's important to understand that it doesn't come from a decision or control. Also, eradicating the anxiety does not treat it. Avoid reactions

that aim to help but in fact harmful, like saying "You must understand that you're scaring the kids with your behavior," or "By not eating, you're just harming yourself." On the contrary, listening to the anxiety, embracing and supporting surrounding, and statements that point out secure foundations in reality are stabilizing and healing, allowing the individual to stabilize during the process.

In addition, people suffering from panic attacks or ongoing anxiety with physical symptoms develop anxiety about the anxiety itself over time. It's important to allow them to voice these feelings out loud, which can be intimidating. Voicing these feelings to anyone, even a non-professional, who can hear the anxieties, might help significantly.

Positive Passive Viewing of Life Continuity: One of the things that help in coping with stressful situations is to see the world continuity in its natural course. For instance, there are people outside, the grocery store is open, and babies are playing. It's important for us, as therapists, to understand that an individual's exposure to life is significant, even without forcing them to be present and without requiring them to act in order for it to benefit their feelings. Understanding the importance of this can help guide the individual to places where they can be exposed to life's continuities, even if they are not active participants and are merely observing.

The Need to Hear a 'Good Voice': In the midst of chaos and horror, individuals experience trauma need to hear 'that everything is going to be OK!'. In the field of developmental psychology usually this phenomenon of inner voice ability is mentioned when parents transcend it to their children. They voice to their children and the hope is that the latter be able to voice it to themselves in difficult times. During trauma moments, we find it difficult to access these voices and revert to an early regressive state where we seek to hear these voices from outside.

The 'good voice' always raises a very difficult dilemma around many theoretical treatment perceptions. We often leave the voice aside, many of us therapists don't want to give hope where there might not be any, believing that in treatment it's important to keep the black as black without making it easier because it's hard for us, and for many other deep reasons. But when dealing with survivors, it's very important to listen to this voice. This voice can definitely be heard within the framework of treatment, but also beyond it. The positive and influential voice ought to resonate from various sources: from individuals to their peers, from parents to their children, from influential figures and politicians, from military commanders to their soldiers, and from societal leaders to the community at large. Each of these voices has the potential to substantially contribute through fostering 'the good voice,' reinforcing and empowering both individuals and the community as a whole.

What methods can be employed to enlist this 'good voice' during challenging times? A powerful approach to summoning 'the good voice' involves drawing strength and hope from the prospects of the future. For example, to the current situation in Israel: thinking about the achievements of the war that will bring broad peace and stability for many long years to the residents of the southern region and the for the whole country.

Shared trauma witnessing:

During periods of conflict such as war, there is a collective experience of witnessing terrifying events. In professional literature within this context, a frequently referenced concept is "undoing aloneness." (Fosha, 2021). This concept describes the significant importance of solidarity in a situation of shared trauma. However, in the relationship between a therapist and a

survivor, dilemmas and complexities arise regarding this partnership, which requires careful consideration.

Therapists find themselves in a position where, on the one hand, they want and need to listen to the survivors. On the other hand, they attempt to avoid potential fears that may threaten them as well. The overwhelming anxiety in such situations may be so severe that it doesn't allow the therapist to confront their own emotions. This might negatively impact the treatment, preventing the survivor from encountering the darkest rooms they need to face to heal (Herman, J. L. 1992). Besides the difficulty of encountering this fear, therapists are also concerned about potential damages such as experiencing breakdowns, which could be expressed by the patient or by themselves through the mere act of touching the fear (Cohen et al., 2014). Due to these concerns, therapists may exhibit empathic failures, like incomplete or inattentive presence or a conscious or unconscious effort to divert attention away from topics that raise fear and anxiety among the people involved in the therapy, which can hinder the treatment and often result in a decline in the therapist's self-worth (Somer et al., 2004; Tosone et al., 2012).

Boulanger (Boulanger, 2013) describes how symbolic it was when, after Hurricane Katrina in New Orleans, the therapist and the patients were forced to climb over the ruins of buildings in order to reach the clinic. This situation symbolized and highlighted the fact that the patient and therapist were dealing with the same 'problem' directly. Boulanger raises the difficulty for therapists in providing a secure space to process difficult experiences when they themselves are exposed to the same terror. Additionally, he describes the public's expectation for therapists to excel at taking care of others due to their occupation. As a result, he argues, an extreme sense of isolation is created among the therapists.

Another challenge that arises in situations of collective trauma witnessing is blurring the boundaries between the therapist and the patient. In cases of collective trauma, both sides face difficulties and are exposed to terror. This, which is evident to the patient, doesn't often happen during normal times when the therapist can hide personal stressors they're exposed to. Consequently, the patient may be more interested in the therapist's well-being. The therapist, in turn, might share thoughts or feelings that they typically wouldn't express in order to maintain the patient's central role and prevent external influences on the treatment. Sometimes, this leads to a negative diffusion of personal and professional lives (e.g., "I was also very scared yesterday when there was an alarm"). On the other hand, such sharing of emotions by the therapist may significantly strengthen the patient and dispel their sense of loneliness, as argued by certain critical and feminist approaches to therapy today (Weiss, 2003). Therefore, it's crucial to reassess the specific fit of each shared moment for the particular patient.

Another challenge faced by therapists in such situations is the need to balance their professional lives with their personal lives and care for their own families in times of need. This dilemma, the conflict between patients in need of assistance and the therapist own family support needs, might create a crisis in the therapist live and complicates the regular dedication that many therapists have towards their patients (Baum, 2012).

In Conclusion

The concept of terror witnessing, as described in this article, urges an expanded perspective on the trauma's ripple effects beyond direct witnesses, extending to indirect witnesses through media, amidst the difficult and painful days we are experiencing in Israel. It

may allow for a more precise therapeutic response to numerous affected individuals in a country facing narrower definitions of exposure to trauma, many of whom might feel neglected. Addressing terror witnessing and the potential traumatic effects demands an understanding of the unique components of the witnesses' experience, a proper assessment of their trauma, and delivering a tailored response and treatment to each person facing their own weaknesses, their strengths, and capabilities. This should primarily focus on contemplating potential positive outcomes of the struggle while searching for the "good voice" – to listen and express it – in order to navigate through these challenging times.

Alongside the intimate personal approach, I believe there is a parallel need for national therapy, which functions as a comprehensive treatment aimed at the recovery of an entire nation which is exposed to severe and distressing events, serving as witnesses to these experiences. National therapy can be executed by individuals of compassionate influencers, offering them a significant and vital role derived from their experience within the realm of handling crisis situations. This role could be established through encouraging speeches to the community and via educational programs addressing and facing the deep disappointments by creating a profound and rooted connection to the nation's history, its significance, and the hope that arises from an understanding that we are in a process – a long path that has goals and progression. Even within psychological treatment, it's valuable to integrate processes that address disappointment while also providing strength, purpose, and genuine national hope to the whole.

I conclude by calling the known Hebrew saying “Hezak V’ematz” ("Strengthen and Embrace") for the residents of the South of Israel who have endured heavy suffering for years, especially to their families, the heroic soldiers and their families, and to all the people of Israel. I cite the words of October 7th catastrophe hero from Kibbutz Be'eri, Haim Yalin, who said: "We

shell once get back here to this land!". The war began, causing tremendous pain and turmoil, and following it, many touching expressions of compassion emerged from all sides of the nation. Eventually, there will be recovery, healing and reconstructing.

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Crime and punishment:

International security lessons from 1980s south Florida Haitian immigrants

Amado Baez

The uniquely distinct culture of Haitian immigrants led to important socio-economic challenges, discriminatory practices, and limited opportunities in 1980s Miami.

The socio-economic challenges faced by Haitian immigrants in the 1980s, including their susceptibility to involvement in crime networks, offer valuable lessons for addressing potential migration waves from Haiti to the US today. During the 1980s and 1990s, many Haitian immigrants encountered barriers to economic integration, leading some individuals to resort to participation in illicit activities for survival. The socio-economic challenges faced by Haitian immigrants in the 1980s, including their susceptibility to involvement in crime networks, offer valuable lessons for addressing potential migration waves from Haiti to the US today. The objective of this research paper is to explore the interconnected nature of crime, immigration, and social challenges faced by Haitian immigrants during the 1980s, shedding light on the historical context that laid the foundation for contemporary discussions on homeland security.

The late 20th century was a complex time for Haitians. Scholarly literature emphasizes the intricate nature of immigrant experiences, highlighting the complex relationships between socio-economic challenges, crime, discriminatory practices, and limited opportunities faced by Haitian immigrants (McDonald, 1970) (Catanese, 1999) (Farmer, 1994). The perceived threat to U.S. national security from 1980s Haitian immigration emanated from concerns about criminal activities and the concept of “convergence” (UNODC, 1989) (Congress U. , 1987) (Haberfeld, 2012). Crime rates in 1980s Miami were influenced by diverse factors, including drug trafficking, poverty, and social inequality, impacting various communities (Kyle, *Migrant Smuggling and the Violence Question: Evolving Illicit Migration Markets for Cuban and Haitian Refugees*, 2009) (Martinez, 2000) (Churches, 1980). This period unfolded against the backdrop of broader geopolitical dynamics, shaping the landscape of South Florida, and influencing national security considerations.

Historical Perspectives on Haiti

Haiti's history is a tapestry woven with the threads of colonialism, slavery, revolution, and civil unrest. In 1804, Haiti achieved a groundbreaking milestone as the world's first independent, black-led nation following a successful slave revolt against French rule (Knight, 2000). Despite this triumph, the nation faced important external pressures and internal conflicts throughout the 19th and 20th centuries.

The 1970s and 1980s introduced numerous challenges for Haiti, significantly impacting the daily lives of its people (Farmer, 1994) (Kyle, *Migrant Smuggling and the Violence Question: Evolving Illicit Migration Markets for Cuban and Haitian Refugees.*”, 2009) (Churches, 1980).

Political instability and economic struggles led to widespread poverty, limited education access, and healthcare disparities. Under the authoritarian rule of Jean-Claude Duvalier, known as "Baby Doc," until 1986, social tensions escalated, resulting in human rights abuses and restricted freedom of expression (Miranda, 1995). The lack of infrastructure development, coupled with issues like deforestation and environmental degradation, further hindered progress. The emergence of the AIDS epidemic strained the healthcare system, prompting many Haitians to seek opportunities abroad, particularly in the United States (Farmer, 1994). This period marked a pivotal time in Haiti's history, shaping the nation's trajectory and influencing the decisions of its citizens (Kyle, Migrant Smuggling and the Violence Question: Evolving Illicit Migration Markets for Cuban and Haitian Refugees, 2009) (Thomas D. Jones, 1993).

Political Crisis in Haiti: "Baby Doc" Duvalier Era

The 1980s political crisis in Haiti, under the authoritarian rule of Jean-Claude Duvalier, was marked by instability, human rights abuses, and economic hardships. Widespread discontent fueled protests and opposition, heightening political tensions. Haitian immigration to Florida surged due to political instability and economic challenges in Haiti (Haberfeld, 2012) (Churches, 1980) (Kyle, Migrant Smuggling and the Violence Question: Evolving Illicit Migration Markets for Cuban and Haitian Refugees, 2009). The oppressive rule of Jean-Claude Duvalier triggered a mass migration as Haitians sought refuge from human rights abuses and economic hardships. Miami, with its established Haitian community and proximity to the Caribbean, became a major destination for those seeking a new life (Catanese, 1999).

Upon arrival in Florida, Haitian immigrants faced significant social issues. Language barriers and cultural differences hindered integration, and economic struggles were pervasive, with limited employment opportunities and wage disparities. Discrimination and xenophobia added to their hardships, contributing to social isolation, and reinforcing economic disadvantage. Immigration policies, such as the "wet foot, dry foot" policy, treated Cuban and Haitian migrants differently, complicating even more so social dynamics (Thomas D. Jones, 1993).

Grassroots organizations and community leaders worked to aid, promote cultural integration, and advocate for the rights of Haitian immigrants. The challenges faced by the Haitian community in Florida reflected a broader narrative of resilience and determination in overcoming adversity for a better life. But despite these community efforts, the limited social adaptation combined with discrimination led to involvement in informal economies and criminal activities as alternative means of support.

Haitian Immigration to South Florida

Between 1972 and 1977, approximately 200,000 Haitians landed in South Florida, with a significant number settling in the Little Haiti neighborhood (Catanese, 1999). Skilled professionals and workers also left Haiti for cities in the East, such as New York City and Miami (Steven Ruggles, 2022). Doctors, teachers, social workers, and entrepreneurs were among those seeking better opportunities. In the early 1980s, around 40,000 Haitians sought political asylum in the United States, later achieving permanent resident status (Farmer, 1994) (U.S Office of Immigration Statistics. 2023. Yearbook of Immigration Statistics, 2022).

The immigration trend, particularly through maritime routes, notable since the 1970s, had a significant increase during the Mariel boatlift in 1980 (Miranda, 1995). Approximately 25,000 Haitians were part of the mass migration of over 150,000 asylum seekers arriving in South Florida (Guard., 2023). Between 1995 and 1998, about 50,000 Haitians obtained temporary legal status in the United States (U.S Office of Immigration Statistics. 2023. Yearbook of Immigration Statistics, 2022). As of 2022, Florida houses the largest population of Haitian Americans, totaling 544,043 individuals, constituting 2.4% of the state's population (U.S Office of Immigration Statistics. 2023. Yearbook of Immigration Statistics, 2022). The overall estimate for Haitian Americans in the United States is 1,138,855, according to a 2022 census (U.S Office of Immigration Statistics. 2023. Yearbook of Immigration Statistics, 2022).

US Government Legislation and Policy Responses

Various United States official governmental records reveal documented concerns regarding Haitian immigration. Historical perspectives on the issue date back to the 19th century, with documented sources including a letter from C. Archin in 1892, expressing apprehensions about the risks associated with Haitian immigration in the U.S (Archin, 1892). Fast forward to the late 20th century, the Congressional Hearing on Human Rights in Haiti in 1975 sheds light on concerns about the escalating number of Haitian citizens seeking asylum in the U.S., prompting inquiries into political scenarios, asylum procedures, and the treatment of Haitians by the Immigration Service (Congress U. S., Human Rights in Haiti. Congressional Hearing,, 1975). These two historical examples offer valuable insight into the enduring issues and concerns associated with Haitian immigration over nearly a century.

In 1979, a Congressional hearing developed the Refugee Act (H.R. 2816) (Congress U. S., Refugee Act of 1979. Congressional Hearing. , 1979). This legislation aimed to amend existing immigration laws with several key goals. Firstly, it sought to increase the annual admission ceiling for refugees, responding to the growing need for humanitarian assistance. Additionally, the Act aimed to establish a permanent and systematic refugee admission procedure, providing a more organized approach to refugee resettlement. In emergency situations, it allowed for additional admissions. The Act also proposed amendments to the Migration and Refugee Assistance Act of 1962, emphasizing temporary and transitional assistance for refugees.

A “grassroots” response report to the refugee act of 1979 was "Haitian Refugees Need Asylum: A Briefing Paper" (1980) addressing challenges faced by Haitian refugees seeking political asylum in the United States (Churches, 1980). It raised concerns about the denial of due process, superficial inquiry methods, coercive measures, and the questionable assertion by the U.S. Immigration and Naturalization Service that Haitians were primarily seeking economic opportunities rather than genuine political refuge. Emphasizing the need for U.S. refugee policy to differentiate between those fleeing persecution and those seeking economic betterment, particularly advocating for special treatment for Haitian refugees.

Societal rejection to US policies became evident later. In 1992, a New York Times piece heightened concerns over U.S. Haitian policy, branding it as mindless and heartless (Haiti: Refugee Crisis and the Thwarting of Democracy. , 1992). This sentiment was echoed in a second 1992 moving letter to the editor (U.S. Haitian Policy Is Mindless and Heartless. , 1992) that expressed apprehensions about longstanding abuses towards Haitian refugees, including mistreatment by the United States Coast Guard and media misrepresentation. The letter drew a touching analogy to the tragic fate of Jewish refugees on the St. Louis, refused entry to the United

States 50 years earlier, subsequently facing persecution in Europe. Together, these narratives underscore the sentiment of ongoing issues surrounding human rights, migration dynamics, and the treatment of Haitian immigrants, urging a reevaluation of policies.

Crime Dynamics in 1980s Miami: Drug Trafficking and Poverty

The 1980s in Miami witnessed a complex interplay of factors that significantly influenced the city's landscape and shaped historical narratives. Miami's geographical proximity to the Caribbean and its status as a major port made it vulnerable to drug trafficking, which emerged as a prominent component of the city's crime scene. The illicit drug trade became intertwined with national security concerns, prompting law enforcement agencies to grapple with the implications of drug-related violence and its potential for destabilization (Kyle, *Migrant Smuggling and the Violence Question: Evolving Illicit Migration Markets for Cuban and Haitian Refugees*, 2009) (UNODC, 1989) (Congress U. , 1987).

During this period, Haitian immigrants in Miami faced discrimination and marginalization, contributing to socio-economic disparities, and pushing some individuals to the fringes of society. This vulnerability made them susceptible to exploitation by criminal networks, further complicating the crime dynamics in the region. The surge in crime, particularly associated with drug trafficking and gang activities, not only shaped the domestic security agenda but also laid the foundation for the evolution of homeland security measures (Haberfeld, 2012).

These experiences with Haitian refugees highlighted the vulnerabilities arising when migration intersects with crime networks, emphasizing the need for comprehensive security strategies that address both. Lessons from this set the stage for contemporary efforts to address the

convergence of crime and terrorism, emphasizing the need to best integrate immigration policy with global cooperation, intelligence-sharing, and technological advancements.

U.S. Government Response and Law Enforcement Policies

The 1980s in Miami serves as a historical juncture where interconnected elements shaped the city's landscape, prompting a reevaluation of policies to balance security concerns with the humanitarian needs of Haitian immigrants. The U.S. government responded by implementing immigration policies, including the establishment of the Haitian Refugee Center, aimed at addressing the humanitarian aspects of the crisis (Haberfeld, 2012) (Kyle, *Migrant Smuggling and the Violence Question: Evolving Illicit Migration Markets for Cuban and Haitian Refugees*, 2009). However, these efforts faced challenges due to the intricate intersection of crime, national security, and immigration, necessitating a comprehensive approach.

Author Lindskoog in 2018, addressed Haitian law enforcement issues in his "Detain and Punish" manuscript (Lindskoog, 2018). Delving into the historical facts spanning from 1973 to 2000. Lindskoog's analysis reveals the discrimination faced by Haitian refugees and their resistance, primarily through legal action and activism, prompting the U.S. government to intensify its detention program. Per *Detain and Punish*, by 1980, the government utilized various facilities for Haitian detainment, deviating from the parole-oriented approach established in 1954. With a pivotal shift occurring in March 1980, as the federal government moved away from parole, signaling a return to stricter immigrant detention policies.

Kristina Shull's 2021 *Journal of American Ethnic History* article addresses Reagan's Cold War on immigrants (1981–1985) emphasizing Haitian, Caribbean, and Central American asylum-

seekers (Shull, 2021). Shull argues that Reagan's punitive policies spurred mass resistance, shaping the current U.S. immigration detention system. Highlighting geopolitical influences and the surge of carceral trends in response to activism. It addresses the amalgamation of criminal legal and immigration systems, known as "crimmigration," blurring distinctions. This fusion, evident since the 1980s, results in immigration violations comprising over half of federal charges and prolonged prison sentences for migrants. These accounts provide a comprehensive evidence-based understanding of the harsh conditions forced upon Haitian immigrants, highlighting the complexities and struggles associated with Haitian immigration and their asylum-seeking experiences in that time.

Evolution of Homeland Security Measures

The dynamics of crime in the 1980s played a pivotal role in shaping the evolution of homeland security measures, influencing subsequent policies and organizational structures (Haberfeld, 2012). The acknowledgment that certain crimes could have broader implications for national security highlighted the necessity for a comprehensive approach to protect the homeland (UNODC, 1989). This period laid the foundation for more formalized and expansive homeland security measures that would emerge in the following decades, particularly after the events of September 11, 2001.

Contemporary Understanding of Convergence

According to the United Nations Office on Drug and Crime Office (UNODC), convergence is “the third level of relationship between organized crime and terrorism. It occurs when terrorist groups and transnational organized crime groups merge into a single entity) (UNODC, 1989).

The surge in crime during the 1980s prompted a growing awareness of the need for enhanced security measures, laying the groundwork for the development of homeland security initiatives. While the term "homeland security" gained prominence post-9/11, its conceptualization can be traced back to the challenges of the 1980s. This historical juncture underscored the complexities and struggles associated with Haitian immigration and asylum-seeking experiences, emphasizing the ongoing importance of understanding historical contexts to inform present-day strategies for addressing the complex interplay of crime, national security, and immigration.

Contemporary understanding of the convergence between crime networks and terrorism has evolved through enhanced intelligence-sharing, global cooperation, and technological advancements. Evidence based in the experiences of Haitian refugees, who faced vulnerabilities exploited by criminals during perilous journeys, highlighting the interconnected nature of security challenges and migration issues. It's important to note that there is no evidence blaming Haitians refugees for terrorism.

Conclusion

In the 1980s, Haitian immigrants in Miami faced significant socio-economic challenges, discrimination, and limited opportunities, that would have them cast as victims rather than perpetrators. Scholars emphasize the intricate connections between their experiences, socio-economic hurdles, crime, and integration. The perceived threat to U.S. national security during this period was linked to concerns about criminal activities, influenced by factors like drug trafficking, poverty, and social inequality.

During this decade Haitian immigrants witnessed a unique combination of socio-economic challenges, discriminatory practices, and limited opportunities. Amid broader geopolitical dynamics, this era shaped South Florida's landscape and influenced national security considerations. An objective discussion on crime and immigration, grounded in data, is essential for fairness and neutrality, recognizing the interconnected web of socio-economic issues shaping 1980s Florida.

Exploring the interconnected nature of crime, immigration, and the social challenges faced by Haitian immigrants highlights the historical context that underlies contemporary discussions on crime, security, and homeland security. The resilience of the Haitian community in the face of discrimination and adversity underscores the need for nuanced policy approaches that balance security imperatives with humanitarian considerations.

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Why Iran is Choosing Nuclear Hedging

Christopher Gettel

ABSTRACT

This paper explores Iran's pursuit of nuclear capabilities through the lens of "nuclear hedging," a strategy of maintaining the potential to develop nuclear weapons without overtly doing so. The analysis examines Iran's motivations, including a desire for regional dominance, security concerns arising from past regime changes in the Middle East, and the prestige associated with nuclear weapons.

The abstract then defines nuclear hedging and details Iran's possible reasons for adopting this approach. This includes maintaining a negotiating advantage, deterring potential military intervention, and achieving recognition as a regional power.

Furthermore, the abstract highlights Iran's use of strategic ambiguity, employing mixed messaging through government officials to both reassure the international community and retain the option for rapid nuclear development. The collapse of the Iran nuclear deal (JCPOA) and subsequent enrichment activities beyond civilian needs are presented as evidence of this strategy.

Finally, the abstract acknowledges the challenges Iran faces in sustaining nuclear hedging, including the economic burden and the lack of a clear delivery system for potential weapons. It concludes by emphasizing the potential consequences of a failed hedging strategy, including regional conflict and the possibility of Iran becoming a full-fledged nuclear power.

Keywords: Iran, nuclear hedging, nuclear weapons, JCPOA, regional power, Middle East

Iran is a nation steeped in history and culture while trying to walk the line between modernity and tradition. It once shared deep diplomatic and military ties with the west, but since the Iranian Revolution, has embraced religious law and came into conflict with Sunni neighbors and western nations. Many in Iran feel that they are destined for regional greatness, hawking back to the Persian conquests of the Greco-Roman era and the Golden Age of Islam one thousand years ago which gave birth to military power, science, medicine, wealth, and culture. Now, with Shia hardliners dominating the Iranian government, an attempted rebirth is driving Iran to regain the dominance it once enjoyed in the region. Nuclear weapons, the ultimate military capability in the arsenals of the world's powers, would give Iran the security, prestige, and diplomatic recognition the present-day Iranians have not seen in hundreds of years. Iran seeks to accomplish this through nuclear hedging, employing strategic ambiguity and diplomatic maneuvering to achieve its goals.

What is Nuclear Hedging?

Nuclear hedging is the policy of being on the brink of acquiring nuclear weapons and delivery systems while not actually doing so. Iran has most likely enacted this policy shortly after 9/11, as the Global War on Terror saw an increase in western military posturing and action across the Middle East and Africa. Nuclear weapons provide a unique security capability as they are difficult to shoot down and provide a massive amount of destructive ability, even with a single use. The addition of nuclear weapons also elevates a nation's military into a distinct group of nations, all regional and global powers, which can afford this capability and responsibility. This in turn elevates the negotiating platforms of any nuclear armed nation by exacting better bargaining positions and concessions whether nuclear weapons are discussed or not. Most of the world's nations were deeply concerned about the acquisition of nuclear weapons by India,

Pakistan, Israel, and North Korea but were forced to accept that these nations would become permanent holders of nuclear weapons despite objections. Iran no doubt understands this as well. Iran also sees what happened to Ghaddafi in Libya and Saddam in Iraq, both of whom gave up nuclear ambitions only to be overthrown and killed by western or western backed forces.

However, Iran has not tested a nuclear weapon. As many sources indicted, Iran has been several months away from developing nuclear weapons for years. This lack of progress is most likely intentional, as Iran is in constant negotiations with western nations, not only over its nuclear programs, but over its support for international terrorist groups, its presence in Iraq and Syria, and its terror activities across the world. The Iranian economy is under immense pressure from international sanctions and its citizens are feeling the effects. Unemployment is high, exports are down, and corruption is high. Wars are seemingly never ending, with Iranian military forces and militias in combat in Syria, Iraq, Israel, Lebanon, Yemen, and the Gaza Strip. The Iranian government needs to fix these issues to maintain its grip on power but lack the diplomatic bargaining chips to do so. The ability to quickly acquire nuclear weapons is the best card they have, as nuclear weapons would allow Iran to regain its regional power status, extracting better terms in any negotiation, whether they are about denuclearization or not. Iran can toe this line without drawing itself into war, like Iraq. Iran can also quickly test a nuclear weapon, thwarting off western intervention, like Libya.

Strategic Ambiguity

Iran has a difficult balancing act to adhere too. If Iran crosses the nuclear threshold, or even appears to, then it may face in invasion. America, alongside a global coalition, has acted with and without UN approval to remove authoritarian regimes that come close to acquiring nuclear weapons. Saddam in Iraq and Ghaddafi in Libya could not find the balance of

domestic support and international pressure and ended up being violently removed from power. Iran is well aware of this. The former head of Iran's nuclear agency who served as Foreign Minister, Ali-Akbar Salehi, was quoted in an interview in 2024 claiming that "We have [crossed] all the thresholds of nuclear science and technology."¹ While this does not clearly state Iran's nuclear capabilities and ambitions, it is not the firm and transparent denial that a nation with no nuclear aspirations would declare. Ahmad Haqtaalab, the Iranian Revolutionary Guards official who ensures the security of nuclear sites, threatened to review its "doctrine and nuclear policies" if its nuclear sites are attacked by Israel². These warning, by prominent government and military officials, are likely carefully constructed messages that Iran could develop nuclear weapons quickly as it has the capabilities to do so. However, Iran also communicated that their current policy is not to develop nuclear weapons as long as their security is not threatened.

The Supreme Leader of Iran, Ayatollah Ali Khamenei has gone on record stating that "We do not want nuclear arms" because do so would be contrary to "our religious beliefs."³ This both reassures domestic audiences of the government of Iran's actions being based on its interpretations of Islam and placates international observers about Iran's intentions. Although this may appear to a messaging tactic commonly used by autocratic regimes, having the head of state take a softer approach on rising tensions while having retired or relatively minor government and military figures taking harder stances, it is important to know that if Iran does

¹ Newsroom, Iran International. "Iran Signals It Is Closer to Building Nuclear Weapons." *Iran International*, www.iranintl.com/en/202402123916

² Chiappa, Claudia. "Iran Hints It Could Develop Nuclear Weapons If Israel Attacks." *POLITICO*, POLITICO, 18 Apr. 2024, www.politico.eu/article/iran-hints-nuclear-weapons-if-israel-attacks/

³ *Khamenei Says the West Could Not Stop Iran from Building Nuclear Arms If It Chose to* | Reuters, www.reuters.com/world/middle-east/khamenei-says-west-could-not-stop-iran-building-nuclear-arms-if-it-chose-2023-06-11/

develop nuclear weapons, this could be seen as a bold faced lie propped up by religion, a notion that may not go over well with the Iranian people. This mixed messaging purposefully confuses international relations, evoking responses that Iran could then use to better form its nuclear policy. This is again a concept that attempts to create domestic support through the relaxation of sanctions from the Supreme Leader while threatening to develop nuclear weapons from prominent, but not as important, military officials. This requires careful balancing and wording to ensure Iran is able to walk the thin line between warfare and international standing.

Diplomatic Maneuvering

The Joint Comprehensive Plan of Action, more commonly called the JCPOA or the Iran Nuke Deal, was signed in 2015 by numerous world powers to severely limit Iran's nuclear program in exchange for sanctions relief. This was an attempt at arm control that both satisfied nations worried about Iran developing nuclear weapons and the Iranian government, struggling under domestic pressure from a stagnating economy and high unemployment. Under this deal, Iran would allow inspectors, monitoring cameras, and easy access to its nuclear sites in order to ensure compliance while sanctions were lifted, providing billions of dollars' worth of relief to flood Iran's markets. Iran was initially compliant with early phase inspections and the economic relief revitalized the Iranian economy. However, in 2018, President Donald Trump withdrew from this deal, citing concerns about Iran's support of international terrorism while imposing sanctions once more. This led Iran to cancel inspections, leaving the world in the dark about its nuclear capabilities. Iran also began enriching uranium far above the needed levels for peaceful civilian power. Since there is little reason to do so besides the acquisition of nuclear weapons, concerns among the global powers responsible for the original JCPOA began to likewise rise.

Currently, all parties including Iran, want to return to the JCPOA, however, there is enough disagreement over how to do so to leave the issues unresolved. Iran once again wants the relaxation of sanctions to alleviate domestic disapproval while prominent nations of the world want full inspections to ensure Iran's honesty. Iran has avoided further escalation from its conflict with Israel over the war in the Gaza Strip, which has protected its nuclear facilities from physical attacks, but has negotiations over phases of inspections and sanctions relief have so far satisfied no parties involved. This diplomatic maneuvering may not be as successful as Iran's ambiguous strategy, but there has been no cohesive push for government reform by its citizens that would see the Ayatollah and his supporters removed from power. Until the removal from power threshold has been crossed, either from domestic or international pressure, it is likely that the JCPOA will continue to be negotiated for the foreseeable future. The leaders of Iran are most likely not as concerned with the everyday economic struggles of the average Iranian then they are with the need to rapidly nuclearize to deter Israel or assert Iran dominance over the Middle East and while appreciative of the economic boost from 2015 to 2018, not appreciative enough to sooth worries arising from Israel.

Conclusion

Nuclear hedging is a difficult posture to both achieve and maintain. Nuclear weapons are expensive, and if delivery platforms are not available, almost useless. Iran has invested considerable resources into its civilian nuclear power infrastructure, unusual for a nation with such a high export level of energy. According to the World Nuclear Association, nuclear

power accounts form just one percent of Iranian power generation⁴. The imposed sanctions seem to be a steep price to pay for such little power. While nuclear power can be expanded by the construction of more nuclear power plants, Iran's enrichment far above the required levels for power generation create worry in the minds of those wary of nuclearization.

While this is a difficult posture to maintain, the lack of democracy ensures a steady ease of policy across decades of ayatollah chosen ruler. Iran sees nuclear hedging as a marathon, not a sprint, and its slow increase of regional power status since the 1980s is proof that even with its domestic and international issues, Iran cannot be stopped from having the ability to quickly acquire nuclear weapons if it so chooses. But as recent events in the Middle East have shown, an explosion of regional violence is possible at any moment and the capabilities of any nation cannot be fully known until it is too late. Iran has not tested a nuclear weapon yet, but if pushed too far, either from within us or from outside, the threshold may be crossed. North Korea has shown that nuclear weapons can be acquired despite the overwhelming disapproval of the international community and once acquired, are there to stay. Nuclear hedging is not the easiest policy to maintain, but the balance between quickly acquiring nuclear weapons to increase negotiating positions while warding off military intervention has been enacted for decades and may continue for as long as the Iranian government sees fit.

If Iran does decide to one day test a nuclear weapon, there may not be advanced warning. Iran is also expanding its drone and missile arsenals, providing an adequate delivery

⁴ "Nuclear Power in Iran." *World Nuclear Association*, www.world-nuclear.org/information-library/country-profiles/countries-g-n/iran#:~:text=Generation%20mix%3A%20natural%20gas%20295,0.8%20TWh%3B%20solar%200.6%20TWh

platform. If this happens, then the ensuing war will make sanctions appear miniscule in comparison. Conventionally, Iran does not stand a chance against an Israeli-American led alliance, but if Iran develops nuclear weapons quickly and secretly, then like with North Korea, may be able to emerge conflict free as a stronger power than it was before, exert domestic and international influence far above its non-nuclear status.

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Boots on the ground: Evaluating U.S. military intervention in Ukraine.

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Student research paper at NHL Stenden

ABSTRACT

This research paper examines the argument for and against U.S. military intervention in Ukraine, specifically analyzing the concept of "boots on the ground." Utilizing the Toulmin method for critical analysis, the study addresses the complexity of the Ukraine conflict, the strategic interests of the United States, and the potential consequences of direct military involvement. The analysis highlights the multifaceted nature of the conflict, involving multiple stakeholders and shifting alliances since the Cold War. It argues that non-military support, such as material aid and intelligence, is currently sufficient and minimizes costs and risks for the U.S. The paper concludes that while there are ethical arguments for intervention to prevent human rights violations, diplomatic efforts and strategic containment are more effective in achieving long-term stability without escalating the conflict. The study suggests that direct military intervention could lead to greater loss of life and global repercussions, making it an unfavorable option for the U.S. at this time.

Keywords: U.S. intervention, Ukraine conflict, cost-benefit analysis, escalation, nuclear risk, domestic opposition, economic constraints, historical precedents

Grounds

Complexity

The conflict in Ukraine is complex due to a variety of factors. The most important ones are the multiple stakeholders and the shifting alliances. Ever since the end of the Cold War in 1991 and the dissolvment of the Soviet Union the U.S. has remained the last superpower on the globe (Ellis, Harris, & Beauchamp, 2016). Even though the Soviet Union no longer exists Russia has usurped its position after an internal power struggle. Most of the former Soviet Union member-states, however, wish to break free of the influence of Russia by joining the European Union (EU) and North Atlantic Treaty Organization (NATO). This too much dismays Russia, which regards the expansion of NATO in its backyard as a direct threat even though it is a defensive alliance (North Atlantic Treaty Organization, 2024).

The stakeholders in Europe regionally are both the EU and NATO, however, the shifting inside these alliances is a crucial dynamic in this conflict (Bergmann, Toygür, & Svendsen, 2023). Germany for example and many other EU member states heavily depended on Russian gas. The Nord-Stream pipeline is no longer operational, but its disruption shows the heavy impact it has on Western states and their population by raising gas prices that can be felt not only at the gas pump and the heating of houses (Twidale & Buli, 2022). The food industry, especially the greenhouses in Western Europe, were confronted with skyrocketing prices, which resulted in a price hike in food prices (European Council of the European Union, n.d.). Overall, ever since the beginning of the war inflation increased severely. This clearly shows that after 1991 globalization has grown increasing the interdependence of states (Peterson Institute For International Economics, 2018).

Ever since 2022 the U.S., EU, and their allies have imposed sanctions on Russia and have started sending arms shipments to Ukraine in order to assist them in defending themselves against Russia (Center for Preventive Action, 2024). The aid that the West has sent varies from food, and civilian hardware to military hardware such as the Patriot Missile system, HIMARS, and more (Bureau of Political-Military Affairs, 2024). In their turn, Russia has looked to the East for support to circumvent sanctions by selling gas to China, India, and other parties. But they have also received military aid in various forms from China, North Korea, and Iran (Kim & Park, 2024). Reports even show foreign mercenaries fighting on both sides and the war rhetoric has been increasing over time as Western allies debate to increase their support in a variety of ways. This even resulted in threats from Russia to resort to the use of non-conventional and nuclear weapons (Williams, Hartigan, MacKenzie, & Younis, 2024).

Adding to the complexity is China's rise as a potential global superpower (Brzezinski, 1997). China's expanding influence extends beyond its economic prowess (Cordesman, 2023). While not yet on par with the U.S. militarily, China's growing dominance in Asia, exemplified by its assertive actions in the South China Sea and towards Taiwan, is reshaping the geopolitical landscape (U.S. Department of State, 2020). Additionally, China's strategic investments and diplomatic initiatives in Latin America and Africa are establishing a presence that challenges traditional Western spheres of influence (Roy, 2023). This expansionist trajectory resonates with historical lessons. While Lord Montgomery's specific advice in 1962 pertained to direct military engagement with Moscow and land armies in China, the underlying principle remains relevant: confrontation with rising powers can be costly, and alternative strategies to maintain regional balance may prove more effective (Oxford University Press, n.d.).

Another factor to consider is that the U.S. is not alone and is part of the NATO alliance, ensuring that Article 5 of the Treaty will guarantee the assistance of the rest of the alliance against Russia (North Atlantic Treaty Organization, 2023). However, this would most likely also trigger a nuclear escalation with the U.S. entering the battlefield as an active player.

Historical Examples:

Military interventions are costly and have long-lasting effects. There are several recent examples of military interventions that show that the benefits do not always outweigh the costs. Both U.S. military interventions in Afghanistan and Vietnam were costly financially and resulted in a high loss of life with many potential unwanted consequences that can be felt today (Watson Institute, n.d.). The Mujahidin in Afghanistan were freedom fighters who were trained by the U.S. and, over time turned into lethal enemies that orchestrated the events of 9-11 (Maranzani, 2023). The attempts of nation-building by the U.S. in different regions of the world have failed on numerous occasions resulting in failed states and a political fallout. The same can be said for Russia, which throughout the past 70 years also had its fair share of military campaigns often resulting in a huge loss of life and a more destabilized region afterwards. Be it from Afghanistan to Dagestan to Chechnya.

Alternative Approaches:

The U.S. has another way of countering Russian aggression in Ukraine besides direct military intervention. While economic sanctions are a powerful tool with historical precedent dating back to the Megarian decree in ancient Greece, their effectiveness is nuanced (Thucydides, 1954). Sanctions often yield results in the mid- to long term, requiring sustained pressure and widespread cooperation to achieve their intended impact. In the case of Russia, the absence of sanctions from key players like Turkey, China, Iran, and Kazakhstan has allowed

Putin to circumvent some restrictions, highlighting the necessity of near-universal participation for sanctions to be truly crippling in the short term.

Despite this limitation, the U.S. can still employ a multi-faceted approach. Providing humanitarian aid to Ukraine not only addresses immediate needs but also bolsters their resilience against Russian aggression. Diplomatic pressure on multiple fronts can further isolate Russia and encourage a peaceful resolution. Recognizing that a protracted conflict is costly for Russia, sustained U.S. support for Ukraine could force a reassessment of their strategy (Jensen & Hoffman, 2024).

Furthermore, it's worth recalling the benefits of post-Cold War cooperation between the U.S. and Russia. Economic ties and arms reduction agreements fostered stability and mutual benefit. This historical context underscores the potential for a more cooperative approach to achieve lasting peace, emphasizing that conflict and arms races are not the only, nor necessarily the most effective, paths forward.

Public Opinion:

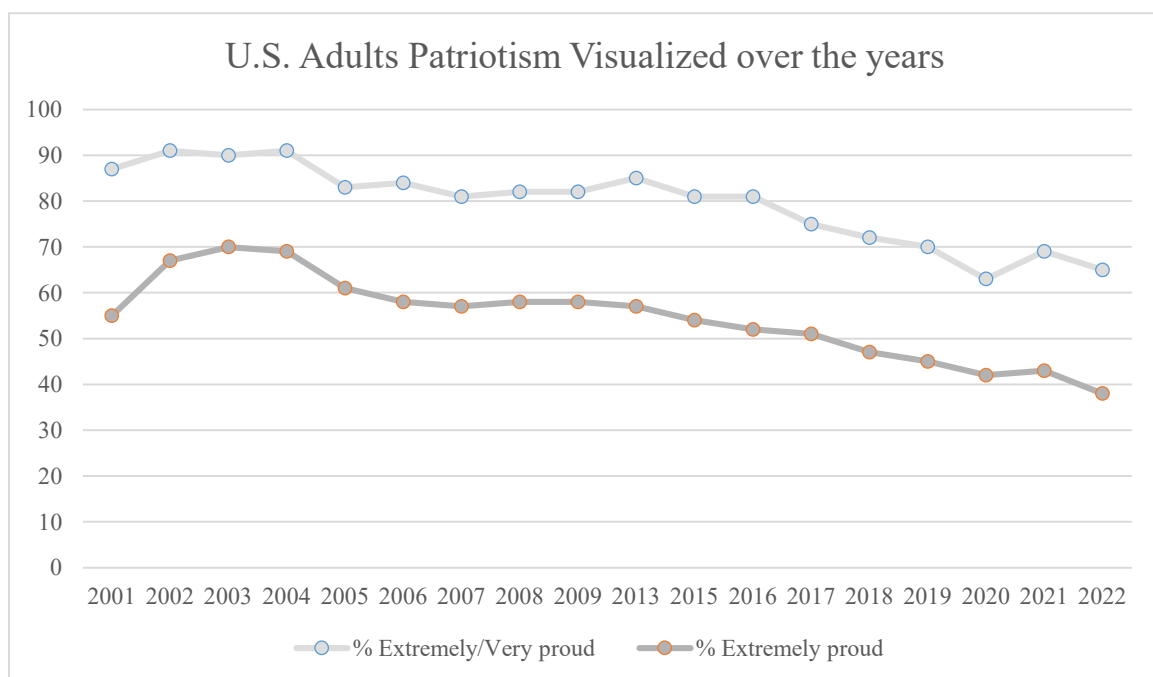
The democratic war theory states that democratic nations do not prefer to go to war for which there is no support (Longley, 2022). For the U.S. to pledge itself to actively participate in the conflict it must send troops. Besides the approval of Congress and the current upcoming elections, there is not enough popular support for the U.S. to directly engage (Wike, Fagan, Gubbala, & Austin, 2024). A large-scale operation of this magnitude would have a cascading effect and could further fuel and expand the conflict in Israel with regard to Iran, which is an ally of Russia. But it would also damage Chinese interests in the region. With the current closure of the Suez Canal transport prices have already increased. This combined with the accumulation of costs from the COVID-19 pandemic and the other aforementioned factors have increased

inflation (Reuters, 2023). The populations of most Western states are not interested in a further escalation of the conflict. This can also be seen in the recent European election results in which right-wing parties have made significant gains (Strupczewski, Gupta, & Melander, 2024).

Recent data reveals a generational shift in Americans' attitudes towards military service. A poll conducted by the Echelon Research Institute between October 23-26, 2023, involving 1,029 individuals indicated that 72% of the respondents would be disinclined to serve in the military during a major conflict (Phillips, 2023). This finding suggests a departure from the historical glorification of military service, particularly among younger generations. It raises a critical question: Why are fewer Americans willing to fight for their country?

While this poll may not perfectly represent the entire U.S. population, it does suggest a significant trend. However, public opinion is not static and can be swayed by contextual factors. As (Brenan, 2022) illustrates through poll data, that national tragedies like the 9/11 attacks can trigger a surge in patriotism and willingness to defend a nation, potentially overriding the initial reluctance observed in the Echelon poll.

Source: (Brenan, 2022)



Warrant

It is in the direct interest of the U.S. to ensure that the conflict in Ukraine does not spread further to other regions. The current world stage already shows different hotspots that have the potential to ignite and further destabilize the world (Hassel, Donald, & Kilbury, 2023).

Israel is currently engaged on three fronts: Hamas, Hezbollah, and the Houthis in the south. Behind these three parties, Iran plays a pivotal role. Iran is currently engaged in Nuclear Hedging and is trying to develop nuclear weapons (Gettel, 2024). The reason for this is twofold, firstly it would elevate them to become a major player and secondly, it would function as a deterrent against the U.S. and Israel but also against internal domestic strife such as the region of Baluchistan.

The potential of spillover is substantial and as stated before there are more resilient and peaceful ways to resolve conflicts instead of military intervention which should be regarded as a last resort (Merriam-Webster, n.d.).

The U.S. also has a direct responsibility for its service members and women and its citizens as there is no direct threat to the U.S. with Russia's war in Ukraine. NATO has significantly expanded and per capita, the U.S. and the NATO alliance's military spending dwarfs that of Russia (Sandford, 2018). A direct confrontation with Russia could also result in a destabilization of Russia, a nuclear power, which could have far-reaching results that do not benefit the U.S. or the international community.

Lastly, with no democratic support in the U.S., there is no direct incentive for the U.S. to get involved as it could not invoke a *jus ad bellum* nor advocate it as such (International Committee of the Red Cross, 2015).

Backing

International relations theory emphasizes that strategic restraint and diplomacy are crucial in conflict resolution and that non-violent means should first be exhausted before resorting to military intervention (Norwich University, n.d.). Even though one could argue that Russia's actions could be attributed to realism due to the use of military intervention, there are still many indicators that show otherwise. In Liberalism, the relationship between the nation-states and interdependence shows that the use of soft power has precedence due to the incentives that come with cooperation. Russia has in the past cooperated with the West via trade and even military cooperation (Norwich University, n.d.).

Constructivism focuses on common and shared ideas, norms, and identities and that through dialogue the necessary change can be accomplished. The focus on cooperation and diplomacy also plays a significant role in this theory (Norwich University, n.d.).

Economic sanctions have worked in the past and have shown as well that Russia is under considerable pressure that can be seen in its domestic market but also internationally (Berman, 2024). A prolonged continuation of sanctions could pressure Russia to look for a way out of the conflict and start negotiations. Strategically Russia also has stated that NATO expansion in Ukraine is of thus great importance that it would be willing to commit itself to war as it sees this as a direct threat to its influence sphere both politically and tactically (Reuters Fact Check, 2024).

The U.S. has a long-standing track record of humanitarian aid, combined with effective diplomatic efforts both parties could be persuaded to stop the conflict and start negotiations. The outcome of this would be beneficial for all parties involved as it would mean no further loss of life, geopolitical stability, and a normalization of trade.

Qualifier

Thus far indirect U.S. interventions have been able to support Ukraine hold back Russia ever since the invasion (Garamone, 2024). At first, the international community assumed that Russia would conquer Ukraine in a matter of days. However, this has not been the case, despite the initial odds Ukraine has managed to fend off Russian forces. Most likely due to the fact that Russia as well was under the assumption that it would quickly reach Kyiv. The U.S. currently indirectly intervenes in the conflict in accordance with the Rules of War (International Committee of the Red Cross, 2021). It does so by providing material, intelligence, and training. This approach comes with minimal costs for the U.S. when compared with direct military involvement. At the current moment, there is no loss of life on the US side, the Ukrainians are being supported in such a manner that they can fend off their adversary on the battlefield without direct meddling from the U.S.

The U.S. should continuously monitor the situation and reassess the situation based on development not only in Ukraine but also in other areas that can be directly linked to Russia and its adversaries. Even though Ukraine and Israel are two different conflicts, they can be linked by two dominant global forces, the U.S. on the side of Israel and Russia on the side of Iran.

Objections

It could be stated that the U.S. should intervene due to the violation of human rights. By intervening the U.S. could protect further violations and aggression from an ethical point of view. However, although this approach may hold some merit a critical aspect also dictates that by directly intervening a greater loss of life will be the direct result of this. Despite the valid concerns the alternative options create the greatest benefit and the least suffering for all participants (Coady, 2002).

Despite some voices claiming the U.S. to be weakened and that its inaction boldens others to violate international law, one should note that the U.S. is not alone as a member of this international community. International Law does provide enough basis and support to continue non-military approaches as China e.g., has already voiced concerns towards Russia over its war with Ukraine.

Conclusion

While von Clausewitz described war as a form of (violent) communication he also stressed out that diplomacy should be exhausted before resorting to war (Clausewitz, 1832). For the U.S. to engage as another party in what is currently a regional conflict with global repercussions, would escalate the conflict globally. As stated before, there are plentiful alternatives that have been tried and evaluated in order to resolve conflicts. With the U.S. being a democracy with checks and balances on power that are in the constitution, war is not an option that can be defended now. Even though there is a lot of human suffering in Ukraine, the conflict is not of that nature that it would warrant further escalation. Instead, focusing on diplomacy with force as a possible bargaining chip in case of further escalation is far more effective than resorting to the use of excessive force with spillover consequences. In the end, it would not benefit the Ukrainians, nor the Russians, and certainly not the U.S. Containment is, from the U.S. point of view, a far more effective way strategically for the U.S. The costs for Russia to maintain would only increase to such an extent that a less costly alternative would be more attractive. Engaging in a direct conflict would remove this incentive from the table and would further increase the risks of a zero-sum outcome.

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The legalization of abortion in Poland

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Ethical Dilemma's in Human Rights

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Introduction

The issue of abortion criminalization has been addressed and criticized by multiple international bodies since the Anti-Abortion law (1993) became a part of the Polish legislative system. The law prohibits the female population of Poland from performing an abortion, leaving only two “reasonable” grounds for the legal pregnancy termination, excluding other possible reasons why women would be eligible for an abortion, based both on needs-based and rights-based approaches. This report presents both legal and ethical sides of the grounds and backing for the argument stating Polish women’s rights being violated due to the limited and restricted abortion services, leading to the harmful mental/physical consequences. Firstly, justification of a chosen topic and factual description of the issue are presented to give a general understanding of the issue. Further, legal articles and documentation supporting the argument highlight the main Polish governments’ violation, followed by the ethical side and the main dilemmas occurring as a result of the current medical practices in the country. Additionally, it is significant to note that possible rebuttals and counter arguments are included in the report to address some pitfalls of abortion decriminalization; as well as constructive solutions to the problem are represented in the end. While Poland does not violate the EU law directly, the women’ rights for free life, equity, being free from discrimination and torture, autonomy and self-determination are disregarded, and the situation has to be changed since these are the basic human rights according to the international/EU legislations.

Justification

Legalization of abortion in Poland is justified as it respects women's autonomy and reduction of harm by unsafe procedures. Additionally, does it guarantee equal access to reproductive healthcare. Upholding the prohibition of abortion violates various international agreements like the Universal Declaration of Human Rights (UDHR) and the European Convention on Human Rights. Further, it is ethically wrong to deprive women from their moral rights such as autonomy and justice. Legalizing abortion would make Poland uphold international agreements and therefore promote gender equality, and protect public health

Factual description of the issue

At the International Conference on Population and Development organized in 1994, the states presented the concepts of sexual and reproductive health and reproductive rights.

The Program of Action emphasizes that one of the main public health concerns is an unsafe abortion. According to the World Health Organization (2019), "unsafe abortion occurs when a pregnancy is terminated either by persons lacking necessary skills, or in an environment that does not conform to minimal medical standards or both". It also noted that in most cases, unsafe abortion occurs in the countries where access to abortion is restricted. On the contrary, 87% of 6 580 000 abortions per year in developed countries were completely safe (WHO, 2017).

In Poland, a difficulty with accessing abortion occurred with the Anti - Abortion law (1993), which criminalized abortions carried out on social grounds. It did include the woman's right to terminate pregnancy in case of a fetus having a high probability of having irreversible or severe illnesses. However, in 2021 the new abortion law in Poland reappealed this condition, and as for now, women still have to deliver babies, regardless of their children's health condition.

The only possible abortions can be performed only if giving a birth might be fatal for a woman, or if a pregnancy was a cause of a crime (Filtenborg E., Wechert S., 2022). Within the framework of EU law, Poland is argued to violate women's health and rights, as well as their sexual and bodily autonomy, which potentially results in risking their lives.

The possible reasons for Polish attitudes towards abortion – are the product of past communism and soon after. (Duch D., 2000). In the past, women were considered to lack self-determination and being not able to make autonomous decisions (Patchesky, R., 2023). That is why any argument about the historical reasons for Polish abortion restrictions are not valid, as they run counter to basic human rights, and assume woman having no dignity.

If consider the current situation, the Committee on Elimination of Discrimination against Women in 2024 has found recent practices in Poland, including: criminalizing autonomy and decision-making, inhuman and degradative treatment of women, discrimination, violation of the equal rights to health care, harmful gender stereotypes, no access to information or advice, and harming vulnerable groups (Center of Reproductive Rights, 2024).

It is significant to realize the size of the problem, and the extent of human rights violation in Poland. There is a high possibility of mental and physical consequences for Polish women due to anti - abortion law in the country, and the Polish government refusing to comply with EU law (signed in 2004). Nonetheless, the issue can and should be solved.

Legal

Poland has been called out multiple times by the international UN bodies (Human Rights Committee, the Committee on the Elimination of Discrimination against Women, the Committee on Economic, Social and Political Rights) on women's rights violations concerning the

reproductive system. Since 2021, Poland has an anti-abortion law, which prohibits abortion even in the cases of a fetus having a high possibility of death (Esra Kara, 2021). With this consideration, Polish women are not allowed to terminate abortion, and if they are - the process remains to be very conditional.

In the light of the European Convention of Human Rights (1993), reproductive rights and their violations fall primarily within the scope of the ability to respect private and family life (article 8). Further, Polish violations might also fall under the right to live (article 2), the prohibition of torture (article 3) and even the prohibition of discrimination (article 14). Besides, the rights for equality, freedom and dignity from the Charter of Fundamental EU Rights (1997) might be also under abuse by the Polish government.

Further, it is significant to consider that the EU law counts above the national law, but it is very nuanced in terms of abortion in Poland. For example, Poland signed the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), but it does not implement EU recommendations in a national law by not officially ratifying the Convention. Poland has also signed the above-mentioned Charter of Fundamental Rights. However, being under Protocol 30 since 1997, together with the United Kingdom (EU, 2008), the country is not under the obligation to follow all the stated laws, leaving the Charter as a form of recommendations and guidelines. That being said, even though Poland does not violate the abortion law directly, current actions and legislation within the country might be argued to contravene the women's rights.

Moreover, Poland violated an effective systematic referral mechanism by UN human rights, when in 2015 Constitutional Court of Poland announced that the doctor refusing to perform abortion, should not be under a duty to refer the women to another doctor or health care

institution (Kapelanska-Pregowska, 2021). On the ethical side, doctors, midwives and nurses have the moral right (called “conscience clause”) to refrain from providing medical services, if these medical services go against their (religious) beliefs (Notes from Poland, 2023).

Historically, Poland repeatedly attempted to ban abortion, and when the UN called it out on that, the country’s Constitutional Court stated the “unconstitutional” reason for not accepting the law (Kapelanska-Pregowska, 2021). The attempt to legalize abortion under the difficult personal or living situation of pregnant women was taken in 1993, which was reappealed in 1997 by the Constitutional Court due to the lack of clear procedural mechanisms, prolonged waiting periods, and the denial of parental genetic testing.

So far, Poland has only been trying to make it difficult for women to access safe abortion services, forcing women to an unsafe abortion not by choice, but by given circumstances and legislation. Therefore, it is reasonable to state that Poland doesn’t follow EU law and violates the basic human rights of women.

Reasons

Abortion was legally restricted in most of the counties by the end of the 19th century - some countries in Europe, Asia, many states in America. The main reasons behind this restriction were: 1) abortion was dangerous and unsafe; 2) abortion was considered a sin; 3) abortion was prohibited to protect the life of a fetus.

Nowadays, abortion has become safe, especially if following the World Health Organization’s guidance (Berer, 2017). From a legal perspective, WHO (2024) states that an inaccessible abortion violates the rights for the highest attainable standard of physical and mental

health, the right to benefit from scientific progress and its realization, the right to freely decide on the number of children, the right to be free from torture and degrading treatment.

In the number of Central and Eastern Europe countries, the communist rule and conservative figures have tried to undermine the permissive abortion laws. Poland is considered to have the worst situation. Since 1997, the restrictive law in Poland removed “difficult living conditions” as a reasonable ground for having an abortion, which goes against the basic rights of women for free life and prohibition of discrimination. Moreover, the Polish government has attempted to decrease the number of abortions of already existent fetuses. Such as – offering 1000 euros to women who carry a highly disabled child, even if a baby would be dead, or die soon after delivery.

Poland's lack of legal abortion in cases of fetal results run counter to international standards. In the jurisprudence of the Human Rights Committee, it is considered a violation when it comes to gender inequality and discrimination. On top of that, in November 2020, the European Parliament prepared a Resolution with the purpose of changing legislative regulations of abortion in the country, encouraging the Polish government to provide safe, legal, free, high-quality and accessible abortion services for women. It also underlined the women's rights to life, health and equality, freedom from discrimination, violence and torture. Yet, no following legal actions were undertaken, and all stated recommendations were not considered by the Polish legislation system after all.

Further, when questioning the social views on abortion decriminalization, it can be assumed that the public support for abortion reforms (with positive consequences from them) might rise even more after the decriminalization has been approved. As such, before the anti-abortion reform was approved in Mexico City, only 38% of women supported it. However, two

years later, the number rose to 74% (Becker, Olavarrieta, 2013). Additionally, it is important to respect the lives and rights of minorities, as their self-determination and authority have to count, and it is not ethically correct to limit the abilities of a person based on the opinions of others, even if the number of these opinions is greater.

Thus, it is fair to say that nowadays, forced conservative views and religious principles might lead only to the physical and mental harm of both a mother and a not-yet-born child.

Ethical

Firstly, the legalization of abortion in Poland is desirable given the fact that bodily autonomy is a key principle of individual freedom. It should be a moral requirement that every woman has a right to decide what to do with their bodies. Therefore, women have the right to make decisions about whether to carry the pregnancy to term or not, without state intervention.

Forcing women to carry their pregnancy to term is unjust in relation to men who do not have to give up their right to self-determination. Men are not forced by law to make such impactful sacrifices of self-determination or life choices. This is a creation of a greater imbalance in gender equality by making a system where women are supposed to give away control over their body. To minimize the imbalances in equality abortion should be legalized and provide women with their right to self-determination.

Kant argues that moral self-determination makes us truly human and gives us our dignity. “Dignity as Human dignity: the unearned worth or status that all humans share equally (either inherent or constructed)” (Dignity, 2023) Human dignity in connection to human rights means that we all have the moral right to decide over our body as a basic right to equality, privacy, bodily integrity and self-determination. The ethical principle, autonomy, provides women with

the right to self- determination. Therefore, the right of a woman or girl to make autonomous decisions about her own body and reproductive functions is at the core of her basic rights to equality and bodily integrity. Which makes the legalization of abortion an ethical matter to strive for gender equality and the right to self- determination.

“Sex equality observes that abortion restrictions deprive women of control over the timing of motherhood and so predictably exacerbate inequalities in educational, economic and political life engendered by childbearing and childrearing” (Neil S. Siegel and Reva B. Siegel, 2013) This means that allowing women to have legal abortion will provide them to have the same moral consideration and treatment, opportunities, life choices and freedoms as men. Forcing women to continue their pregnancies regardless of their individual situations, fails to judge the moral complexity of someone’s life.

While acknowledging that Poland does not directly violate EU law, it is reasonable to claim that the current law in most cases violates the basic rights of women. Particularly in cases where autonomy, health and equality are impacted.

As mentioned earlier, the rights to self- determination and equality are at the core of legalized abortion. However, we should not forget the current limitations women experience due to the severe restriction on abortion regarding health care.

An important aspect regarding abortion is looking at the four medical ethics principles: non- maleficence, justice, autonomy and beneficence. Within Poland these restrictions are being violated with information provided by the UN: “There were cases where women were left to wait in the hospital in a severely deteriorating health status until either the heartbeat of the fetus had stopped, or their own condition had become life-threatening. The interpretation of when a

situation becomes life-threatening also depends on the interpretation of the individual doctor in charge. The designated members learned that doctors are frequently afraid that they might be carrying out an abortion “too early”, in violation of the law.” (Rights Experts Reveal Impact Of Poland’s Restrictive Abortion Laws On Women, 2024). Unfortunately, this is not all because there are also 7 women that died because they did not receive the medical attention that was needed.

This is a severe violation of all 4 principles of medical ethics. To begin with, non-maleficence means avoiding and doing no harm. These cases contradict this principle of withholding them from access to care, because the medical staff feared violating the law. Lead to unnecessary suffering, complications and death. Secondly, Beneficence means to act in the best interest. In these cases, prioritizing the law over the health of a women undermines this principle. By fearing to act “too early” the doctor is neglecting their obligation to promote the patient’s best interest. Autonomy - the right to make informed decisions and self- determination. Within these cases the women are restricted in their ability about medical procedures. This undermines the right to self- determination. And lastly, justice - everyone is being treated equally and equitably. The lack of clarity in this law creates unequal treatment, where the interpretation of a doctor's life- threatening situation is inconsistent.

Dilemma

Given the very severe restrictions on abortion within Poland where abortion is only allowed when 1) where a women’s life or health is in danger and 2) if the pregnancy is a result of rape, incest (criminal act). The current law fails to respect individual autonomy and the moral requirement that every woman has a right to decide what to do with their bodies. Additionally, the restrictions on abortion create a greater division of equality care. The rights of women should

not be restricted by others as everyone has the right to self- determination. Lastly, any situation where 'my view about what you should do is more important than your view about you', is unethical. Because it gives another's views primacy over one's own views.

Within Poland Christianity was adopted in 966, and currently around 70% of the citizens are catholic. (Tilles, 2023) This is therefore deeply rooted in the cultural values, and makes Catholicism play a significant role in public morality. One of the main values is that human life must be respected and protected absolutely from the moment of conception. (Tilles, 2024)

If abortion is legalized in Poland this does not force women to go against their fate but upholds women their right to self- determination. The demands of democracy are that oneself can have religious reasons to ban abortions, but to do so, they have to explain why abortion violates some principle that is accessible to people of all faiths, including those with no faith at all. Additionally, any religious or personal view that claims that 'my view about what you should do is more important than your view about you', is an unethical situation, because it gives another's views primacy over one's own views. Therefore, if abortion is illegal because of religious views, it is unethical.

Potential solution

The necessary steps have to be taken to allow broader access to abortion of Polish women. There are several ways to do so. Firstly, some legal reforms inside the country might advocate for expanding the existing borders for the access to abort freely. According to Amnesty International (2024), the Polish government (specifically Donald Tusk) who was elected for a prime minister of the country, had promised to make abortion accessible and free. After he won the elections, the situation did not change under the influence of the coalition members. Amnesty

International, and other organizations are working together to indirectly help Polish women. However, to aid as many women as possible, and to make it right, the leaders of coalition parties have to realize the women's rights violations that they are committing, and make their promises come true to stop Polish women from dying or suffering due to the legislative system within the country.

Secondly, another way to cope with the problem is by supporting and making use of political parties that advocate for pushing legislative changes is another way to cope with the issue. For instance, Poland has officially agreed to remedy its human rights violations identified by the above-mentioned Committee on the Elimination of Discrimination against Women in August 2024. The members of the Committee had visited Poland before, to overview the process of reproductive system, and recently, the Committee has released the report on the women's rights disregard within Poland. It also has given some recommendations and encouraged the country to take meaningful actions to guarantee non-repetitions of the current violations.

Additionally, the joint work of public awareness campaigns such as those of Amnesty International, supportive services for women who seek abortion, and continuous international pressure on the Polish government may aid in the problem resolution, as well as support women while the issue with accessing abortion in Poland is being solved.

Critical evaluation

To conclude, Poland should further legalize abortion given the arguments that have been mentioned in the previously mentioned part of Legal and Ethical. To uphold international legal commitments and ethical principles such as equality, dignity and women's self-determination.

Denying women access to legal and safe abortion is a refusal to acknowledge everyone's fundamental human rights, named in the European Convention on Human Rights (ECHR) and UN treaties like Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). One of the main disregards of Poland is that they have not ratified the Convention. Ethically, are these restrictions against the principle of bodily autonomy, forcing women to keep their pregnancy against their will and prioritizing religious ideologies over individual rights. This is therefore also a contribution to gender inequality, and it fails to respect the moral complexity of individual circumstances.

To confront these injustices, Poland should decriminalize abortion and ensure fair and safe access, adhere to international standards to protect women's health, autonomy, and fundamental human rights.

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Women's Autonomy, Equality and Reproductive Health in international Human Rights: Between recognition, backlash and regressive Trends. (2017). *United Nations Human Rights Special Procedures*. Retrieves on November 14, 2024, from <https://www.ohchr.org/sites/default/files/Documents/Issues/Women/WG/WomensAutonomyEqualityReproductiveHealth.pdf>

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**Revisiting Kenya's Diplomatic Complexity: Policy Strategies and the Recognition
Dilemma of Israel During Cold War Shifts (1978-1990).**

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Structure of the Study

This paper is structured into the following sections: first, an introduction providing the historical context of Kenya's, then a literature review of Kenya's foreign policy during the Cold War, followed by an exploration of theoretical frameworks that offer insight into Kenya's diplomatic behavior. The methodology section will detail the research approach, followed by a comprehensive analysis and discussion of Kenya's diplomatic stance regarding Israel. Finally, the conclusion will summarize key findings and provide recommendations for future research in African diplomatic history.

Introduction

Historical and Global Context: A Century of Sustained Ties Between Kenya and Israel

For over a century, amid Cold War tensions and shifts in global politics, Kenya has faced crucial diplomatic decisions regarding the recognition of Israel. This period marks a pivotal shift in Kenya's foreign policy, with its choices impacting both regional stability and global partnerships. This study explores the complexities of Kenya's foreign policy and the challenges of its recognition dilemma concerning Israel during President Moi's administration.

Kenya's historical connection to Israel began in the early 1900s with the "Uganda Scheme" proposed by British Colonial Secretary Joseph Chamberlain in 1903. While the scheme was ultimately dismissed, Jewish migration to Kenya followed. Despite opposition from British settlers, the Zionist movement remained committed to establishing a Jewish state in the Middle East.

The relationship deepened as the Jewish community in Kenya supported members of the "Irgun" and "Lehi" groups detained at a center in Gilgil in 1947 (Kenyan Embassy in Israel,

2024). Israel's establishment of its embassy in Nairobi on December 10, 1963, just before Kenya's independence, marked a significant milestone in the bilateral relationship. Diplomatic relations were temporarily interrupted during the 1973 Arab-Israeli conflict but were restored on December 23, 1988. A further strengthening of ties occurred when President Moi visited Israel in 1994, leading to the appointment of Kenya's first Ambassador to Israel in March of the same year.

Kenya's consistent support for Israel, especially after the Entebbe raid in 1976, and Israel's assistance during the 1998 U.S. Embassy bombings and the 2006 Nairobi building collapse, solidified their enduring partnership. Today, their cooperation spans politics, business, economics, science, technology, cultural exchanges, and academic partnerships, setting the stage for continued growth in their bilateral relations (Kenyan Embassy in Israel, 2024).

The Life and Leadership of Daniel Toroitich arap Moi

Daniel Toroitich arap Moi succeeded Jomo Kenyatta as President of Kenya in 1978, serving until 2002. He had previously served as Vice President after replacing Jaramogi Oginga Odinga in that role (East & Richard, June 3, 2021). Moi was born on September 2, 1924, in Kuriengwo, a member of the Tugen sub-group of the Kalenjin community in Kenya's Rift Valley. His presidency lasting over two decades, made him one of Kenya's longest-serving leaders. He passed away on February 4, 2020 (McKenna, February 10, 2020).

On August 1, 1982, there was an attempted coup led by Senior Private Grade I Hezekiah Ochuka to overthrow President Moi. The military quickly intervened under the leadership of Chief of General Staff Mohamoud Mohamed and successfully quashed the coup. As a result, Ochuka and his associates were executed (Nyamora, 1992, p. 12; Ndunda, 2016).

Moi's leadership was shaped by his alignment with Kenyatta's pro-Western strategies during the Cold War (1947–1991). However, in the 1990s challenges emerged as the Cold War ended and the global economic slowdown affected Kenya. This period saw increasing pressure for political change (Ndunda, 2016). In 1991, opposition parties led efforts that pushed Kenya toward a multiparty democracy (Throup & Hornsby, 1998).

Moi's victory in the 1992 elections marked a shift toward democracy, despite allegations of electoral fraud and ensuing unrest. The 1997 elections also saw turmoil but Moi secured another term. It was only constitutional changes that prevented him from running in the 2002 elections, leading to his retirement. During this time the ruling party KANU split, and the National Rainbow Coalition (NARC) was formed as a result. This paved the way for Mwai Kibaki's victory and Kenya's third presidency signaling a significant political shift, and Moi's departure amid public dissatisfaction (Lacey, 2002).

After 2002, Moi's political influence waned though he remained a prominent figure. In July 2007 he was appointed as a peace envoy in Sudan where he played a key role in supporting peace initiatives (Hull, Reuters, 2007). His health however, declined over time (Kahawatungu, August 29, 2017). Moi died at The Nairobi Hospital on February 4, 2020 and a state funeral was held at Nyayo Stadium on February 11, 2020. Military honors were granted and he was laid to rest at his home in Karabak, Nakuru County beside his wife Lena Bomet with a 19-gun salute and a flyby formation (BBC News, February 11, 2020).

There was some debate surrounding his age as his son suggested that he might have been 105 years old, while other reports stated he was under 100 years old (Standard Digital, February 10, 2020). Regardless, Moi's passing marked the end of an era characterized by both significant achievements and controversies including corruption and a complex foreign policy stance,

particularly regarding Israel. Moi maintained a delicate and often ambiguous relationship with Israel. At times Kenya and Israel cooperated, such as when Israel provided military assistance during the 1976 Entebbe rescue operation, which used Nairobi for refueling. However, Moi's government also aligned with broader African and Arab League positions critical of Israel influenced by Middle Eastern oil politics and Cold War dynamics. This duality in foreign policy often led to inconsistent diplomatic engagements reflecting Moi's broader governance style which prioritized regime survival over strategic national direction.

Gap in Literature

Although much has been written about Cold War diplomacy in Africa, Kenya's specific perspective on Israel during this time remains largely unexplored. Existing studies primarily examine broader trends in African diplomacy, overlooking Kenya's diplomatic strategy regarding Israel. This study examines the factors that influenced Kenya's approach to diplomacy during the Cold War.

Purpose and Scope of the Study

This study examines how President Daniel arap Moi managed Kenya's relationship with Israel from 1978 to 1990, set against the backdrop of the Cold War. It focuses on Kenya's recognition policy toward Israel under Moi's leadership, a period marked by uncertainty. This research aims to provide a deeper understanding of Kenya's foreign policy during this period and its role in the broader geopolitical landscape.

Key Research Question

How did Kenya navigate the challenges of supporting solidarity movements such as the Non-Aligned Movement, while managing geopolitical pressures regarding Israel between 1978 and 1990?

Significance of the Research

In 1793, U.S. Secretary of State Thomas Jefferson asserted that every nation has the inherent right to govern itself and manage its foreign affairs. This principle emphasized that a nation's engagement with other countries is not just about friendship but is a crucial part of shaping its sovereignty (Jentleson & Paterson, 1997, p. 466-467). In 1913, President Woodrow Wilson shifted U.S. policy, requiring governments to gain popular support for recognition. This shift had profound implications, especially for countries like Kenya (Jentleson & Paterson, 1997).

This research aims to offer insights into Kenya's foreign policy under President Moi, particularly regarding its shifting orientation toward Israel. Kenya's strategic position in East Africa makes this relationship significant in global affairs. Understanding the dynamics between Kenya and Israel during Moi's presidency will provide valuable context for comparing the policies of subsequent Kenyan governments.

Preliminary Findings and Implications

Preliminary findings identify key elements that shaped Kenya's strategy throughout the Cold War. A significant aspect of this approach was the priority placed on safeguarding the country's security and welfare. The overarching goals were intricately connected to safeguarding concerns and conserving legacy, cultural heritage, and environments. As noted by Feliks and

Adolf (1954) national strategies should be firmly rooted in upholding and advancing a nation's principles and aspirations. Kenya's leaders understood the importance of maintaining stability and fostering unity to navigate the challenges of a regional and global landscape effectively.

Another significant factor shaping Kenya's foreign policy was the influence of systemic factors and actors. Kenya's foreign policy was greatly influenced by factors and key players besides internal politics, during the Cold War era as global and regional contexts were evolving rapidly (as noted in Mwangi's work in 1997). Economic circumstances and strategic geopolitical interests played a role in shaping approaches towards other countries.

The principle of positive nonalignment was central to Kenya's foreign policy approach, reflecting the nation's commitment to an independent position, free from the major ideological blocs. Kenya's foreign policy was strongly guided by the principle of nonalignment which emphasized the country's dedication to maintaining a position separate from major ideological groups. President Jomo Kenyatta expressed this position in 1966 through the KANU manifesto as a commitment to promoting justice and moral behavior in interactions (Kenyatta, 1966). This approach of nonalignment enabled Kenya to navigate through the conflicting agendas of nations while safeguarding independence and pursuing its national goals.

Furthermore, Kenya's foreign policy toward Israel during this period was marked by a positive viewpoint. During this time frame as in the past years of the period under review in Kenya's foreign relations with Israel were notably positive and supportive. President Kenyan indicated his admiration for Israel's efforts to build a nation by bringing together people from various backgrounds. He considered Israel's approach to promoting national unity as a potential model that Kenya could follow especially through movements like "Harambee " aimed at

fostering unity and shared responsibility among the diverse ethnic groups in Kenya (Kenyatta

1961). However, the favorable perception of Israel was tempered by Kenya's continental concerns that frequently necessitated cautious diplomacy circumspection and a subtle approach on international affairs.

The Review of Literature

Kenya's Perspective on Israel Recognition

Research on Kenya's perspective on Israel's recognition offers important insights into the political dynamics that have shaped the relationship between the two countries. Scholars have examined the factors influencing Kenya's decision to recognize Israel and how global and regional politics have impacted this relationship. However, there is a scarcity of comprehensive records, particularly regarding foreign policy declarations made by President Moi in public speeches (Oloo, 2010; Mwangi, 2014).

Key studies explore how Kenya's internal political landscape and external factors have affected its position on Israel. For instance, research has analyzed the significance of Kenya's diplomatic ties with fellow African countries and its position within the Non-Aligned Movement, helping to understand Kenya's evolving recognition of Israel (Mutua, 2012; Kamau, 2018).

Additionally, scholars have studied the impact of global events, such as the Arab-Israeli conflict and the Cold War on Kenya's diplomatic strategies with Israel. These studies highlight the challenges Kenya faced in balancing its sovereignty and non-alignment principles while responding to pressures from the international community (Wanyama & Otieno, 2016).

Economic and security factors also played a key role in shaping Kenya's relations with Israel. Research emphasizes the importance of cooperation in areas like agriculture and technology, which strengthened diplomatic ties. Moreover, mutual security concerns—such as

terrorism and regional instability—led to increased collaboration in intelligence sharing and counterterrorism efforts. The collective body of work on Kenya's perception of Israel offers a deeper understanding of the political dynamics that have shaped their relationship (Githuku, 2017; Njeru, 2019).

Context within History During the Cold War Era

President Jomo Kenyatta (1963–1978)

Jomo Kenyatta, Kenya's first President shaped his foreign policies during the Cold War with a vision that balanced domestic priorities with international relations including Israel. The establishment of the National Youth Service (NYS) was inspired by Israel's Gadna model, which emphasized youth engagement in nation-building, particularly in agriculture (Naim, 2005).

In 1964, Israel assisted in the creation of Kenya's General Service Unit (GSU), an elite security force tasked with protecting the President, senior government officials, and foreign entities, including Israel's embassy and El Al airline in Nairobi (Otenyo, 2004, p. 80). This collaboration highlighted Israel's influence on Kenya's security strategies during Kenyatta's administration.

President Daniel Toroitich arap Moi (1978–1990)

Daniel arap Moi assumed the presidency after Kenyatta's death on August 22, 1978. While Moi adopted the "Nyayo doctrine" to continue Kenyatta's legacy, he adjusted Kenya's policies in response to changing global and regional dynamics. In the 1980s, Kenya maintained strong ties with socialist Ethiopia, largely due to the threat posed by Somalia. Despite these shifts, Kenya preserved its alliances with both Ethiopia and Israel maintaining regional stability.

Under Moi, the policymaking process became more centralized. Unlike Kenyatta who delegated much decision-making to State House, Moi often bypassed institutional players, relying on personal diplomacy. This approach sometimes excluded key stakeholders limiting the inclusiveness of Kenya's policies.

Regional instability, particularly ethnic conflicts in Sudan, Rwanda, Uganda, the Democratic Republic of Congo (DRC), and Burundi also influenced Kenya's foreign policy. Kenya's policies were aimed at resolving conflicts and stabilizing the region (Mwuara, 1997).

Moi's Foreign Policy Development (1978–1990)

During Moi's presidency, Kenya's decisions on recognition and diplomacy were influenced by global geopolitical competition. While Europe was divided into military alliances, Africa adopted the Estrada Doctrine, which advocated recognizing new governments regardless of their ideological orientation (Jessup, 1931). For Kenya, this meant balancing relations with Western allies, the Soviet bloc, and non-aligned nations.

Moi's diplomacy helped secure financial aid, especially during the downturn in Kenya's coffee industry. His visits to Israel and West Germany strengthened Kenya's strategic ties, particularly in the Indian Ocean region as part of efforts to counter Soviet influence in the Persian Gulf (Weekly Review, January 11, 1980, p. 6).

Moi as Architect of Kenya's Foreign Policy

Musambayi (1995) notes that Moi placed greater emphasis on direct engagement and summits in foreign policy compared to Kenyatta, who relied more on his foreign affairs team. Moi centralized foreign policy operations at Harambee House, which allowed him to shape

Kenya's international strategy but also led to criticisms of excessive centralization. In this manner, institutional input was often neglected.

Dr. Robert Ouko recognized this shift in Kenya's approach, acknowledging Moi's direct involvement in shaping the country's foreign policy (Chelagat, 1991). However, the centralization of decision-making often overshadowed broader policy discussions as diverse perspectives were excluded. Kenya's policies under Moi often prioritized principles over rigid commitments, maintaining neutrality in conflicts while navigating complex relations with Israel and Arab nations. During this time, Kenya expressed solidarity with Arab nations, which created tension with Israel. Similarly, Kenya's foreign policy towards the Democratic Republic of Congo evolved following a change in government there (Musambayi, 1995; Chelagat, 1991).

Kenya-Israel Relations: Moi's Diplomatic Achievements

Kenya's relationship with Israel evolved during Moi's presidency, reflecting shifts in regional and global politics. In 1964 for instance, Israel helped establish Kenya's GSU, strengthening security cooperation (Otenyo, 2004, p. 80). However, relations cooled in 1977 when Kenya, following a visit by Foreign Minister Munyu Waiyaki to Arab nations, issued a statement supporting the Palestinian cause. This led to the opening of a Palestine Liberation Organization (PLO) office in Nairobi and the establishment of diplomatic ties with the PLO in 1980 (The Washington Post, June 7, 1977).

Kenya further solidified its relationship with the PLO by establishing ambassadorial-level ties in 1980. In 1988, Kenya supported the inclusion of the PLO as an observer at the UN General Assembly, even as it restored diplomatic relations with Israel that same year.

Despite its support for the Palestinian cause, Kenya maintained an official position of neutrality, as articulated by Foreign Minister Robert Ouko. In response to a request for formal recognition of the "State of Palestine" from PLO ambassador Yousef Awed, Ouko reaffirmed Kenya's commitment to supporting the PLO without making declarations recognizing Palestine as a state (Kenya Times, June 8, 1989). Since then, Kenya has not made any official acknowledgment of the Palestinian state.

In December 1982, Israeli Foreign Minister Yitzhak Shamir met with President Moi during a brief stop in Nairobi. Moi used the opportunity to request Israel's assistance in enhancing his security, demonstrating the continued importance of Israel-Kenya relations amid diplomatic challenges (Afrique Report, 1982).

In 1983, during the UN anniversary speech in Nairobi, Kenya's Foreign Minister Elijah Mwangale emphasized the need for peace in the Middle East, stressing that it hinged on the settlement of Palestinian refugees (Daily Nation, October 25, 1993). In 1988, President Moi expressed Kenya's position on resolving conflicts in the Arabian Peninsula, emphasizing shared views with Egypt on the importance of granting self-determination to the Palestinian people (Weekly Review, April 8, 1988, p. 29).

Despite initial tensions with the Arab League, Kenya ultimately reestablished diplomatic ties with Israel after a fifteen-year hiatus. This decision proved pivotal for Israel, which sought support from African nations, although it was met with disapproval from Arab countries. Kenya defended its move citing the PLO's acknowledgment of Israel's statehood and its agreement to abide by UN resolutions on the Middle East. Dr. Robert Ouko, Kenya's Foreign Minister, expressed hope that Israel would engage in negotiations with the PLO under UN supervision (Weekly Review, January 6, 1989, p. 5).

While the Arab League expressed dissatisfaction, Kenya continued to support the PLO's diplomatic privileges in Nairobi and advocated for Palestinian concerns at UN meetings. President Moi emphasized that Kenya's actions were a response to the PLO's endorsement of UN Security Council resolutions 242 and 338, which recognized both Israel's statehood and Palestine's right to self-determination. Kenya's foreign policy during this time often employed strategic ambiguity, maintaining neutrality while promoting peace by avoiding confrontations with neighboring countries (Weekly Review report on January 6th, 1989, page 5).

Kenya's Relationship with Israel during the Presidencies after the Cold War Era

The Kibaki Administration (2002–2013): Strengthening Relations with Israel

During President Kibaki's tenure (2002–2013), Kenya's relationship with Israel experienced significant growth. A pivotal moment was the signing of a bilateral agreement on September 4, 2009, focusing on water resource management, irrigation, and capacity-building initiatives. This agreement underscored President Kibaki's commitment to fostering closer ties with Israel. Collaboration was further solidified through interactions between President Kibaki and Israeli Deputy Prime Minister and Foreign Affairs Minister Avigdor Lieberman (ReliefWeb, September 4, 2009).

Military Cooperation and Support

In 2010, Kenya initiated discussions to acquire military equipment from Israel, including counter-insurgency tools and drones for border surveillance (Ahmadinejad, April 30, 2010). These discussions marked the beginning of intensified military collaboration, which was formalized in 2011 through a treaty aimed at combating terrorism, fraud, and criminal activities (Estrin, September 25, 2013).

A defining moment in this partnership came in 2013 when Israeli forces assisted Kenyan troops in responding to the Westgate Mall attack in Nairobi. This tragic event, which claimed at least 72 lives, underscored the depth of military cooperation between the two nations. Israeli agencies also supported Kenya's investigative efforts demonstrating solidarity during security crises (Reuters, September 26, 2013).

The Uhuru Kenyatta Administration (2013–2022): A Balanced Approach

President Uhuru Kenyatta continued to strengthen Kenya's relations with Israel while maintaining a balanced approach to foreign policy. In 2016, he supported Israel's bid for observer status at the African Union (AU) and hosted Israeli Prime Minister Benjamin Netanyahu. This visit was a pivotal moment with Kenyatta emphasizing collaboration for mutual security and economic benefits (Israel Ministry of Foreign Affairs, February 23, 2016).

Kenyatta also advocated for revisiting Africa's relationship with Israel. In 2016, he stated: "We believe that working together can contribute to making the world a safer place" (Ahrens, July 5, 2016). Netanyahu's attendance at Kenyatta's 2017 inauguration further cemented this partnership with both leaders reiterating their commitment to combating terrorism (Elliott, November 30, 2017).

The William Ruto Administration (2022–Present): Navigating Shifts in Foreign Policy

President William Ruto's administration has introduced notable shifts in Kenya's foreign policy. Shortly after his disputed election victory in August 2022, Ruto announced that Kenya would no longer recognize the Sahrawi Arab Democratic Republic (SADR). However, this

stance was reversed two days later to align with AU and UN positions supporting SADR's self-determination rights (The East African, September 16, 2022).

In 2023, Kenya abstained from a World Health Assembly vote on Palestinian health rights, signaling a refined shift toward a more favorable stance on Israel while publicly maintaining support for a two-state solution based on pre-1967 borders (Kenyan Foreign Policy Report, June 5, 2023).

In October 2023, Ruto expressed support for Israel's right to self-defense but also endorsed the creation of a Palestinian state, rejecting terrorism and occupation as solutions to conflict. In November, he reaffirmed Kenya's commitment to a two-state solution (Moturi, 2024). However, by January 2024, Kenya criticized Israel's handling of the Gaza conflict with Ruto emphasizing humanitarian concerns while reiterating Kenya's support for Israel's right to self-defense (Moturi, 2024).

Israel's Observer Status at the African Union

Historically, Kenya supported Palestinian causes under President Kenyatta's leadership at UN meetings. However, recent actions such as Kenya's vote against a Palestinian plea at the UN General Assembly indicate a potential policy shift. At the AU summit in February 2023, Kenya did not oppose Israel's request for observer status despite AU criticism of Israel's treatment of Palestinians (Kenyan Foreign Policy Report, June 5, 2023).

In 2024, opposition to Israel's observer status intensified with 150 African and diaspora groups urging the AU to deny the request due to reported human rights abuses in Gaza. Algeria and South Africa strongly opposed Israel's application. By late 2024, diplomatic tensions

escalated with several African nations recalling ambassadors and freezing relations with Israel over the Gaza conflict (Nation, February 17, 2024).

Economic and Labor Relations

Amid a labor shortage in Israel caused by the Hamas conflict, Kenya sent 1,500 workers to Israeli farms, joining Malawi's efforts to mitigate the workforce gap left by departing Thai migrant workers (Aradi & Priya, December 7, 2023). This collaboration reflects Kenya's willingness to deepen economic ties with Israel.

Conceptual Framework

The conceptual framework of this study outlines the core ideas and theories that inform the analysis of Kenya's foreign policy and its relationship with Israel during President Moi's leadership. The framework draws on key concepts from international relations, geopolitics, and foreign policy analysis.

Recognition Theory

Recognition is central to international law determining the rights and responsibilities of emerging states on the global stage. It signifies the formal acceptance of a state's existence and grants it autonomy along with the legal duties and privileges that come with it. The recognition process is complex, often influenced by other states and international institutions such as the United Nations. Recognition of a state's identity is critical for its navigation within the international system and for establishing its place in the global community (Taylor, 1994; Satvyrata, 1964).

In instances where a state undergoes a change in leadership due to events such as revolutions or uprisings while maintaining its structural integrity, obtaining international recognition becomes a crucial step. If the new government is not recognized, it may face significant legal and political challenges. Recognition in international law is formalized through actions or declarations by other states ensuring that the new government adheres to established international norms (Malcolm, 1997; Satvyrata, 1964).

Once a state achieves recognition, it becomes difficult to reverse that acknowledgment even with changes in leadership or governmental structure. Recognition provides a state with legal standing allowing it to engage in international agreements, treaties, and esteemed organizations such as the United Nations. Recognition also enables states and governments to exercise privileges like voting rights. However, recognizing new regimes can be particularly complicated in regions where governance is disputed, highlighting the pivotal role of international acknowledgment in shaping diplomatic relations (Talmon, 1988; Dixon & McCorquodale, 1991).

Guiding Principles of Kenya's Diplomatic Policy

Kenya's foreign policy is rooted in principles set forth in foundational documents such as the Kenya African National Union (KANU) manifestos of 1961 and 1963 and Sessional Paper No. 10 of 1965. These documents have had a lasting impact on Kenya's diplomatic approach. Throughout its history, Kenya has placed a strong emphasis on securing its borders and safeguarding national interests. The country's foreign policy continues to prioritize security and economic development as central tenets (Ochola, 2016).

In a seminar paper dated 1997, Makumi Mwagiru conducted a survey of Kenya's recognition policy during and after the Cold War era, with the intention of elucidating the rationale behind it. Mwagiru observed a shift in recognition policy, transitioning from recognizing entire states to recognizing specific regimes. He endeavored to trace the diplomatic endeavors that instigated this abrupt policy transformation. Consequently, the seminar paper leaves us with a lingering inquiry: Does Kenya's recognition policy exhibit consistent trends regarding the legitimacy of governments? (Mwagiru, 1997).

Kenya's Diplomatic Approach In 1971 as minister for foreign affairs, Dr. Njoroge Mungai's diplomatic strategy focused on recognizing administrations rather than regimes. This approach was evident in Kenya's acknowledgment of General Idi Amin's leadership in Uganda amidst unrest, in contrast to its treatment of Milton Obote's regime (Munene, 1997).

During the Cold War, Kenya adopted the Estrada Doctrine, which called for recognizing governments regardless of their political orientation. This doctrine aimed to establish a consistent standard for diplomatic recognition (Jessup, 1931). However, critics argued that it blurred the distinction between recognition and the maintenance of diplomatic ties.

The Tobar Doctrine or the Legitimacy Doctrine, proposed that governments arising from unconstitutional means should only be recognized if they enjoyed the support of their citizens. However, this principle often conflicted with political realities (Stansifer, 1967, p. 251-272). Kenya's recognition of authoritarian regimes underscores the complexity of diplomatic acknowledgment especially during periods of political turmoil. In contrast, Mexico formulated the Estrada Doctrine in 1930, named after Foreign Minister Genaro Estrada. The Mexican Foreign Relations Secretary highlighted the challenge of reconciling theoretical principles with the demands of real-world politics (author citation).

Under President Moi, Kenya pursued a pragmatic foreign policy recognizing governments where necessary to prevent conflict. This strategy balanced practicality with strategic foresight (Galloway, 1993, p. 142). Although Kenya initially struggled to establish a consistent foreign policy, John Howell (1968) identified two dominant directions: conservatism and radicalism. Conservatism was reflected in Kenya's cautious stance on issues like Israel designed to preserve regional stability. Meanwhile, Kenya's emphasis on neutrality signaled its commitment to autonomy and self-governance in international affairs.

While neutrality was a guiding principle, Kenya also engaged with South Africa signaling a pragmatic approach to foreign relations (author citation). The principle of non-alignment reinforced Kenya's commitment to self-determination and respect for the sovereignty of other nations. This perspective aligned with the core values of the Organization of African Unity (OAU), the United Nations Charter+ and U.S. principles of territorial integrity (Olatunda, 1985).

Theoretical Perspectives

This study utilizes various theoretical frameworks to analyze Kenya's foreign policy:

Realism Perspective

Realism suggests that states prioritize their self-interest, emphasizing power and security in a competitive international environment. In the context of Kenya's foreign policy particularly regarding its relationship with Israel, the theory helps explain how Kenya navigated global politics during the Cold War, balancing both local stability and international considerations (Morgenthau, 1948).

Constructivist Approach

Constructivism focuses on the role of ideas, identities, policy, and social norms in shaping a nation's policy. Kenya's interactions with Israel during the Cold War were influenced not only by geopolitical concerns but also by ideological beliefs, identity politics, and the broader context of African decolonization approach (Wendt, 1999). This approach allows for a deeper understanding of how Kenya's political leaders shaped their foreign policy with their position on Israel reflecting broader political narratives.

Dependency Theory

Dependency Theory analyzes the social factors that shape foreign policy decisions in developing countries. Originating in the Global South, this theory examines how nations like Kenya are integrated into a global system that often perpetuates dependence on more powerful countries. The theory sheds light on how external influences such as aid and regional partnerships shaped Kenya's foreign policy, including its diplomatic relationship with Israel (Dos Santos, 1970).

Foreign Policy Analysis (FPA)

The Foreign Policy Analysis model examines the role of individual leaders and decision-making processes in shaping a country's foreign policy. This approach is valuable for understanding President Moi's involvement in shaping Kenya's relations with Israel as well as how internal political dynamics influenced his government's decisions (Hudson, 2014).

Geopolitical Considerations

Geopolitical Theory examines the significance of Kenya's geographical position in East Africa and how this impacted its foreign policy. Kenya's proximity to the Middle East, its strategic role as a gateway to East Africa and its contribution to regional stability all shaped its

diplomatic interactions with Israel. These factors help explain why Kenya maintained active involvement in global politics during the Cold War despite pressures from neighboring Arab nations and regional groups (Cohen, 2003).

Integrating the Theoretical Perspectives

By synthesizing these theoretical approaches, this study provides a comprehensive framework for analyzing Kenya's foreign policy. It explores the intersections of global power dynamics, economic interrelations and domestic politics. Offering insight into the factors that shaped Kenya's diplomatic relationship with Israel. This integrated framework helps explain the principles guiding Kenya's foreign policy decisions and reveals the broader influences on its stance toward Israel between 1978 and 1990.

Methodology

This study utilized a qualitative approach to analyze Kenya's foreign policy and its evolving relationship with Israel. Both primary and secondary data were examined to ensure a comprehensive analysis (Creswell & Poth, 2018; Flick, 2018). Key sources included:

- Official Documents: Speeches and statements from government archives.
- Academic Literature: Peer-reviewed studies on Kenya's diplomatic policies.
- Media Outlets: Articles providing updated information on the geopolitical landscape.
- Historical Documents: Contextual analysis of Kenya-Israel relations during the Cold War era.

Analytical Approach

The study employed several analytical methods:

1. Source Triangulation: Cross-checking data from diverse sources to confirm accuracy (Yin, 2017).
2. Thematic Coding: Categorizing themes related to foreign policy strategies, influences, and diplomatic ties (Patton, 2015).
3. Comparative Analysis: Examining Kenya's foreign policy shifts over time, particularly under different administrations.

Challenges

The study encountered challenges in accessing dispersed literature across various publications. Synthesizing these sources into a cohesive narrative was time-intensive. Additionally, some officials and stakeholders were reluctant to discuss sensitive topics related to government policies, particularly those involving former President Moi (Author's Citation).

Despite these limitations, the study provides a refined understanding of Kenya's evolving relationship with Israel highlighting key developments across successive administrations.

Findings

Kenya's foreign policy over the decades has been shaped by dynamic geopolitical realities and its evolving priorities in the international system. The findings highlight key developments and themes that have characterized Kenya's relationship with Israel and its navigation of the broader Israel-Palestine conflict. Each administration brought unique

approaches to the table, informed by domestic and regional imperatives as well as global pressures.

Cold War Influence and Kenya's Strategic Position

The Cold War era (1947–1991) was pivotal in shaping Kenya's early foreign policy under President Moi (1978–1990). Positioned strategically in East Africa, Kenya became an essential ally for Western powers, particularly the United States and Britain, in countering Soviet influence in the region. This alignment naturally extended to relations with Israel, which was seen as a critical partner by Western allies.

While Kenya leaned towards Western powers that strongly supported Israel, it also aligned itself with the broader African and non-aligned movements advocating for decolonization, sovereignty, and self-determination. These dual pressures led to a pragmatic and balanced foreign policy during Moi's administration, where Kenya cultivated relationships with Israel without alienating Arab nations advocating for Palestinian rights (Akinyi, 2020; Kiruga, 2023).

This duality highlights Kenya's early ability to navigate the complexities of Cold War geopolitics, prioritizing national interests while demonstrating solidarity with broader African causes.

Pragmatic Relations with Israel

Across all administrations, Kenya has maintained pragmatic ties with Israel. Kenya realized the mutual benefits of collaboration in critical areas such as technology, agriculture, security, and intelligence.

1. Technology and Agriculture: Israel's advancements in water management, irrigation, and agricultural technology have been invaluable to Kenya, a country frequently grappling with drought and food insecurity. Agreements during the Kibaki and Uhuru administrations, including the 2009 bilateral pact on water resource management, demonstrate this enduring partnership.

2. Security and Counterterrorism: Israel's expertise in counterterrorism and intelligence has been particularly beneficial to Kenya, given its vulnerability to terrorism, especially from groups like Al-Shabaab. The Westgate Mall attack in 2013 underscored the importance of this collaboration, with Israel forces for decades playing a key role in Kenya's response and subsequent investigations (Muzaffar, 2023).

While these collaborations have been mutually beneficial, they have also drawn criticism domestically and regionally, particularly from constituencies sympathetic to the Palestinian cause. Nevertheless, Kenya's focus on leveraging Israeli expertise for internal stability and development has remained steadfast across administrations.

Diplomatic Flexibility

Kenya's foreign policy reflects a consistent emphasis on diplomatic flexibility. Allowing it to maintain ties with Israel, while simultaneously engaging with Arab and African nations advocating for Palestinian rights.

1. Balancing Acts: Under President Moi, Kenya carefully balanced its relationships with Israel and Arab nations, adopting a neutral stance that prioritized Kenya's national interests. This approach continued under President Kibaki who focused on pragmatic partnerships while avoiding polarizing positions on the Israel-Palestine conflict (The Guardian. 30 December 2002).

2. **Regional and Global Engagement:** Kenya's diplomatic strategy has often involved in aligning with African Union (AU) positions while pursuing independent bilateral relationships. For instance, President Uhuru Kenyatta supported Israel's bid for observer status at the AU. He recognized Israel's potential to contribute to regional security and development, even as other AU members criticized Israel's treatment of Palestinians.

3. **Evolving Perspectives:** Under President William Ruto, Kenya's stance has become increasingly subtle. While expressing support for Israel's right to self-defense, the administration has also emphasized humanitarian concerns in Gaza and endorsed a two-state solution based on pre-1967 borders. Kenya's abstention from a World Health Assembly vote on Palestinian health rights in 2023 further illustrates its delicate balancing act (Kenyan Foreign Policy Report, 2023).

Challenges in Navigating the Israel-Palestine Conflict

Kenya's policy towards the Israel-Palestine conflict has been shaped by a combination of domestic, regional, and international pressures.

1. **Domestic Pressures:** Public opinion in Kenya has often leaned toward supporting Palestinian rights, influenced by Kenya's historical solidarity with liberation movements and its own anti-colonial legacy. This sentiment has occasionally clashed with Kenya's practical engagements with Israel requiring administrations to adopt cautious and nuanced approaches.

2. **Regional Dynamics:** Kenya's position within the African Union has further complicated its standing. While some AU members such as South Africa and Algeria have vocally opposed Israel's observer status and taken steps to isolate Israel diplomatically, Kenya

has adopted a more moderate approach focusing on mutual benefits while avoiding outright opposition.

3. Global Implications: Kenya's foreign policy has also been influenced by its relationships with major global powers. For example, its support for a UN resolution calling for a ceasefire in Gaza, despite the eventual U.S. veto reflects Kenya's attempt to balance its commitments to international law and human rights with its strategic alliances.

Key Insights for Future Policy

The findings reveal several key insights that are likely to shape Kenya's foreign policy going forward:

- Adapting to Changing Realities: Kenya's ability to adapt to shifting geopolitical realities while prioritizing its national interests has been a consistent theme. Whether navigating Cold War dynamics or addressing contemporary challenges such as terrorism and climate change, Kenya's pragmatic approach has ensured its relevance on the global stage.
- Leveraging Strategic Partnerships: Kenya's partnerships with Israel in areas such as technology, security, and agriculture underscore the importance of leveraging international collaborations to address domestic challenges.
- Promoting Regional Peace: Kenya's emphasis on regional stability and its cautious diplomacy in the Israel-Palestine conflict highlight its role as a mediator and advocate for peaceful solutions.

- **Balancing Principles and Practicality:** Kenya's foreign policy demonstrates the challenge of balancing principled stances on issues such as Palestinian self-determination with practical considerations of national and regional interests.

Kenya's foreign policy can be summed up as evidenced by its engagement with Israel and the broader Israel-Palestine conflict, reflects a careful balance of pragmatism, adaptability, and principled diplomacy. These characteristics will likely continue to define Kenya's reflecting to global relations in the years ahead.

Analysis

During Moi's tenure, Kenya's foreign policy reflected a strategic approach to managing international relations in a period of intense global divisions. Kenya maintained strong ties with the West due to historical and economic connections while upholding African solidarity and advocating for the recognition of Palestinian statehood. This balancing act highlighted the complexities within Kenya's foreign policy as noted by Kiruga (2023).

The Moi administration demonstrated skillful diplomacy in navigating foreign affairs. Israel was strategically important to Kenya, contributing significantly through collaboration in agriculture and military partnerships. Kenya benefited from advancements in irrigation technology and agricultural expertise provided by Israel (Kiruga, 2023). Furthermore, Israel's intelligence assistance was pivotal in addressing security challenges in a region frequently threatened by terrorism (Muzaffar, 2023).

Moi's leadership, spanning 1978–1990, exemplified Kenya's deliberate navigation of the international recognition of Israel and Palestine. The administration's decisions emphasized a balance between historical alliances, regional unity, and global dynamics. These efforts sought to

protect Kenya's national interests while supporting peace and stability in the Middle East. The Cold War further complicated these dynamics, but Kenya's diplomacy underscored its commitment to sovereignty and regional harmony.

This analysis explores how Kenya addressed the recognition of Israel and Palestine during Moi's era, examining the interplay of national concerns, Cold War influences, and international law. It highlights the necessity for Kenya to remain adaptable to shifting global landscapes to safeguard its diplomatic relevance. Under Moi's leadership, the nation balanced its relationship with Israel while advocating for Palestinian rights, reflecting its role as a regional mediator and proponent of peace.

Moi's diplomatic successes demonstrate the importance of employing strategic approaches to global challenges. Kenya's recognition of Israel, alongside acknowledgment of Palestinian statehood exemplified an evolving foreign policy that balanced national interests with broader ethical considerations. This duality reinforced Kenya's image as a credible mediator on the international stage.

The analysis also emphasizes the role of public participation and institutional collaboration—particularly involving parliament and the foreign ministry - in shaping foreign policy. These elements ensured that Kenya's diplomatic efforts were reflective of its regional leadership ambitions and global laying a strong foundation for future policy development.

To sum up, Kenya's pragmatic approach toward Israel extended beyond Cold War ideologies focusing instead on national development and technological progress. Its delicate position on the Israel-Palestine conflict reflected a dedication to ethical diplomacy and regional stability. The experiences and lessons from the Cold War era influenced Kenya's foreign policy

trajectory. Moi's administration can be remembered for its adaptability, practicality, and commitment to fostering global stability.

Post-Moi Foreign Policy Evolution

The foreign policy strategies of successive administrations - those of Kibaki, Uhuru, and Ruto—reflect a continuation of Moi's legacy while adapting to contemporary global conditions. Each administration has built upon those foundations established during the Cold War era incorporating new priorities and responding to emerging challenges.

Kibaki and Uhuru Administrations

Under Kibaki's leadership (2002–2013), Kenya's foreign policy emphasized economic progress and global partnerships. Practical collaboration with Israel, particularly in technology and economic development, marked a shift from Cold War ideologies, focusing instead on national advancement and modernization (Chege, 2008).

The Uhuru administration (2013–2022) continued this trajectory, maintaining diplomatic engagement with both Israel and Palestine. By advocating for Palestinian rights while strengthening ties with Israel, Kenya reinforced its commitment to balanced foreign policy. This approach highlighted Kenya's role as a significant regional player, integrating peacebuilding efforts with developmental (William, 2016).

The Kibaki and Uhuru administrations underscore Kenya's capacity to adapt its foreign policy to changing circumstances while maintaining core principles. Their strategies reflect the enduring influence of lessons learned during Moi's era, showcasing Kenya's diplomatic skill and flexibility.

Ruto Administration

The Ruto administration (2022–present) builds upon the legacy of its predecessors by prioritizing flexibility and regional stability. While the Cold War’s influence has diminished, Kenya’s interactions with Israel and Palestine remain informed by historical choices. Ruto’s government emphasizes economic collaboration and technological partnerships as part of its broader development agenda.

In navigating the Israel-Palestine conflict, Kenya adopts a balanced stance, fostering partnerships with Israel while demonstrating empathy for Palestinian aspirations. This approach underscores Kenya’s commitment to ethical foreign policy and recognition of the complexities of Middle Eastern politics.

The Ruto administration’s foreign policy draws insights from historical experiences, adapting them to address contemporary challenges. By aligning national interests with regional and global stability, Kenya continues to demonstrate thoughtful and pragmatic diplomacy (The Standard, October 17, 2023).

Conclusion

This paper delved into the sinuous realm of recognition and non-recognition policies under Moi's presidency, shedding light on the multifaceted dynamics that defined Israel's diplomatic efforts during this transformative era. Through an analysis, I revealed the delicate interplay of economic interests, political allegiances, and global power dynamics in shaping Kenya's recognition decisions.

Moi's leadership from 1978 to 1990 highlights the challenges of managing foreign relations during the Cold War era. Under his administration, Kenya carefully balanced strategic partnerships with Israel while supporting the Palestinian cause. This pragmatic approach enabled Kenya to benefit from Israel's technological and security expertise while positioning itself as a credible mediator in Middle Eastern affairs, as noted by Akinyi (2020) and Kiruga (2023).

Kenya's foreign policy during this period demonstrated adaptability to changing political dynamics. This flexibility promoted national progress while fostering stability in relations with both Israel and Palestine (Muzaffar, 2023). The foreign policy decisions made during Moi's era continue to influence Kenya's modern approach, particularly in maintaining neutrality and addressing complex global issues such as the Israel-Palestine conflict (Kiruga, 2023).

Suggested Recommendations

Kenya's foreign relations strategy has evolved steadily since independence, shaped by global trends and challenges. To craft a robust foreign policy in today's context, the following recommendations are proposed:

1. Inclusive Stakeholder Engagement

Foreign policy development should involve a wide range of participants, including members of the public, government representatives, and experts across different sectors. Educational institutions can provide platforms for informed discussions on foreign policy, allowing comparisons with other nations' strategies. This inclusive approach could address perceptions of inactivity within the Ministry of Foreign Affairs and ensure policies align with Kenya's goals and aspirations.

2. Diplomatic Training and Capacity Building

Kenya's foreign service should emphasize continuous training for diplomats, focusing on handling complex international relationships with flexibility. Such efforts will help Kenya maintain its neutrality while effectively engaging with major global players, including Israel (Akinyi, 2020).

3. Strengthening Multilateral Engagement

Kenya should deepen its participation in bodies such as the African Union (AU) and the United Nations (UN). These platforms provide critical opportunities to mediate and support solutions to conflicts such as the Israel-Palestine issue (Muzaffar, 2023).

4. Enhancing Economic Diplomacy

Strengthening ties with Israel can advance growth in vital sectors, including agriculture, technology, and defense, as highlighted by Kiruga (2020).

5. Public Diplomacy and Parliamentary Oversight

Foreign policy decisions should be transparent and representative of public interests. Enhanced parliamentary oversight and public discourse will ensure alignment between national priorities and ethical global standards (Akinyi, 2020).

6. Learning from Historical Diplomacy

Kenya should draw lessons from its Cold War-era diplomacy to inform future foreign policy strategies. Managing international dynamics while safeguarding national interests has been a cornerstone of Kenya's diplomatic success (Muzaffar, 2023). These historical insights can guide future administrations in sustaining Kenya's leadership in African diplomacy.

Actions

The recommendations aim to strengthen Kenya's foreign policy framework to remain flexible and responsive to evolving global conditions. Building on past experiences and addressing current challenges will ensure Kenya continues to play a significant role in regional and international diplomacy.

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Publications

**The Impact of Global Election Observation on the Promotion of Fair Elections and
Best Practices in Election Management Worldwide**

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Introduction

The practice of global election observation has emerged as a critical mechanism for promoting fair elections and best practices in election management worldwide. Election observation involves the deployment of international monitors to assess the conduct of elections and ensure that they are free, fair, and transparent (Kumar, 2012). These observers play a crucial role in enhancing the credibility of electoral processes by providing independent and impartial assessments of the electoral environment (Hyde, Marinov, & Nielson, 2012).

Global election observation has become increasingly important in the context of democratization and the spread of democratic norms and values around the world. In many countries, elections serve as a crucial mechanism for political transition and the peaceful transfer of power, making their integrity paramount (Hyde et al., 2012). By monitoring elections and highlighting irregularities, observers help to deter fraud and manipulation, thereby promoting fair and credible electoral outcomes (Kumar, 2012).

Moreover, global election observation contributes to the development of best practices in election management by providing recommendations for improvement based on international standards and norms (European Commission, 2002). These recommendations often focus on areas such as voter registration, campaign finance, media coverage, and the role of security forces in the electoral process (European Commission, 2002). By promoting adherence to these best practices, election observation helps to strengthen electoral institutions and build public confidence in the electoral process.

In this context, this study aims to examine the impact of global election observation on the promotion of fair elections and best practices in election management worldwide. By analyzing the experiences of countries that have been subject to international election observation, the study seeks to identify the key mechanisms through which election observation contributes to electoral integrity and democratic governance.

Theoretical Paradigm

Constructivism was adopted as the Theoretical framework. Constructivism emphasizes the role of norms and values in shaping international relations. Constructivists argue that international norms, such as those related to democracy and human rights, can influence state behavior and shape international practices. In the context of election observation, constructivism posits that the practice of international election observation has emerged as a result of the increasing acceptance and promotion of democratic norms and values in the international community. International election observation can be seen as a mechanism for promoting and protecting democratic norms and values, particularly in countries undergoing transitions to democracy or in post-conflict societies. The practice of international election observation has become almost universally accepted, and it serves to raise voter confidence, evaluate the legitimacy of an electoral process, and promote bilateral exchanges of knowledge and information on electoral practices (Kelley, 2012). Constructivism also highlights the importance of socialization and learning in shaping state behavior. Through the practice of international election observation, national electoral administrators and election participants can learn about best practices and exchange knowledge and information on electoral processes (Checkel, 1998). This can lead to the development of lasting cooperative relations and the promotion of democratic norms and values. However, it is important to note that the effectiveness of

international election observation depends on several factors, including the type of electoral system and election being observed, the qualifications and training of observers, and the security situation in the country being observed. To ensure the credibility and effectiveness of international election observation, observers must be accredited and operate in accordance with international standards for electoral observation (European Commission for Democracy through Law (Venice Commission), 2010).

Hence, constructivism provides a useful framework for understanding the practice of international election observation. By emphasizing the role of norms and values in shaping international relations, constructivism highlights the importance of promoting democratic norms and values through international election observation. However, it is important to ensure the credibility and effectiveness of international election observation by addressing the various factors that can affect its success (Carter Center, 2014).

Conceptual review

The concept of global election observation plays a crucial role in promoting fair elections and best practices in election management worldwide. This practice involves monitoring and assessing electoral processes to ensure transparency, integrity, and adherence to democratic principles. Several scholars have contributed to the conceptual review of this work, shedding light on its impact and significance. Regalia (2016) highlights how the presence of international election observers can influence the behavior of internal political actors, acting as a deterrent to electoral fraud. Bjornlund et al. (1992) emphasize how international election observation can enhance public confidence in the honesty of electoral processes and contribute to the promotion of democratic values. Elklit and Reynolds (2005) stress the importance of a comprehensive approach to election observation that considers the impact of electoral processes on all segments

of society, including women and marginalized groups. The United Nations underscores the role of election observation in building public trust, protecting civil and political rights, and promoting democratic practices and national reconciliation in post-conflict settings. Hyde (2007) discusses the observer effect in international politics, highlighting that while international observers can influence election outcomes, other factors such as the political context and institutional strength also play significant roles. Carothers (2015) advocates for the continued evolution of international election observation towards more comprehensive and professional efforts, emphasizing the importance of impartiality and adherence to high standards.

Global election observation faces several challenges that can impact its effectiveness in promoting fair elections. These challenges can range from political interference to logistical issues. This section discusses some of the key challenges of global election observation on fair elections, drawing on scholarly research and expert insights.

1. Political Interference: One of the primary challenges of global election observation is political interference from host governments. Governments may restrict the independence of observers, limit their access to polling stations, or manipulate the electoral process to favor certain outcomes, undermining the credibility of the observation mission (Hyde, 2007).

2. Security Concerns: Election observers often operate in challenging and sometimes dangerous environments, particularly in conflict-affected or post-conflict countries. Security concerns can impact the ability of observers to effectively monitor elections and may limit their access to certain areas or polling stations (Sisk, 2008).

3. Lack of Cooperation: Some governments may not fully cooperate with election observation missions, making it difficult for observers to access relevant information or observe the electoral process. This lack of cooperation can hinder the ability of observers to assess the fairness and transparency of the election (Carothers, 2015).

4. Limited Resources: Election observation missions often face resource constraints, including limited funding and personnel. These limitations can impact the scope and effectiveness of observation efforts, particularly in large-scale or complex elections (European Commission for Democracy through Law (Venice Commission), 2010).

5. Logistical Challenges: Election observation missions must overcome logistical challenges, such as ensuring the timely deployment of observers, coordinating with local authorities, and managing the logistics of observing elections in remote or difficult-to-access areas. These challenges can impact the ability of observers to effectively monitor elections (United Nations Development Programme (UNDP), 2012).

6. Data Collection and Analysis: Collecting and analyzing data from election observation missions can be complex and time-consuming. Observers must gather information from multiple sources, verify the accuracy of the data, and analyze it to assess the overall fairness and integrity of the election (Kelley, 2012).

Global election observation faces several challenges that can impact its ability to promote fair elections. Addressing these challenges therefore requires cooperation between governments, election observation organizations, and other stakeholders to ensure that observers can effectively monitor elections and provide credible assessments of their fairness and integrity.

Impact Of Global Election Observation On Best Practices In Election Management

Global election observation plays a significant role in promoting best practices in election management worldwide. Election observation missions contribute to improving the quality and integrity of electoral processes by providing recommendations and guidance based on international standards and practices. This section discusses the impact of global election observation on best practices in election management, drawing on scholarly research and expert insights.

1. Enhancing Transparency and Accountability: Global election observation promotes best practices in election management by enhancing transparency and accountability. Election observation missions monitor key aspects of the electoral process, such as voter registration, campaign finance, and vote counting, ensuring that these processes are conducted transparently and in accordance with established rules (Carothers, 2015).

2. Improving Electoral Laws and Regulations: Election observation missions often provide recommendations for improving electoral laws and regulations to enhance the integrity of the electoral process. For example, the Venice Commission, an advisory body of the Council of Europe, has developed a Code of Good Practice in Electoral Matters, which provides guidance on electoral laws and regulations based on international standards (Venice Commission, 2010).

3. Building Capacity and Institutional Strengthening: Global election observation contributes to building the capacity of election management bodies (EMBs) and other relevant institutions involved in the electoral process. Observers provide training and technical assistance

to EMBs, helping them develop the skills and knowledge necessary to conduct free, fair, and credible elections (IFES, 2012).

4. Promoting Inclusivity and Participation: Election observation missions promote best practices in election management by encouraging inclusivity and participation in the electoral process. Observers assess the extent to which marginalized groups, such as women, ethnic minorities, and persons with disabilities, are able to participate in the electoral process, and make recommendations for enhancing their participation (Elklit & Reynolds, 2005).

5. Postering International Cooperation and Exchange of Best Practices: Global election observation fosters international cooperation and the exchange of best practices in election management. Observers from different countries and organizations share their experiences and lessons learned, contributing to the development of a global framework for best practices in election management (Schedler, 2013).

Best Practices and Recommendations in Global Election Observation

To enhance the effectiveness and impact of election observation missions, it is essential to follow best practices and implement recommendations based on international standards and principles. This section discusses some key best practices and recommendations for global election observation, drawing on scholarly research and expert insights.

1. Impartiality and Independence: Election observers should maintain impartiality and independence throughout the observation process. They should avoid bias and ensure that their assessments are based on objective criteria (Carothers, 2015).

2. Professionalism and Training: Observers should undergo thorough training to ensure they are familiar with election observation methodologies, international standards, and relevant legal frameworks. Professionalism in conduct and reporting is essential (European Commission for Democracy through Law (Venice Commission), 2010).

3. Transparency and Accountability: Observation missions should operate transparently and be held accountable for their findings and recommendations. They should provide clear and accurate reports on their observations and assessments (United Nations Development Programme (UNDP), 2012).

4. Cooperation and Coordination: Observers should cooperate and coordinate with local authorities, other observer missions, and relevant stakeholders to ensure a comprehensive and effective observation process (Kelley, 2012).

5. Comprehensive Approach: Observation missions should take a comprehensive approach, monitoring all stages of the electoral process, including pre-election preparations, polling day activities, and post-election procedures. This ensures a thorough assessment of the entire electoral process (International Foundation for Electoral Systems (IFES), 2012).

6. Respect for Local Context: Observers should respect the local context and cultural sensitivities of the country where they are observing elections. They should be mindful of local customs and traditions and adapt their approach accordingly (Elklit & Reynolds, 2005).

7. Timely and Clear Reporting: Observation missions should provide timely and clear reports on their findings and recommendations. Reports should be accessible to the public and relevant stakeholders to ensure transparency and accountability (Bjornlund et al., 1992).

By following these best practices and recommendations, global election observation missions can enhance their effectiveness and contribute to the promotion of fair elections and democratic governance worldwide.

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