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HUMAN RIGHTS AND ECONOMIC DEVELOPMENT

Civic Participation Division Notes  
(April 1974-November 1976)

Civic Participation Division  
Office of Policy Development and Analysis  
Bureau for Program and Policy  
Coordination  
15 December 1976

Is the protection and promotion of human rights relevant to economic development?

Does the abolition of poverty require the suppression of political-civil rights?

Does the maintenance of political-civil rights serve only a narrow elite whose interests are incompatible with the needs of the people in developing countries?

The attached excerpts from periodic Civic Participation Division reports circulated during the past two-and-a-half years may be of interest to those in the development community who wish or are required to deal with such questions.

In brief, they suggest that the violation of human rights is a problem which confronts all countries, not just some. And there is no such thing as an economic development activity or a bilateral or multilateral aid program which can be neutral from the standpoint of human rights.

A problem for well-meaning people is that it is not always clear when and under what circumstances economic development activities or external aid will have positive or negative effects. But it is clear that external aid agencies cannot improve the human rights environment in a country on their own, although they may be able to support people or institutions which can do that. Such support can be provided in many ways, and in some circumstances these might include the judicious refusal of economic aid. It does not follow, however, that the withholding of assistance from countries ruled in a repressive manner will necessarily improve their people's lot.

This collection of excerpts is divided into four parts.

The first part deals with the relevance of human rights for economic development; and vice versa. The A.I.D. Administrator sets the problem in terms of technology and suggests that the development solutions which the industrial countries have offered to the less developed nations may have aggravated existing inequities and created new ones. This

section also includes a critique of the new directions in development assistance which was published by Freedoms House, which is followed by longer treatments of the relation between human rights and economic development.

The second part deals with the significance from a human rights standpoint of the social and political context in which economic development activities take place.

The excerpts in the third part deal with human rights problems and opportunities in intellectual and cultural contacts between the U.S. and Third World countries.

The last part deals with representative institutions and their relation to development and the promotion of human rights.

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P A R T I

RELEVANCE OF HUMAN RIGHTS FOR ECONOMIC DEVELOPMENT:  
AND VICE VERSA

Technology and Human Rights (9/3/76)

In a letter to the Foreign Secretary of the National Academy of Sciences, Mr. Parker this week welcomed the Affirmation on human rights which the NAS members adopted at their last annual meeting.

He said, "It can be the first step of a long-term effort in which American intellectuals join with and lend encouragement to their colleagues abroad in the search for ways and structures that are not totalitarian in dealing with the problems of development."

"Until recently," he observed, "we may have sought scientific and technical solutions for problems of developing countries without giving explicit attention to the needs of the poorer members of society and to the social environments in which they live. The solutions we offered and the approaches that we encouraged may have aggravated existing inequities and created new ones."

He noted that in his capacity as AID Administrator, he has "become increasingly concerned about the human rights impact of the work done by us and others involved with development problems. One of the great challenges of our time is whether we shall be able to apply technology and human dignity, or whether humanity's attempts to meet the overwhelming problems of hunger and the other basic necessities of life make individual participation an expedient that yields to the arbitrary exercise of power."

AID, he advised, "intends to give particular attention to the social dimensions of all the work which we support, and especially to the ways in which new technologies and technology transfer can be made to promote dignity and freedom."

Morality (4/19/74)

Ambassadors Moynihan and Kintner and Senators Brooke and Javits are on the Board of Trustees of Freedom House, a New York based organization which was an early and strong supporter of foreign aid.

The March-April 1974 issue of its journal, Freedom at Issue, analyzes Robert McNamara's address at the recent annual World Bank and International Monetary Fund conference in Nairobi and winds up attacking his (and by implication, AID's) new directions as they have been expressed to date.

The ways in which Mr. McNamara identifies problems and the approaches he suggests may increase rather than alleviate human misery, according to the article.

"Poverty is described in the harshest terms; it is a condition of life, according to McNamara, that 'is so degrading as to insult human dignity'. But so is tight arbitrary rule by others. McNamara's compassion is very selective; it gushes forth at the sight of a man in rags, not at the sight of a man bullied by all-seeing government leaders self-appointed for life--maybe because the rags are more visible than the bullying."

The author, Theodore B. Sumberg, of Washington, DC, warns that the Bank's approach "will build up the power of the government of the poor countries" and may well "let loose forces that will get out of hand".

He sees in the Nairobi speech a call for the creation of new elites made up of technocrats operating under salaried submission to all-directing government leadership, an approach to development which may "run counter to the equality sought by McNamara." He finds a "harsh ring" in the World Bank President's concurrent calls for "extension agents" instead of "lawyers" and for the issuance of "strong laws" with "effective sanctions". The Nairobi address suggests, in Mr. Sumberg's view, that the very humanity of the passionate goal of ending poverty "may even promote cruelty in its pursuit."

The Bank, in this view, means to encourage impatient actions that cut corners with liberties. While Mr. McNamara sees a need for "new rural organizations /which/ will provide for 'popular participation, local leadership, and decentralization of authority'", the justification for them is said to be solely in terms of alleged efficiency, and this is "the most depressing aspect of McNamara's set of recommendations."

Mr. Sumberg is also the author of a recently published monograph, Foreign Aid as Moral Obligation?, sponsored by the Georgetown University Center for Strategic and International Studies. (It is part of a series called "Washington Papers" published by SAGE Publications, Beverly Hills and London, and available for \$2.50 or £1.00.)

His answer to the title question is negative:

"It is disheartening, moreover, that economic growth in poor countries seems almost always to accentuate income inequality. The rule has perhaps few, if any, exceptions among the great variety of poor countries. There is no reason to believe, moreover, that the massive aid designed to promote vigorously the economic growth of poor countries would have a different result. If not, the redistribution scheme proposed internationally would increase income inequality in receiving countries. The irony of this result is easy enough to grasp.

"In recent decades there have been in many rich countries strong moves toward greater economic equality. In general, their equality is greater than is to be found in the poor countries. If equality is of high value, let it continue to grow in countries approaching it instead of taking resources from them for countries where even the small degree of equality is shrinking and would probably shrink even more under massive aid volumes. The passionate faith in equality must certainly hesitate before promoting equality internationally at the expense of arresting it in individual countries."

Mr. Sumberg lays it on pretty thick, but he is not alone among students of development assistance.

Note, for example, the Huntington-Nelson report (Socio-Economic Change and Political Participation, September, 1973) suggestions that the process of economic modernization of the countryside normally tends to strengthen existing inequalities and that socio-economic development more often stimulates than reduces conflict and violence based on ethnic, religious, language, or other communal differences.

A recent book review in Science magazine (22 February, page 742) states the thesis that "economic development, far from necessarily leading to increased political participation, may lay the groundwork for the emergence of new types of despotisms. Militaristic backwoodsmen may command their cowed countrymen from seats in glittering skyscrapers of modernity."

This kind of criticism (to say nothing of the increasing attention being given the views of the traditional laissez-faire economist critics, such as P. T. Bauer) requires careful attention. It is to be distinguished from the school which views the Bank and AID as part of a conspiracy to destroy poor people; the Teresa Hayter argument that aid is "the smooth face of imperialism", which, as embodied in the fiction movie "State of Siege", has had a telling political effect in the United States.

For AID, at least, there has been some recognition of the problem. It is reflected in assistance for cooperatives, labor unions, and some other participatory approaches to development. Our law and legislative programs also reflect this concern, but they may fall victim to the growing desire for quick technical fixes within "sectors", which is now sometimes said to be a response to new initiatives from the Congress.

Since 1967, AID officials who approve development assistance programs and projects for funding have been required by law to place "appropriate emphasis" on approaches to economic development that include the "encouragement of strong economic, political, and social institutions needed for a progressive democratic society". They are also required to "take into account...the degree to which each recipient country is making progress toward respect for the rule of law, freedom of expression and of the press, and recognition of the importance of individual freedom, initiative, and private enterprise". The December 1973 amendments to the Foreign Assistance Act declare a sense of Congress that economic and military assistance of all kinds should be denied "to the government of any foreign country which practices the internment or imprisonment of that country's citizens for political purposes."

A 27 March 1974 report of a House Foreign Affairs Subcommittee which is chaired by Congressman Donald Fraser notes: "The technological progress and mass education that have been such a boon to mankind in our own century regrettably have been misused by many governments as tools for human misery." For this and other reasons, the Subcommittee recommends that "human rights factors" be treated "as a regular part of

U.S. foreign policy decision-making" and that "human rights impact statements" be prepared in connection with foreign policy decision making.

It is clear that external assistance agencies are not going to create or engineer democratic institutions in other societies. But greater attention is required for the effects of the things we and the multilateral agencies actually encourage and do and for the options which may be open in problem definition and the design of policies, programs, projects, and methods. We can also develop a capacity to respond to requests for help from other countries that may, in fact, support possibilities for development with freedom, even if those requests do not fall within predefined technical definitions of priority and functional sectors. But neither will be done unless AID decides it is worthwhile. The same is true for the World Bank and other donors who have demonstrated less interest or capacity than AID in these regards.

Conflicting Values (12/12/75)

The Deputy Administrator personally commended Frank Moore's submission in response to our request for Bureau views on new initiatives in human rights. Frank is the Africa Bureau's Human Rights Officer. Here, with underlining added, is the major part of it.

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In contrast to many developing societies in Latin America and Asia, ethnicity rather than religion, social class, or nationality typically provides the frame of the /African/ social fabric. This latter concept only gradually comes to the fore in a conscious building of political nationalism and planned national development. The search for "authenticity", most articulately expressed by Mobutu in Zaire, underlies in many of the African countries a search for a way to blend the traditional strengths of ethnic groups with the requirements of nationalism and nation building.

In the traditional societies, the rights of individuals were typically safeguarded and furthered by recognized and accepted relationships within the framework of the extended family, as part of a clan or tribal structure, the rights to land for family farming and access to water and pastures in accordance with established custom. There were clear patterns of authority and clearly established sets of mutual obligations and responsibilities; sanctioned by custom, of age groups and sexes, that governed relationships within the family, the village, and the more extended social group of kin or tribe. These systems had inbuilt controls against extremes of both defenselessness and power. They may not be equitable in terms of Western economic; social or political philosophy; but I would suggest that one might still have a long way to go to convince even a modern Ibo, for example, that it is intrinsically and morally wrong for the old men in the community to get the best parts of the ritually slaughtered goat or the most desirable women.

Even without political independence, with modernizing concepts seeping through an insulating colonial fabric, these traditional systems



would certainly have evolved over time. The introduction of money alone into the system of exchange, would surely have led to changes in relationships made possible by the accumulation of readily storable wealth and the new opportunities for social and political control that can be derived from them. In its incidence on the majority ...of rural poor, this process was gradual and adaptive. It has been accelerated and exacerbated by the achievement of nationhood and the concomitant pressures for economic development. This has sharpened the discontinuities and conflicts that were inevitable and inherent in the confrontation and ever closer interface between two fundamentally different systems of social organization and social values--one based on custom and consent, the other codified in law; the one oriented towards maintenance of a working social order, the other towards change in directions unfamiliar and unneeded in the traditional setting.

As in any situation, there are winners and losers. Empirical observation at a level that would justify building it into a research hypothesis--in the first stages of change (and perhaps until the umpteenth revolution)--the balance of social relationships shifts in favor of those who have become (or can become) part of the modernizing apparatus in the political, administrative and economic hierarchy. In the traditional patron-client relationship the patrons become the winners and the clients remain the losers--while the bonds of duty remain or become more onerous through being formalized, the responsibilities of the patrons become weaker or are narrowed through codification along lines unfamiliar to the traditional society or unneeded by it.

If this roughly sketched outline of some aspects of the process of change can be accepted as a working assumption, it would follow that little is to be gained by seeking to redress the balance of human rights largely or exclusively through activities in the legal sector. At best this might lead to slow and ineffective nibbling at a problem with no assurance of success and at the risk of further strengthening those who in effect control and benefit from the legal system. The better approach, and one more closely in line with the process which African leaders claim as their commitment, might be, at least concurrently, to see how the conditions inherent in the traditional system of social relationships can be more rapidly adapted to the ongoing process of change. Little, so far, seems to be known about this, so that the necessary first step might well be research on such topics as:

- Traditional mechanisms to maintain and protect the social and economic rights of women.
- Traditional rights of access to and enjoyment of rights in land, including the customary pattern of devolution of such rights.

- Ways of maintaining and protecting individual rights in the traditional society to basic services for subsistence and survival by way of adequate food, shelter, and access to the learning of such skills as are necessary to maintain membership in good standing in the social group.
- Traditional processes of arbitration and adjudication of conflict.

Clearly, there are many others. Work along these lines would tend to reconcile the search for authenticity and the need to create conditions within which modern development can take place which would inflict a minimum of injury and conflict on individuals whose roles as agent and beneficiary in the process of change is impaired, at about the rate at which the total process achieves success.

The route to go then in furtherance of basic human rights might be to strengthen the capacity of the LDCs to deal with change in this perspective--to raise their capacity to bring to the process of change a historical and social dimension, perhaps by building up their institutions for social and behavioral research.

Human Rights in Economic Development (8/13/76)

Staff people from the Hill, Foggy Bottom, and human rights groups got together with a bunch of university people for a heavy six-hour discussion this week on human rights in economic development.

In its 30 articles, the Universal Declaration of Human Rights describes rights which might be classified as "economic" and "political-civil". The first category includes rights to a standard of living adequate for health and well-being; to employment and pay for work which ensures an existence worthy of human dignity; to education; and to form and join labor unions. Among the political-civil human rights are those against torture or cruel inhuman, or degrading treatment; against arbitrary arrest, detention, or exile; for freedom of expression, association, religion, the press, and pursuit of one's culture; and for freedom of movement and residence.

This is not a full or precise catalog. It suggests, however, that we are not dealing with personal whim or license.

There is room for argument about my classification of rights, but it has been customary in recent years for some people to worry about the economic rights and others to worry about the political-civil rights. Many people have assumed either that the two are incompatible or that, in the long run, the pursuit of one will lead to the other. In any case, there has been no effort of which we are aware within the economic development community to identify and discuss strategies available for developing countries and aid donors to promote economic and political-civil rights within the context of economic development programming.

This is the point from which the discussion started. No attempt was made to find ultimate truths or to forge a consensus. On the other hand, the participants furnished some clarification and enlightenment that should be of interest to everyone--including AID people--who is concerned with the quality of life.

What follows are my notes. I am not prepared to say that every participant agrees with each point recorded in them.



economic strategy

Economic development strategies have human rights consequences which are seldom articulated by the advisors who promote them. It is not that proponents of the 1950's-1960's growth model are heedless of the condition of human rights, but they assume that economic and other rights will eventually spread to everyone. The process requires patience on the part of the poor people and discipline or repression of political-civil and economic rights for large parts of the public. On the other hand, the socialist models also contemplate or require repression, although their proponents claim a greater interest in the near-term well-being of the poor.

While little attention has been given to the design of strategies which seek to maximize both types of rights for the largest numbers of people in a country, it is possible that an approach which emphasizes rural development, small farmers, and decentralized decision making structures would be better from this standpoint than schemes which stress rapid industrialization and centralized decision making.

There are obvious problems with the new rural development push, however. For one thing, it may provide the means (with foreign help) for authoritarian rulers or administrators to expand their control into the countryside. For another, the administrative convenience and the practical needs of the foreigners may encourage the growth of central power. After all, there has to be someone to make agreements with and get data from on a timely and reliable basis.

Central power may not be inherently evil, but if the people who wield it are not dedicated to the maintenance of human rights and able to protect and promote them in the face of demands for efficiency, it certainly becomes a menace.

For many theoreticians and administrators, an element of repression is essential to the accomplishment of economic development objectives. Assuming their view has validity, it does not follow that all repression which is justified in the name of development actually contributes to growth or equity or any other development objective except the enrichment of a limited group.

what rights and whose?

There are gradations of political-civil rights. It makes no sense to insist that specific models of parliamentary democracy or party competition are essential everywhere, even if desirable. On the other hand, there are some rights which should not be viewed in relative terms. Torture is one. It is evil wherever it occurs.

Benefits from different types of human rights may be limited to certain classes or groups in the population. This can be the result of differences in economic or social status. Some, as a practical matter, pertain only to limited urban elites: Interference with the right to publish a big city newspaper is an example for a country with widespread poverty and illiteracy. On the other hand, the remoteness of the poor, especially the village people, from centers of communication or contact with outsiders or people of influence means that they may suffer the deprivation of rights even while the rest of the world sees no great problem.

In any case, torture is of no less concern for impoverished peasants than it is for university professors. The most wretched family in the most deprived village may be just as troubled as their city cousins when the authorities refuse to explain the fate of a father or son or daughter or mother who has been carried off by policemen or soldiers.

Whatever course one takes in distinguishing among political-civil rights, the protection and promotion of some rights may be essential to the success of development strategies and programs that receive aid from abroad. What sense does it make to support a small farmer program if the farmers are not allowed to organize effectively or if their attempts to influence decision making or to state grievances are suppressed?

People who care if such projects will meet the goals which are proclaimed for them must be concerned about these matters, regardless of one's general position on human rights, legality, morality, and so on.

With respect to legality, many economic and political-civil rights are recognized in international law, although it is not clear how significant the pertinent documents or instruments are. But people who support them are likely to read the language in different ways, depending in part on their cultural and philosophical background and beliefs. Even within the Western world there are different schools of political and economic thought which will lead to divergent interpretations of internationally recognized human rights. For example, John Lockeans stress the individual as opposed to the group. Rousseauans, on the other hand, give more attention to the individual as part of the group.

#### the role of development

When push comes to shove, the function of any government is to stay in power. The expansion of the state security apparatus is one means to that end. And the pursuit of "development" is also a tactic with the same objective.

In other words, development is not an independent or somehow pure objective which is outside the political and administrative pursuit of power and enrichment. Donors who care about the consequences of what they do have to understand this.

For the same reason, one should not be taken by surprise when proponents of equity and human rights who are out of power in a repressive country change their tune if and when they take over.

#### outside influence

The condition of human rights in a country may be influenced by the external environment--by real and potential threats posed from neighboring and other foreign forces. Internal threats, including violence from contending forces within a country, will necessarily affect the behavior of the regime, as will its approach to "nation building".

Outsiders, especially donors, who wish to influence government policies with respect to human rights should be aware of situations where their preachments and actions are seen solely as expressions of arrogance and hostility. In these cases, well-intentioned initiatives may lead to counterproductive results.

There are problems if some policies or spokespersons of an aid donor stress human rights to a Third World government, but other policies and spokespersons appear to be inconsistent with that position. The dissonance will, at best, confuse people.

If they choose to express their concern for human rights solely through the device of withholding economic aid, donors may be placing the major burden of their displeasure on needy people. Of course, they generally pay the price for the actions of the ones on top. But there may be cases where the aid, itself, or the support or legitimacy it gives the regime, contributes to inequities, to impoverishment, or to repression despite donor intentions.

The Human Rights Connection (3/26/76)

Last summer, the Administrator called for new initiatives in human rights.

Subsequently, Congress imposed restrictions on aid to governments that are consistent and gross violators of certain human rights.

The two actions are different and are independent of each other. The statute cuts off assistance from governments which overstep certain bounds, except that development aid which directly benefits needy people may continue. The Administrator's call, on the other hand, is not limited to specific countries. It extends to the full range of relationships between economic development and human rights, including positive contributions which U.S. assistance can make. The notion of human rights in this policy context is broader than that of the cut-off provision, which is concerned primarily with torture and cruel, inhuman, or degrading treatment or punishment, prolonged detention without charges, or other flagrant denial of the rights to life, liberty, and the security of person. In the policy context, our scope is at least as broad as the Universal Declaration of Human Rights.

A report has already been made to Congress on AID's implementation of the statute. The Administrator's call is much more difficult to answer, however.

At the outset, we had to ask ourselves: "If AID should attend to human rights in our bilateral development assistance country programs, what ought we be thinking about beyond the specific requirements of the new statutory restriction?"

This is a summary of answers from Country Teams accredited to governments which receive development assistance. While there is basic agreement on some points, we have the makings of lively debate on many others. That is why this is a summary and not a consensus.

six policies

They suggest six policies which might reasonably be considered for an explicit human rights dimension in bilateral economic development



assistance country programs.

- Terminate the program when a regime reaches a point where its disregard for human rights is so clear, widespread, and egregious that the U.S. does not want to be associated with it.
- In all other circumstances make an effort to assure that AID activities do not directly strengthen repressive organs and ideas.
- Emphasize participation in decision making, benefit sharing, and implementation by people who are involved in or affected by all development projects AID supports.
- Pay adequate attention to the social environment and social consequences of programs with which AID is associated.
- Support activities with an explicit human rights content, especially if conducted on a regional or international basis and not focussed on actions taken in one country.
- Insist on acceptance of certain human rights principles as a condition for starting up development assistance activities in countries which are new to the bilateral development assistance program.

Additional policies and approaches might be considered for activities AID supports which do not fall in the bilateral development assistance country program category.

#### limits of influence

Whatever approaches are taken, it is clear that the threat of withholding or granting development aid will seldom if ever have a substantial positive effect on a regime which is not otherwise so inclined. And it is doubtful that any specific project or program will have a long lasting effect by itself.

On the other hand, attempts to introduce "human rights" projects which are unrelated to the regular AID program in a country may have a backlash that politicizes all AID projects there, causes the cancellation of on-going programs, and otherwise endangers U.S. interests.

Anything which might be viewed as moral preaching by the United States is likely to be resented in many countries at this particular time in history, and that is as true of countries with good human rights records as it is of the others.

### political culture

Under certain circumstances, foreign assistance can improve the human rights situation in a country by fostering greater pluralism. This is done in part by programs which contribute to the influence of out-of-power, "have-not" groups. But there is another side to the coin. Greater pluralism, by presenting challenges to established authority, may have the perverse effect of inviting human rights abuses against the new emerging forces, as the experience of campesino unions in Central America shows.

Development assistance can provide the stimulus and support for economic progress and for stability which may be necessary for human rights to flourish. But development does not automatically lead to a better human rights situation. The pattern and extent of human rights violations in a country are more closely related to political culture (values and institutions) than to stages of development. The roots of the human rights situation in a country may lie deep in its history and may be relatively independent of outside "models". At least that is the case in Costa Rica, a human rights exemplar, which might usefully be studied in comparison with its neighbors.

Internal violence and perceived threats of insurrection or foreign attack may account for a rapid deterioration of human rights in a country. In one place where a propitious human rights situation exists, mounting lawlessness and unrest attributable to a 25% unemployment rate may lead the government to suspend civil liberties in desperation.

There is one country, at least, where governmental instability may contribute to political civility. The country's fortunes and misfortunes have long ridden on the ability of personalistic leaders to seize and maintain power. The regimes rarely have broad based support, and there have been sixty-three of them in 150 years. Because the members of each know their time in power may be limited, they realize it is not in their interest to foster situations which might call for stern, personal revenge.

There are circumstances where economic change, if not development, may have a negative human rights effect. This can happen where traditional values and sanctions are eroded or wiped out without adequate substitutes to maintain civility and the protection of individual and group dignity. New technologies can aggravate old animosities and can facilitate violations of human rights. Rising expectations and the display of new wealth may contribute to feelings of injustice and new kinds of demands or unrest which touch off reactions that are antithetical to human rights.

### making contact

To the extent that economic development increases physical contact among ethnic groups within a country and the control of some over others, there is a potential for serious human rights problems. On the other hand,

contact with other countries, especially education in the West, can improve the atmosphere for human rights in many places. In Thailand, for example, much of the momentum for the October 1973 revolution and some of its intellectual content came from Thais who lived and studied in the United States and Western Europe, although it is also likely that U.S. aid tended to be supportive of central authoritarianism, especially aid for "law and order" elements of the government apparatus.

It is just those elements, however, which are responsible for some of the most egregious human rights violations, often committed outside the control of established higher authority. It may be ironic, but the recent abolition of the public safety program means that the U.S. no longer has the opportunity to maintain contact and influence at points where it could have a direct impact on human rights.

An international presence, through aid programs and otherwise, can help to protect human rights. Governments are unlikely to remedy bad human rights situations unless their existence is known and reported. When outsiders are around, it is more likely that this will happen. And their presence can act as a restraint in the first instance, or help to bring the weight of international opinion to bear when violations do occur.

#### kinds of rights

Much of the attention given to developing country human rights problems by the press and public in Europe and North America focusses on civil and political liberties that are important but may not be of direct concern to a large part of the population. In the context of economic development assistance, however, AID can be most helpful when we focus on development related rights, among which are food and survival, an adequate standard of living, local participation in benefits and decision making on activities that affect local people, nondiscriminatory implementation of development programs, and equal treatment for minorities. At the minimum, AID's projects should be implemented in ways that promote and preserve these rights. It is not always clear how to do that, however.

In some cases, particularly under the new AID Mandate, we may find serious contradictions among human rights which we favor. For example, there is no doubt that property and individual rights of large landlords in Ethiopia are being violated, just as many people were abused under the Emperor's regime. There have been summary arrests and detention without trials. But these actions are being taken in the name of equity, the greatest good for the greatest number, and help for the poor majority.

It may be useful to think of some countries as being made up of two, very different, almost isolated societies with their own aspirations and needs. One is the urban, middle class, relatively modernized society. The other is the poor majority. The human rights that are relevant to the concerns of each are likely to be different. An interest in political and civil liberties which are central for liberal democracy and may have particular meaning for the first group should not blind us to the primary need and right of the poor for a share in the country's wealth sufficient to provide an adequate standard of living. And this includes the opportunity to improve their economic

and social conditions and to participate in decision making on matters that affect their lives.

A pervasive problem affecting the rights of the poor which should be of concern to external aid agencies is the indifference and unresponsiveness of government bureaucracies in providing services which by law and administrative act should be but often are not readily accessible to the public. We should recognize, however, that there is a danger in advertising rights and benefits which may be provided by law and theory but which are unavailable in the real world.

where we are

None of these ideas is self-executing, of course, and most call for new understandings, analytic ability, and sensitivity which have not been standard equipment for any of the donor development agencies or the academic institutions that train people to staff them.

It appears, however, that many AID, State Department, and USIA people in the field have given the matter careful thought and have advanced the subject well beyond the empty rhetoric and oversimplification which characterizes much discourse on human rights and foreign policy.

Human Rights and the U.S. Interest (3/19/76)

Everyone knows this is the Nation's bicentennial year. And most people are aware that we just passed the two hundredth anniversary of An Inquiry Into the Nature and Causes of the Wealth Of Nations. But there is another reason for retrospection and reflection in 1976. This year marks the close of a decade since the original enactment of AID's Title IX. While we have no recent word on the progress of the Carnegie Endowment study of the evolution of Title IX and its impact, we learned this week that the New England Political Science Association has scheduled a paper to be delivered at its April meeting which deals with the subject.

At the same time Title IX was passed, there was concern that AID people gave little conscious thought to political and social aspects of the interventions they were making or to popular participation in the benefits of development, in its implementation, or in the decisions which guide it.

The consequences for human rights of development patterns supported by AID is one of the problems that weighed heavily on the minds of some, at least, of the original sponsors of Title IX, and interest in that aspect of the foreign aid enterprise has not slackened over the years.

Whatever the situation was in 1966, many AID people in the field today are actively trying to think through the possible relationships between human rights and development and where the U.S. Government fits into the picture. There is no unanimity among them, of course, and for each view there is at least one counter perception.

To assist the discussion, Dick Podol recently set down some hypotheses. Probably few of us are prepared to accept them without qualification, but his stark challenge should stimulate the discussion he had in mind.

Here, without quotation marks, is a verbatim excerpt from the paper.

Development means change which, in turn, means the weakening or destruction of the existing social fabric at varying speeds and through differing methods. With a government mandate to develop their societies come what may, direct and forceful pressure is brought on local people. Government can become deeply involved in daily village life. With development comes the (1) growth of central military power, (2) decline in the self sufficient family, and (3) improved communication systems. This allows imposition of the government's political, economic

communication systems. This allows imposition of the government's political, economic and social values upon the village as was not the case before. Under these circumstances, oppression can increase.

Note also that the hold of those in power on the populace, while it can be oppressive, is also often shaky. This is due to several factors. Firstly, without a democratic political system or safety valve there is jockeying for power within the ruling group with a faction waiting to dump the dominant group if it becomes too vulnerable. Secondly, development begins to create an educated middle class made up of technicians and managers who often agitate for a larger political voice or more consumer goods and prerogatives. (This is the group that we in the West have pinned our hopes on as becoming the foundation of LDC democracies.) The university student, radicalized both by his professors and what he sees around him, particularly the refusal of "haves" to relinquish their advantages, is the prime example of the discontented elite. At the other end of the spectrum are those poorer elements who are caught by unemployment or underemployment, squeezed by inflation and who see economic advances around them in which they do not share. This creates another potential disruptive element. All this can mean people demanding more--political or economic--than government can or will give, with repression a common response.

Putting all of these factors together one can make the case that development can stifle various human rights, many of which were not actively perceived before development. This is an important point. Governments are by nature oppressive, but the oppressiveness can remain latent when people are compliant. In the long run, in two or three generations, will democracy evolve in all but the most authoritarian and controlled of societies. Today the picture is gloomy, the future unknown, with development programs both a flimsy and highly uncertain human rights tool.

At the country program level individual projects can encourage local participation and a social soundness analysis may enlighten us on whether there is a meaningful dialogue between citizens and government, and who will benefit from the project. But whether this will lead to expanded human rights is dependent upon the nature of the political system. Examples of participation and involvement as a method of State control abound. Perhaps our programs can only be human rights neutral on the political side. They can be more influential on economic matters and have impact on social change. But the variables are not usually controllable by outsiders.

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P A R T   I I

THE SOCIAL AND POLITICAL CONTEXT

Institutional Development and Ethnic Minorities (3/8/74)

Adapting and reconciling traditional behavior and institutions to emerging conditions and pressures must be an overriding development concern in the future, according to Madame Pham Thi Tu.

Illustrating the point with the institution of the extended family, Madame Pham, who is the Director of the GVN's School of Social Work in Saigon, told a recent South East Asia Development Advisory Group (SEADAG) seminar how that traditional form has been eroded in her country by the impact of Western civilization and the process of urbanization. Time cannot be reversed, and although the spirit of the extended family pervades most Vietnamese social relationships, even in nuclear families, many of the actual functions which they traditionally performed are now left undone for growing numbers of people. These include assistance for the aged, orphans, and other dependent groups. In addition, new arrangements, including urban day-care centers, are required to make it easier for women to work outside the home.

Madame Pham's comments and those of other participants in the January meeting of SEADAG's panel on Vietnam, Laos, and the Khmer Republic may be relevant for disaster and development assistance work elsewhere. The official 30-page report of the discussion was received this week and is available from SEADAG.

Madame Pham warned against the tendency of outsiders to believe that all the people in a developing country have the same perceptions, values, and goals. She also expressed impatience with the idea that a national consensus must be found for social policy and goals, a notion which some of the American participants were urging. Let's face it, she said in effect, definitions of desirable standards and qualities differ not only from Western concepts but among classes and groups. Given those differences, redevelopment and reconstruction must proceed under conditions of continuing conflict and within tight constraints of time and pressure.

Colonel Nguyen Be talked about policy with respect to ethnic minority groups. He warned against the kind of development assistance enthusiasm which seeks to penetrate the most remote places and to have an impact on the people who live there. He suggested that montangards in Vietnam should be protected against assimilationist pressure. They should be given a chance to reinforce their ethnic heritage and develop their own economic strength and skilled indigenous leaders. Then they will have the resources to compete with Vietnamese communities for political power and meaningful positions in government.

Arthur Smithies, a Harvard economist, said that in their present condition, most montangard communities are self-sufficient, and assimilation would be economically unsound for them and the country.

Other participants argued that isolation and full assimilation are not practicable alternatives. The need is for a viable national entity which permits ethnic minorities to maintain their cultural identities.

There was extended abstract discussion by many of the Americans during the three-day conference, and some of the Asian participants indicated impatience. According to the official report, the Rector of the University of Hua "suggested that future seminars deal with more specific problems plaguing Vietnam rather than the philosophical issues concerning the place of traditional values in social development policy. Vietnam is currently facing severe problems of dislocation, refugees, disenfranchised youth in cities, juvenile delinquency, and drug problems among both university and primary school students."

SEADAG brings together Asians and Americans to talk about development and development assistance policies in Southeast Asia. The discussions it sponsors include American and Asian academics and officials. American academics generally preside and control the agendas. The Asia Society, which sponsors SEADAG with AID funds, seeks "an open give and take between governmental and non-governmental participants, with the emphasis upon intellectual stimulation rather than upon immediate problem solving." The problem is that some American scholars' "intellectual stimulation" may be tedium for other people.

Tolerance (3/15/74)

Economic development is continually subject to crisis and perhaps disaster even after lengthy periods of forward movement. And the decisive role is played by politics.

That is what we must learn from past experience, according to Harvard economist Albert O. Hirschman, whose views are set out in the November 1973 issue of a publication called The Quarterly Journal of Economics. A digest of his article will appear in the April 1974 Development Digest.

The crux of the problem is peoples' tolerance for income inequality. When that tolerance is lost, there is bound to be trouble, economically as well as politically.

Inequalities in the distribution of income are bound to increase sharply in the early stages of economic development. For a period of time, this situation may be tolerated because it is not perceived or because the people left behind expect to benefit.

It is inevitable that people (or groups) who do not realize their expectations will become angry with the established order. The rulers and their economist advisers are not necessarily given any advance notice of this decay and exhaustion of support or acceptance. "Thus, about the time they ought to be on the lookout for a drastically different climate of public and popular opinion, they are lulled into complacency by the easy early stage when everybody seems to be enjoying the very process that will later be vehemently denounced and damned as one consisting essentially in 'the rich becoming richer'"

How long will people on the short end of the stick remain tolerant?

Not very long if economic advance becomes identified with one particular ethnic, language, or religious group, or with foreign capital and personnel. They will soon be convinced that their situation will not improve in the future; and that it may, in fact, deteriorate. In this circumstance, development strategies place a heavy emphasis on central

direction and on coercion to protect the gains and prospects of the beneficiaries.

If a country's resources are largely owned domestically and its society is homogeneous, the tolerance for economic inequality may be great and long lasting since no barriers are seen to keep those who are left behind from empathizing with those who are "making it". Another factor which favors continued tolerance of economic inequality is the existence of extended family ties, which hold the promise that the people who advance will share the benefits with kin who do not.

There is a catch, however. The development process may disrupt extended families and the willingness of the members who advance to meet traditional obligations and expectations.

Moreover, the tolerance of inequality in a homogeneous society eventually runs out, and when it does, the explosion may be fierce; "the more prone it will be to violent social conflict in the course of development unless its leadership is uncommonly perceptive and able."

The shared experience of newly won independence or of revolution can provide a sense of unity and homogeneity and may supply or revive tolerance of economic inequality because of the generally shared expectation of benefit. But there is an irony here. Revolutions may take place to remove inequality, but they also provide societies with "a specially high tolerance for new inequalities when and if they arise." He mentions the Mexican revolution in this regard.

Hirschman suggests that wise development policy will take these factors into account. Where the inequality tolerance is high, stress can be placed on growth strategies that do not emphasize equality. Where the tolerance is low, then sound economic development policy may give greater attention to distribution, even if that means slower growth. Of course, he notes, there are no accurate measurements of this tolerance factor which will pinpoint the time when things will blow. Nevertheless, a five-page appendix by Michael Rotzchild, of Princeton, purports to demonstrate "how easy it is to incorporate [the Hirschman thesis] into formal models".

While experienced AID practitioners may wonder about the broad generalizations, Hirschman's piece directs attention to the nature and politics of development in particular social environments and to possible relationships with which current AID doctrine and techniques do not equip us to deal.

Burundi (11/12/74)

A military coup in Burundi last week overthrew President Micombero just ten years after the military coup which brought him to power. His administration was characterized by brutal repression of what we might call the poor majority, but this did not bring him down. The problem appears to have been factional conflict among ruling elites and his close association with John Barleycorn.

Political power in Burundi is controlled by the Tutsi people, who account for about 14 percent of the country's estimated 3.5 million population. Their victims during the Micombero administration have been the Hutu people, who make up about 85 percent of the population. (Europeans aside, the remainder are Twa people, who are dumped on by everyone.)

As the country's governors, the Tutsi conduct its international affairs and its relations with external donors and advisors, including the People's Republic of China, various Western European governments, the European Development Fund, the World Bank, and the U.S., which is Burundi's chief trading partner.

In a particularly gruesome year, 1972; government policy supported the slaughter of 100,000 to 200,000 of its Hutu citizens. Perhaps 200,000 more targets of violence fled the country. No one has an exact body count.

Burundi had the benefit of Western religion (65-70 percent of its people are Christians) and Western administration under the tutelage of Germans and Belgians for about 65 years before it became a sovereign state in 1962. Although the depopulation of 1972 may have boosted per capita GNP, that figure is variously estimated between \$50-\$80, making Burundi one of the least developed countries. It is also one of the most densely populated.

A new monograph published by the Foreign and Comparative Studies Program of the Maxwell School at Syracuse University



(Political Conflict and Ethnic Strategies: A Case Study of Burundi) provides useful background for people concerned with aid to Burundi. So far as the rest of us are concerned, Burundi may be an extreme case, but the study could enlighten anyone with aid, trade, or investment responsibilities that pertain to multi-ethnic countries. The matter with which it deals is seldom covered in economic development literature or recognized in the institution building and rural development models so popular in academic circles these days.

The authors are Warren Weinstein, of the State University of New York (Oswego), and Robert Schrire, of Capetown University. They suggest that the 1972 tragedy was, in part, a natural result of policies followed by Europeans and of patterns taken by economic development.

### inequality

"The distinction between Hutu and Tutsi in the countryside has always been a relative one. The actual economic conditions were not that different, given the very primitive technology. A wealthy person was someone with more cows than average or a larger plot of land. Since colonialism, with the importation of a much more sophisticated technology and greatly expanded economic opportunities, the discrepancies between Hutu and Tutsi have widened. Although actual living standards remain quite similar, it became increasingly true that a Hutu could never expect the same opportunity to rise economically or socially as a Tutsi. After 1966, this trend accelerated."

...the colonial administration emphasized each individual's identity and then ascribed social values to each tribe: the Tutsi were perceived as innate rulers, wily and aristocratic, and the history of Burundi was believed to be the history of the Tutsi. The Hutus were perceived as boorish workers who feared and respected the Tutsi as their masters. Although the Belgians softened these stereotypes, they did not change them in any fundamental way. The result was uneven development, with the Hutu being left far behind in terms of education and political sophistication. A discontinuity had already existed between Hutu and Tutsi, but during colonial rule this latent cleavage became apparent. Furthermore, the colonial policymakers sought to transform the Burundian political system into a highly centralized and efficient bureaucratic order which was extended to peripheral areas with only the most tenuous ties to traditional Burundi. In the process, they eroded much of the ethos which underpinned Burundi's traditional socio-political structures and the sources of traditional legitimization."

The rhetoric of the post-independence regime stressed revolution, social justice, and an end to discrimination based on class, ethnicity, and region. Programs of mass mobilization were carried out in the name of the "revolution", with speeches about unity and national purpose, but in their day-to-day behavior, the administration bureaucrats emphasized ethnicity and inequality. Party cadres, dominated by the Tutsi, exhorted the masses to participate in collective voluntary labor for the good of the state; but few high level party cadres or state functionaries were recruited from the Hutu people, which accounted for most of the "masses" in whose name the labor was "volunteered".

Increasing population density has intensified conflict over land. Before independence, Europeans took measures to assure control of land they farmed. And during the past ten years, the practice is to settle land tenure disputes at the expense of the average Hutu and in favor of local and absentee Tutsi landlords.

#### returns to education investment

In the repression of 1972, Weinstein and Schrire say, almost every adult Hutu with some degree of education, Hutus making up 40 percent of the total student population at secondary and post-secondary schools in or near the capital, and eight Hutu medical doctors representing 8/18 of Burundi's total population of qualified physicians were killed. According to one observer quoted by the authors, the most insignificant educational innovation is now suspicious to the Tutsi because it could allow the truncated remnant of Hutu to make progress.

#### monetary advice

The 1972 repression followed an abortive uprising, which occurred after a currency devaluation ordered by the government, which had IMF advice. "The price rise of items used by Burundi's ruling Tutsi elite was passed on to the peasants, who were exhorted to produce more while the government and Tutsi controlled commodity boards paid them less for the cash crops that they grew or allowed them to hold on to less of their earnings."

Weinstein and Schrire suggest that ethnic hostility has an important value for some people in each of the groups involved because it diverts attention from factional competition and growing economic disparities among their own members. Intense factional conflict within the Tutsi elite occurs in

the absence of a perceived Hutu threat. Long festering peasant resentment against the forces of modernity, which they perceive as a threat to their well-being, is also wrapped up in what Weinstein and Schrire call "web of conflict".

October 11, 1974

MEMORANDUM

TO: AA/PPC, Mr. Philip Birnbaum  
FROM: PPC/PDA/CP, Jonathan Silverstone  
SUBJECT: Weekly Report

Growth, Distribution, and Leakage -- The Princeton Conference

Economists and other social scientists from developing countries in Asia, Africa, and Latin America met at Princeton last month to discuss income distribution and economic development. A broad range of views and professional biases was represented there as they talked about the nature of the problem in their countries, the effects of government policy, and the kinds of research that might be relevant and useful.

But there appeared to be a consensus on some points, including these:

- economic growth does not automatically lead to equity;
- generalizations about equity, income distribution, and the effects of income distribution policies are dangerous;
- cross-national economic and social indicators are of dubious value, if not downright misleading;
- policy and project design and appraisal should consider history (how the situation got the way it is), existing internal social structures, and the outside forces that affect conditions in the country and the options open to its people;
- it is not helpful to consider major revolutionary change as the only hope for the poor to improve their lot.

LDC leaders often argue that it is not feasible to worry about equity while promoting growth and free market economies, the conferees noted. Some governments, such as those in Brazil and Nigeria, might pursue equity if they thought it could be done without endangering economic growth. Abundant oil revenues may give Nigeria's leadership the chance to try. Windfalls aside, however, neither foreign advisers nor local technocrats have suggested approaches that governments find compatible with their stability and security.

Some governments and economic theoreticians take comfort in the "Kuznets Curve". It shows that economic inequalities become more acute as economic development gets started, but it promises that the situation will improve in the long run. Although events in developing countries support the first part of the formulation, the LDC conferees said, they see no basis to accept the second part. /Simon Kuznets, himself, recently expressed similar skepticism, suggesting that equity may be a pre-condition for self-sustaining growth rather than a necessary consequence. See his "Postwar Growth of Less Developed Countries", Rehovot Conference, 5-11 September, 1973./

While equity does not automatically take care of itself, some LDC conferees fear that the World Bank and other aid donors will insist that governments pursue income distribution policies which fit preconceived notions about what is good and what works and without regard for economic growth needs. This attitude would be wrong-headed, they said.

Donor agencies and outside scholars tend to generalize about the problem and about remedies, the LDC participants said, but situations in two countries or localities are seldom the same. For example, low-end poverty may be far more meaningful as an issue in some places than general income equality. And while it may be useful to think in terms of separate rural and urban sectors in one country, the distinction may be meaningless in others -- Ghana and parts of Nigeria, for instance.

There was general skepticism about the value of cross national economic and social data. Participants from countries which, according to World Bank data, are reputed to have very good income distribution said they are proud of the honor, but the situation looks quite different on the ground. In one case, the Bank's finding is based on wages and salaries, which have little meaning for the wealthy in that society, where capital gains and windfalls of various sorts are the most significant forms of enrichment. In another country the figures mask a rapidly deteriorating situation in the countryside.

The visiting scholars condemned statistics and analyses which factor out local and international history and the social and political situation in a country. This argument was put many different ways, depending in part on speakers' political and social ideology and national experience. But the point remained the same. The current distribution of income or poverty in a society got the way it is over

time and for historic reasons. Possibilities for the future are limited by structures that have roots. It is therefore wrong to assume that the present situation can be understood and the effect of policies, programs, or projects predicted without taking these matters into consideration.

Among other crucial factors which they believe developed country economists and aid planners have overlooked are ethnic and communal structures and what might be called "internal imperialism". Most countries are made up of different ethnic or cultural communities, but this fact, which is of major importance for national politics and policy, is passed over in economic theory and policy advice.

Moreover, national governments may represent a city or a small geographic part of a country, or a particular group within it, which seeks to exert control over the hinterland for the purpose of exploitation, or to protect itself against outside threats. Where that is the case, the effect of well intentioned help from donors is to tighten the grip and promote the aggrandizement of these people, behind the facade of development, welfare, or whatever the stated objectives of the aid people are.

Much economic analysis looks at a country as an independent entity when, in point of fact, all developing countries are subject to outside forces, interests, and decision makers that affect internal conditions and the options open to their people. The conference agreed that this kind of analysis is unsatisfactory, whatever position one takes with regard to the various schools which view development questions in terms of "dependency"

Some outside analysts also make the mistake of thinking there is "an elite" in a country, where it would be realistic to see elites, or, at least, differences in interest and view among the single elite. This plurality of elites can be significant in terms of the available options for policy and programs that favor growth and equity.

On the other hand, outside agencies which believe they can "fine tune" their programs for "the bottom 40%" are unrealistic, at least in the case of some countries, such as India and Ghana, where most of the bottom 90% live in poverty.

At earlier Princeton meetings on income distribution and economic development, attended largely by officers of international institutions and American scholars, the view was frequently stated that only major revolutions could lead to substantial relief of low-end poverty or

more equitable income distribution. Foreign scholars at last month's meeting, including those who appeared to be of the Left, rejected this view. It is not realistic or helpful to see the choice only in terms of the two alternatives of no change or small reform, on the one hand, and a sudden overthrow or collapse of the power structure, on the other.

Nevertheless, while it might be possible to design policies or programs to benefit the poor, the condition of these people will not, in fact, be substantially improved if they lack political power, the visiting scholars seemed to agree. As a practical matter, some said, it helps if poor people or disfavored groups are seen as a threat to political stability, and it may be essential for them to have the ability to organize.

During the course of the discussion, one LDC participant recommended that every proposed project or program be appraised in terms of "leakage". The analysis would deal with two questions: (1) How much money or resources will be absorbed by the institutions through which the activity is to be carried out? (2) How much will be delivered to recipients who are outside the planned class of beneficiaries? In a given country, he suggested, different kinds of projects or programs will have different leakage characteristics.

The proceedings will be written up by the Brookings Institution-Princeton University consortium which sponsored this conference.

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P A R T   I I I

INTELLECTUAL AND CULTURAL CONTACTS

Quotation for the Week--Talking About Human Rights

"Desire for a more mature relationship--and past experience--suggest a less tutorial one-way exhortation in discussing these subjects, and a deeper mutual exploration of what multi-cultural co-existence means and of what would be a viable moral and philosophical basis for a world society made up of even more people facing more difficult problems in sharing resources. Rather than argue the forms of institutions, the substance for exchange in ideas might shift, for example, to human rights and transnational values. Or we might, when urging consideration of such ideologically important themes as individual rights, free enterprise, political freedom and participatory democracy, project them for their timeless and inherent worth, not as American national property to be extended as foreign aid. In fact, many of our ideals do have roots in civilizations of the third world."

Glen Fisher, U.S. International Educational and Cultural Relations, Bureau of Educational and Cultural Affairs, 14 January 1976, pp. 50-1.



Evaluation (2/28/75)

During the past 25 years, U.S. bilateral economic assistance helped about 167,000 people from abroad to get training outside their own countries and to return, according to a new (25 February) report by Bill Parks.

Most of them came to the United States for varying periods of time. Some took advanced degrees at the Maxwell School of Citizenship and Public Affairs, at Syracuse, where the faculty and administration last Spring invited a group of Asian, African, and Latin American graduates back to the campus for a discussion of the virtues and defects of their program for developing country students. The comments are summarized in a new book Public Administration Training for the Less Developed Countries, edited by Irving Swerdlow and Marcus Ingle. Copies were distributed in AID this week by our Manpower Development office (Mary Pool), which, with the Ford Foundation, provided financial support for the sessions.

The 13 graduates from Asia, Africa, and Latin America who participated attended Maxwell between 1944 and 1974. They include Colombia's delegate to UNESCO, who has served as his country's Minister of Education; the Deputy Director of the United Nations' Division of Public Administration and Finance, who comes from Pakistan; the Dean of the Philippines Institute of Planning; the Director of the Indian Institute of Management; the Director of the Economics Department in Iran's Ministry of Foreign Affairs; an official from Liberia's Ministry of Finance; a planning official from Brazil; and educators from Somalia, Israel, and Turkey.

American graduates, including two AID officers, and some foreign students currently working at Maxwell participated, and their views are also reported in the Swerdlow and Ingle book.

Today, according to one participant, "the general mood among believers in public administration training is one of disappointment and disillusionment." But this is due, in part, to an early job of overselling. "It was depicted to the developing countries as a panacea for every conceivable shortcoming and difficulty in their efforts for national development."

The management and administration ideas offered to developing countries are largely based on two assumptions, which are now being challenged but may

still influence the thinking of American educators. The first assumption is that the developing countries will achieve progress by duplicating the institutional and even cultural milieu of the advanced countries. The second is that American theories and practices of management and administration have universal applicability.

Management and administration doctrine that comes out of the United States is basically urban and middle class oriented and charged with materialistic values. But, Faqir Muhammad (who is now a UN official) said, developing countries need officials who are willing to work in rural areas, without urban amenities, and at modest wages.

A further difficulty is that the American public administration field developed around and has been concerned primarily with movements for government reform that were, in large part, indigenous to this country. As a result, its teachers and researchers have focussed on local government and civil-service reform, efficiency and economy, public service ethics, relevance and productivity. This background has limited the ability of the American schools to offer much help for agencies which must direct their attention to employment maximization, to ways and means of promoting patterns of human settlements so as to avoid problems associated with rapid urbanization, and to the achievement of economic development that avoids "the seamy side of industrial progress."

When students return to their own countries, they are often torn between the real world at home and theories and techniques that are irrelevant. "A few of them try and succeed in unlearning some things and relearning others, which enable them to relate better to their local context," Faqir Muhammad noted. "But this is an arduous process and claims many casualties. In any case, they are more liable to criticism from both sides, their national peers and transnational teachers. The former may believe they lack the necessary sensitivities and knowledge of local conditions. The latter may think they are abandoning the purity of doctrines and concepts which are so arduously taught to them in their training abroad."

Metin Heper, a professor from Istanbul, put the situation of officials who return from foreign training this way:

"Unable to establish the administrative organization which their training and experience has deemed necessary for good administration, unable to make valid and effective policies, they are apt to be reduced to alternate political means in the form of authoritarian solutions, corruption, and extra governmental power plays. Still another consequence would be that new knowledge may be considered only as a source of prestige. Worse still, the studying of the Western models may lead to a new kind of 'rationalism' (elevating what is learned to a new ideology and making it a base for a new set of deductive reasoning). Consequently, one comes across administrators who evaluate every

administrative structure and/or process as to whether they are like those of a country they are most familiar with, or university professors who judge their university on the model of the university in a developed country where they obtained their graduate degrees."

American social science seeks to be value free. Its teachers stress that policy or direction comes to administrators from outside and that the execution of the policy and the administration and management of organizations is, when properly done, a technical or scientific, objective matter. Whatever the American reality may be, Maxwell's foreign graduates said the situation is different for administrators who have returned home with foreign training. They are, in fact, policy making elites. Patom Manirojoana, a Thai Ph.D. candidate who has served in the Ministry of the Interior in his country, said, for example, "that a public bureaucracy in the LDCs has become a necessary, powerful, and frequently the only leading force in the society to achieve the development goals."

Moreover, the whole process of change, with which administrators must deal in developing countries, is (quoting Ali Galied, of the Somali Institute of Public Administration) "eminently political." "Change or the lack thereof, benefits some and works to the disadvantage of others...and LDC administrators, whether we like it or not, are in the group which benefits not from change but rather from the maintenance of reigning structures."

Although there was not complete agreement on specifics, the graduates stressed a need, in Patom Manirojoana's terms, for an atmosphere that encourages trainees "to internalize a set of desirable attitudes, values, and philosophies in addition to the regular intellectual exercise."

And the administrator needs a depth of political and social understanding which might be considered unnecessary for the teaching or practice of management and administration in the United States.

Some graduates found that the university atmosphere--in the United States and abroad--may be incompatible with what is needed. One participant blames "a quest for elegance like that found in a finishing school." "As students and educators we become preoccupied with pursuing a type of elegance with respect to the models we employ and the discourse we engage in. This promotes immobilism, especially when we go back to our respective countries. It isn't just public administration which is deficient; economics, political science, and sociology are in no better position. Courses in economics that are grounded in equilibrium theories are absolutely irrelevant to people from developing countries. So too, Western ideas of political science and sociology are of very little use in developing areas."

Reflecting on his experience as a student in the U.S. and a teacher and official in Brazil, Jorge Francisconi finds "a certain arrogance in the way campus often defends its 'scholastic approach'. One such manifestation is a certain tendency to see the outside world corrected by 'modeling glasses', i.e., models and structures which can be perfectly adequate for a better understanding of the external environment, but which frequently become ends in themselves. One example of this arrogance, which pushes the real world further and further away, is the tendency to quantify things when qualitative aspects of the phenomenon are not yet known. Another form of arrogance is the lack of malleability and understanding with which many 'scholars' face the difficulties of decision making and political life. I find this problem extremely serious in my country, where somebody who has a university degree or comes from a foreign training program is considered, or considers himself, a superior being."

Some fairly specific suggestions on issues that require further examination among practitioners and scholars in the advanced and the developing countries were suggested by the participants and some positive recommendations were made with respect to the training of foreign students in the United States.

Among other ideas, the recommendations call for greater familiarity on the part of faculty people with developing country environments and problems, on the one hand, and greater flexibility in curriculum for foreign students, on the other. This flexibility would relieve the students of requirements that are dysfunctional or irrelevant to their needs and would provide greater opportunity for work that will benefit their homelands.

The full program, summarized in the Swerdlow-Ingle book, included a paper by Ted Owens on administration of rural programs. Many of the foreign graduates welcomed the principle of local participation, which he stressed, and they expressed a need for further information on what it means in practice and on the experience of developing countries with significant rural programs, including Uganda, Peru, Pakistan, and Colombia.

Perhaps it would be worthwhile for other schools to invite foreign graduates, including AID participants, to make similar evaluations of past programs and suggestions for the future. The exercise might improve their product for foreign consumers, and--who knows?--it could have domestic benefits as well.

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P A R T I V

REPRESENTATIVE INSTITUTIONS

Thailand (10/8/76)

The day before this week's bloody coup, we saw a report on "The Future of Thailand" by Jeffrey Race, an Institute of Current World Affairs fellow who lives there.

Writing last April, he notes that the opponents of democratization were arguing the kingdom is incapable of democracy and requires paternalistic dictatorship. The alternative, they said, is indiscipline, crime, the breakdown of public authority, weakening vis-a-vis external powers, and an inability to pursue coherent developmental or foreign policies.

But he warns against betting on a restoration of the old regime to hold the country together. On the contrary, democratization was Thailand's only hope.

Before 1973, the country was run by an alliance of businessmen and the military and bureaucracy against the farmers and the provinces. That regime collapsed, he observes, after leading members of the commercial oligarchy withdrew their support because of increasing evidence that the government was running the country into the ground.

It was then evident that two basic reforms were necessary to keep the country from coming apart because of internal and external pressures. They are: (1) a thorough-going overhaul of the institutional structure of the agricultural sector, which was in a shambles in 1973 because of endemic monopoly practices, inadequate rural education, and political constraints on farmer organization; and (2) dismantling the structure of control built up by the military/bureaucratic coalition over four decades to support itself unreasonably at the expense of the rest of the citizenry, and, as a side-effect, to hold back the progress of the nation.

The great development challenge was for a newly democratizing society to carry out reforms of that kind, which inevitably face violent opposition, as a campaign of intimidations and murders demonstrated. The mounting terror included the killings of farm leaders in the North, threats against politicians, and the assassination of the Secretary General of the Socialist Party.



What the country now faces after this week's events, his analysis suggests, is a collapse of the economy and the nation. It will happen because of a failure to invest in and promote the agricultural sector and because of centrifugal forces in the outlying provinces. There is a long history of the rise and fall of societies in Southeast Asia which suggests just such a pattern, and there is little in the current situation to show the future will be different for Thailand.

A newly resurgent Vietnam will not have to work hard to take advantage of a collapse of the kingdom. The North will be lopped off from Bangkok's control by a growing tribal revolt under communist auspices. The "liberated areas" of the Northeast will expand. And the South will be "in flames" through the cooperation of certain Middle Eastern powers. In this scenario, the military/bureaucratic complex in Bangkok will hold on as long as possible, isolated in the Central Plain, plagued by domestic turmoil there, and vainly gobbling a shrinking domestic income.

Mr. Race warns us not be blinded by the apparent success of the Thai economy in recent years, by impressive growth rates and foreign exchange reserves. True, Thailand has been a major rice exporter, but this is not because it has been good at producing rice. Its rice yields are low, in fact, and its position is fast eroding because of population growth and the collapse of the ancient Siamese political system which permitted elites in the capital to squeeze rice from farmers in the countryside.

The Vietnam War was another prop for the Thai economy, Mr. Race points out. It provided "roughly two billion dollars in 'base rents'", and, with the firming up of the relationship with the U.S., also brought in private foreign investment.

Whatever hope there was for Thailand and its economic development depended on the government's ability to carry out reforms which would transform the agricultural sector and permit wide participation of all regions and sectors in the economic and political life of the country, as Mr. Race sees it. That called for a political system which could maintain the rule of law and would be open to free competition of different social groups.

Perhaps this is a situation where a violent military overthrow of a struggling democratic constitution will not contribute to economic development or regional stability.

"Iron-fisted Discipline is Necessary for Development" (7/30/76)

AID's program in Paraguay stresses rural cooperatives and small farmer programs. We got high marks for this emphasis from a former Deputy Assistant Secretary of State for Inter-American Affairs and Ambassador who testified this week before the International Organizations subcommittee of the House International Relations Committee.

Ben S. Stephansky also praised the Embassy staff in Paraguay for their diligence in keeping abreast of the local situation. He has just returned from a visit there sponsored by the International League for Human Rights, on whose behalf he and a colleague, Rutgers University economist Robert Alexander, studied allegations that political imprisonment, political persecution, and torture are common practices. These matters were discussed with the Embassy staff as well as many local citizens. What they learned from both sources leaves them with no doubt whatsoever that the Government of Paraguay engages in a consistent pattern of gross violations of internationally recognized human rights, including torture and prolonged detention without charges.

If that is the case, Congressman Fraser asked, do AID activities in the country directly benefit the needy people?

In Mr. Stephansky's view, there is no easy answer to the question. A careful, on-the-spot study is needed, preferably by people from the Congress. While AID's stated emphasis on cooperative associations is praiseworthy, the actual projects must be examined with a critical eye. The regime attempts to control all organizations in the country, and it tends to use them as agents of repression. Access to various benefits are limited to members in good standing of the Government party. And well-intentioned AID programs may be used by that government as a cover for sinister objectives, he said. For example, police are being placed among trade union representatives selected for labor training in the United States, if the stated suspicions of the American Institute of Free Labor Development representative who is on the scene are correct.

Mr. Stephansky suggested that if a program aimed at helping the poor and disadvantaged to organize and to exercise their rights appears to succeed, then the police move in to intimidate or persecute the



people involved. On this point, he cited the imprisonment of Paraguayans who played an active role in an effort supported by the Inter-American Foundation, "Project Marandu", which was informing the country's poor Indians of their rights.

The President of the Republic defends repressive rule on two grounds, according to Mr. Stephansky. First, "iron-fisted discipline is necessary for development". Second, "Communist subversion is present everywhere". Mr. Stephansky does not accept either pretext as valid, and he does not believe the United States Government should either.

There are some possible signs of hope, however. One is the suggestion by the official opposition party that a joint parliamentary commission on detentions be set up. Another is the apparent importance which the President places on his international image. Given these signs, we should think positively about maintaining contacts to the extent that is possible. And it would be worthwhile to continue economic assistance if that really helps peasants to organize and does not support the Government, he said.

When we think about the merit of continued aid for a country which is a consistent violator of internationally recognized human rights, it would be a mistake to focus all our attention on bilateral programs, he warned. He urged Congress to press the Executive Branch to oppose with vigor and conviction all Inter-American Development Bank projects which do not meet a strict application of the Harkin Amendment requirements.

As a matter of fact, Mr. Stephansky does not hold out much hope for the Inter-American Development Bank as a positive force in the Hemisphere. He proposes that a new multilateral Western Hemisphere organization be created--an "Institute for Democratic Development"--which would be more sensitive to human rights considerations and would give better support to democratic patterns of development.

Professor Alexander also testified. He described the state of siege, which is renewed every 90 days, and the roles played by the army and the police. These include participation in the kinds of business activity which economists refuse to recognize when they use standard national accounts measures. In the course of his testimony, he suggested that access to foreign scholarships is limited by the Government on the basis of political reliability.

A third witness was Marshall Frisco Gilchrist. An American missionary (Disciples of Christ), he headed an organization called the Friendship Mission. Until its offices were raided and closed down by the police this Spring, the Friendship Mission promoted social projects among the Indians. These activities were funded by various groups in North America and Europe, most of them church related, but of different denominations. Many people engaged in the work have been imprisoned, and similar activities sponsored by the Catholic Church have also been

objects of Government attack, he testified.

Mr. Gilchrist believes that one objective of the Government in these repressive actions is to preserve all the credit for development projects to itself. "Its need to retain the loyalty of subjugated people makes intolerable the actions of other entities which might divide that loyalty."

What Mr. Gilchrist finds in Paraguay is "the suppression of all efforts to help the 80% of the population who live in poverty find ways to improve their own situation, or to facilitate opportunities for them to increase their awareness of their own worth as persons. This terrorizes the people, making trust and confidence increasingly difficult at all levels, and destroys leadership."

Rural Development--Will and Skill (5/9/75)

According to the Chief Economist of the World Bank, it does not make sense to expect that development programs will significantly help the poorest people in most developing countries unless there is thorough-going agrarian reform. And, speaking of agrarian reform, Robert McNamara has said the know-how to carry it out exists and if developing countries have "political will", the job can be done.

In 1972, the President of the Philippines declared martial law, issued sweeping decrees on agrarian reform, and announced his determination to bring it about. Two weeks ago, key government officials responsible for that program joined with some interested compatriots and outsiders to review the experience so far and to consider foreign cases that might be useful.

The informal sessions, which lasted three days, were sponsored by the Southeast Asia Development Advisory Group.

The experts noted that every country is unique when it comes to land tenure and agrarian reform. While there was agreement that much needs to be learned from the experience of others, the Philippine participants expressed skepticism about the practical usefulness of generalizations abstracted from cross-national surveys.

One thing that makes the Philippines unique is that a "land to the tiller" effort was started there as long ago as 1903, when the islands were administered by the United States.

President Marcos abolished the national Congress and assumed the power to rule by decree in order to overcome obstructions and delays which were charged against established constitutional procedures. But a number of generally recognized obstacles remain. Among others, they include a "landlord mentality" on the part of most officials, harassment of tenants and government field workers by landlords, and lack of effective coordination among government agencies.

The President has concluded that effective exercise of the agrarian reform power will require organized pressure on the Government from mass peasant groups. For that purpose, he is encouraging the

former leader of the Hukbalahap insurgents to mobilize support for the program.

Although it is now possible to legislate without Congress, there are still long delays in the promulgation of needed policies and rules. The Department of Agrarian Reform has not been able to defend peasants or its own employees from landlord harassment in the law courts and agrarian reform tribunals.

One apparent cause for delay is a stated desire not to legislate without adequate facts. In this regard, the abolition of Congress and established political channels may complicate the job of getting relevant information and reactions in the countryside. Other problems may arise from a declared intent to act with "compassion".

The President does not want the program to move in a fashion that would create instability or wipe out middleclass people who may depend on income from tenanted farms.

Other constraints on agrarian reform in the Philippines include a desire to avoid any decline in the production of export crops and food for domestic consumption. Moreover, the President wishes to maintain a favorable climate for foreign investors.

Available financial resources are limited, especially in view of internal security requirements, and the President does not wish to magnify already serious inflation problems.

One American professor suggested that it is unrealistic to try to try to provide full compensation to landowners or anything close to it. But this martial law administration does not wish to be confiscatory, the government officials said.

After urging that "bureaucratic heads" be "broken", another American professor recommended that more authority to administer the program be placed in the hands of local peasants and officials. The administrators argued that the peasants could not play a significant role in the highly technical work required to carry out a reform which provides secure ownership titles to property, and that the local officials, being landlords, are not friendly to the program.

Martial law rule has not wiped out the independent interests and biases of the various departments responsible for the transfer and recording of titles and for the provision of supporting services--including credit and technical assistance--to new peasant owners. Moreover, it seems impossible to prevent landlords from taking advantage of tenants during the reform process. Anomalous situations arise--where intended beneficiaries are actually being hurt, and some have turned back to the Government their new certificates of ownership.

The program is based on the concept of a "family-sized" farm, which is three or five acres, depending on access to water, in the corn and rice areas where agrarian reform activities have been concentrated. But the population is much too large to permit many peasants to get holdings of that size. This is another anomaly which haunts the program.

There were anomalies within the SEADAG meeting, itself. Luis Taruc, an early leader of the Hukbalahap movement, which was the target of U.S. supported counterinsurgency efforts, praised American liberal democracy. At the same time, University of the Philippines Chancellor Abelardo Samonte expressed puzzlement over recommendations from American academics that military forces be used to speed up the reform process and that "due process" be abandoned.

Although the session seemed to have practical value for the Philippine participants and the outsiders, at the end it was still unclear what, if anything, more or different is required in terms of "political will". And the definitive, practical know-how that would solve the technical and political problems of Philippine agrarian reform was unrevealed.

Bureaucrats, Generals, and Parliamentarians (4/12/74)

There is general agreement that foreign assistance agencies cannot effectively create "democratic political institutions" for other countries. At least, that principle applies to parties and to parliaments.

On the other hand, foreign assistance agencies, including AID and its university contractors, have tended to take a different view of functional and bureaucratic agencies of government, such as economic planning boards, education ministries, highway departments, agriculture extension services, electric power boards, and the like. It is customary to consider the network of these institutions as technical and rational rather than political. Technical assistance programs encourage their development and the education and support of their officials. Other external assistance efforts do the same for military organizations in developing countries.

In this type of assistance, experienced people do not expect to duplicate institutions that already exist in more developed countries. Nevertheless, an object is to come close to the norms and structure of institutions that function there, or to idealized models of them.

The neutrality of this approach was sharply challenged by participants in a recent conference sponsored by the University of Hawaii and the University Consortium for Comparative Legislative Studies.

The inability of assistance agencies to create parties and parliaments for other countries was not questioned. But the underlying assumptions of foreign assistance agencies about the political consequences of help given to other public institutions were attacked.

One Asian conferee said that foreign assistance in his country was based on false notions that its civilian and military bureaucracies were honest and politically neutral. The effect of the assistance channelled to them, he said, was to strengthen them as against less favored parts of the population and to bolster their capacity to aggrandize themselves.

While the foreign assistance agencies may have been interested primarily in short term stability and in the technique of "building on the best", he suggested that this approach is short-sighted from the standpoint of economic and social development. It increases tensions and discourages the operation or growth of internal means for political and economic adjustment.

A teacher and government advisor, this Asian conferee is currently working on plans for the establishment of a popularly elected national legislature which will be adapted to the economic and social needs of his country. These plans began to take shape after the overthrow of a military regime which had abolished the parliament.

The Conference was called to examine the origin, forms, and evolution of national representative assemblies in relation to economic and social development.

There was general agreement on the proposition that many kinds of legislature exist and they perform different functions in different contexts. The scholars argued that analysis has not been helped and much damage has been done by the attempt to think of assemblies in terms of idealized versions of the American Congress and the British Parliament. These models do not exist in reality, even in the United States and the United Kingdom, and it is therefore unreasonable to expect them to grow and flourish elsewhere. No helpful purpose can be served by attempts to measure developing country legislatures against these abstract ideas.

With specific regard for Africa, a number of the conferees observed that adoption of English parliamentary forms was necessary to obtain independence from Great Britain. On the other hand, colonial rule in the new countries and the only example they had of modern government was based on administration that was not responsible to an electorate or representative institution in the country. Given that history, and heavy post independence external support for administrative and military organizations and officials, it was unreasonable to expect that the new constitutions could survive.

Legislatures can perform many functions which are required for effective economic and social development. They can provide a two way communication system--from the people to the government and from the government to the people. That is, they can make local reality, needs, and desires known when policy is shaped and made, when resources are allocated, and when government programs are implemented. And they can help to inform and educate the country about the new national policies and programs.

When parliamentarians perform these functions, they contribute to the sense of national community, which can be an essential precondition for the operation and support of economic and social programs.

Some legislatures carry out a major initiating role in the enactment of laws. Some act as institutional opponents to the executives or the civil service. But it is not necessary for all effective ones to be able to do both or either of these things at all times in their history. In this regard, a Canadian scholar and governmental advisor urged the conferees to remember that in his country, and many other developed countries which are proud of democratic traditions, parliament members do not have much to do with the wording of the laws they consider. Moreover, the parliament cannot be independent of the executive because parliament and the executive are merged.

A Korean conferee suggested the need in any changing society for an "escape mechanism", an institution through which dissent can legitimately be expressed. He noted three institutions in his country which have served that purpose. They are the national assembly, the mass media, and the universities. When the assembly and mass media are not available, then the situation in the universities becomes explosive.

While legislative bodies can permit needed compromises to be made, they are not able to do so with issues that deeply divide a society and which are not subject to negotiation. This may be true of some class and ethnic issues.

The capacity of representative assemblies may also be limited where it is customary to fight out policy issues at the implementation stage rather than at the time policies are formulated and adopted. On the other hand, the existence and effective operation of a legislature can move the point of conflict and negotiation back to the earlier stage. One conferee noted in this connection the failure of land and tax reforms that were worked up and decreed by his country's military rulers without the benefit of public debate and compromise.

It was suggested that legislatures are sometimes used by executive officers as an excuse for government failure to adopt or carry out reforms sought by foreign agencies or by people in the country.

National representative assemblies may provide what one conferee called "a functional alternative to revolution" if they have the capacity to represent significant popular concerns, to understand and cope effectively with the issues and technology of economic and social development, and to deal productively with reform. An incapable institution, overwhelmed by foreign trained and supported bureaucracies and military organizations, will not do that, however.

Legislative bodies are not necessary in all places to allow popular participation in development, and where they exist, they might not be adequate for that purpose. Many of the functions they perform could be carried out in bureaucracies that are representative, in parties, and in other institutions. On the other hand, there is a remarkable tendency

for legislatures to be re-created in Third World countries where they have been suspended or abolished. The reasons for this phenomenon are a mystery.

The Conference brought together social scientists with area specialties in Africa, Latin America, and Asia, as well as students of European and North American institutions, and theorists in the fields of development, development administration, and politics. A publication on the origins and evolution of representative national assemblies will be prepared based on the proceedings.

The University Consortium for Legislative Studies, which receives support under AID's section 211(d) program, includes Duke University, Iowa and Hawaii Universities, the State University of New York at Albany, and associated scholars at other universities. Legislative studies programs which deal with developing countries are now underway at these schools. The Consortium issues a quarterly Newsletter, which is available from the Social Science Research Institute at the University of Hawaii. It has also initiated a publishing program with Sage Publications, Inc. Four monographs were recently issued. Their titles are: "Legislatures and Societal Change"; "Weak Parliaments and Military Coups in Africa"; "A Paradigm for the Comparative Analysis of Legislatures"; and "Legislative-Executive Policy Making: The Cases of Chile and Costa Rica". A book titled Legislative Systems in Developing Countries will be out this Spring. Scheduled for next Fall is a book Legislatures in Plural Societies, which will include papers on Afghanistan, East Africa, and Lebanon.

Who's in Charge? (10/24/74)

The major donors of foreign economic and military assistance maintain the principle of civilian supremacy within their own homelands. On the other hand, seizure of government power by professional military forces is becoming more and more common among aid recipients.

This phenomenon has aroused the interest of a group called the Inter-University Seminar on Armed Forces and Society, which held a conference in Buffalo, New York last week on the topic "Civilian Control of the Military: Myth and Reality in Developing Countries". The Seminar was founded in the mid 1960's and is composed of professors and representatives of the American armed services. Here is a summary of sessions I attended.

The role of military organizations in government and the economy has expanded substantially throughout the world during the past quarter century. And, in the developing countries, external assistance and influence has provided professional military officers with control over major resources and what are often the most modern and technologically advanced organizations in their societies. At the same time, they have been encouraged to carry out domestic programs, such as "civic action", outside traditional military roles.

In Latin America, there is a long tradition of military regimes. It has been common for military officers to act as umpires among the major elites and interest groups, and civilian politicians have often urged the military to intervene in politics. The new Latin American military regimes differ from the old, however. They tend to become partnerships between economic technicians, who are looked to for internally effective and internationally acceptable policy and programs, and the armed forces, which see themselves as final decision makers and enforcers of public order.

That is the case in Peru and Brazil, at least. The officers who rule these countries view potential dissatisfaction on the part of the impoverished majorities among their people as a threat to national stability. But they take different approaches to the problem, according to Professor Arthur Smith.

In Peru, the military seeks to carry out programs which directly ameliorate the condition of the poor in the countryside and mobilize their support for the government, without causing a radical transformation in society. In Brazil, on the other hand, active repression is the preferred approach to the internal security threat, with economic growth, and expected long range benefits for the entire population, to be secured by the encouragement of foreign aid and investment.

It is hard to (pardon the expression) generalize about civil-military relations in states which are headed by military people. But the task is not much easier with respect to countries whose leaders are nominally civilians.

Stephen Cohen, a scholar specializing in India, argued that civil leadership in that country has contained the armed forces through a number of devices, including the use of English language recruitment tests for officers, the maintenance of colonial military traditions and codes; close control over contacts with foreign military people- (especially Americans and Russians), allotment of no civil action or other civil tasks to the military, personnel assignment policy, the method of filling top military slots, and post retirement rewards through employment in state enterprises and elsewhere.

In Guyana, on the other hand, the civilian government leadership has sought to have the army play an active role in the politics of the country, which centers primarily on the competition between two ethnic communities. In this situation, any external assistance given to the army, and most if not all assistance given to the civilian agencies of the government, can be expected to strengthen and solidify the power of the politically predominant community, as opposed to the other group, which includes more than half the people in the country.

Cynthia Enloe, who discussed Guyana, said that in Malaysia, another country characterized by sharp ethnic divisions, the government has sought to prevent control of the army from falling into the hands of the non-Malay communities, but it has also followed a policy which seeks to assure participation of the Chinese and Indian communities in the defense forces. The Air Force officer corps is dominated by Chinese-Malaysians, and an Indian-Malaysian officer commands the Navy.

It is, of course, a mistake to think of military organizations as monoliths. Internal differences and conflicts must often be ameliorated in order for military officers to take and consolidate power, and afterward, the growth of new dissensions within ruling military groups may be inevitable.

A presentation on Indonesia suggested that officers in the armed forces of that country were divided along the political and factional lines that dominated civilian politics. But there was also a feeling

of responsibility for national unity, arising from the experience of their war for independence against the Dutch. Later, growth of military cohesion as a separate political force was stimulated by a number of factors, including concern over governmental succession when President Sukarno appeared to become more and more ill, the assumption and consolidation of control over Dutch firms which were turned into state enterprises, and massive infusions of aid from abroad.

It is now clear, according to Ann Gregory, that the Indonesian military have stabilized and solidified their power through direct control over economic enterprises and through alliances with economic technocrats, who have no independent power base, and foreign governments and business interests.

Within established military regimes, one participant suggested, interest conflicts are bound to arise which mirror the traditional civil-military differences in governments under civilian leadership. Those officers who deal with traditional military concerns develop different viewpoints and concerns from those who deal with the general management of government affairs and the non-defense ministries. And this dichotomy is bound to be reflected in the internal politics and the policy behavior of the government.

After military rule was established in Nigeria, civilian politicians devoted a great deal of attention to the study of differences among ruling military officers and the advantages which these might provide, according to a study made in the Western State of that country. This study also brings out two other points which appeared in other case histories discussed at the Buffalo conference. One is the fact that the direct substantive or functional interests of the military are usually limited; that they look to and rely on civilian technicians and administrators to handle the bulk of government affairs, and the civilian bureaucrats (and foreign advisors, perhaps) may be more powerful under a military regime than under civilian political leadership.

The second point is that military regimes generally have great difficulty in communicating with local people and in getting needed feedback from them. Freedom from the concerns and interests of local constituencies may make it possible for them to bring about major constitutional and organizational change when they assume power, but as time goes on it is increasingly difficult to deal with local issues or to handle local political demands in an organized and acceptable manner unless political or representational institutions of some kind are established.

A presentation by Lieutenant Colonels Franklin Margiotta and Rodney Cox, Jr., which could have relevance for our relations with the Third World, described a study of officers who are expected to become U.S. Air Force Generals in the early 1980's. This research is now being carried out at the Air Command and Staff School. According to my notes, which do not

include the detailed statistical breakdowns that were given, preliminary results show that these generals will be more representative of the regional and rural-urban distribution of the U.S. population than their predecessors. But they share a growing sense of alienation from American society and institutions.

Most of the generals-to-be view themselves as victims of misrepresentation in the mass media and of popular distaste for the Vietnam war. They believe that civilian control, particularly as manifested in day-to-day operations in Southeast Asia, has been bad for the country. So far as they are aware, advancement can best be obtained outside established procedures, and standards of integrity in the military service are declining.

Further with regard to the American situation, former Deputy Assistant Secretary of Defense Yarmolinsky spoke on the problems of maintaining budgetary control over the U.S. defense establishment. He lamented the collapse of what he said were the pertinent Constitutional safeguards and indicated that this will be a more and more troublesome matter.

Conference papers, not all of which were available last week, are listed at the end of this memorandum. This was not an AID-funded program, but people who wish to see any of the papers can probably obtain them from the authors.

"Do-Something" Legislatures--Human Rights (10/1/76)

The Irish Institute of Public Administration and the Comparative Development Studies Center of the State University of New York issued a call not long ago for papers that would tell about contributions of national representative assemblies to human rights in their countries.

The invitation was for examples of what these bodies do or have done. Not a description of the things they don't do.

Responses came from Austria, Bangladesh, Brazil, Colombia, France, India, Jordan, Kenya, Korea, Micronesia, and the United States, as well as the Council of Europe. They were presented and discussed in mid-September 1976 at a conference near Dublin. By coincidence, the two houses of the Irish legislature were at the same time debating and amending a series of emergency and anti-terrorism measures introduced by the Government.

No one argued that human rights are in perfect shape in any of the countries or that the parliaments or congresses are comparable in their power, makeup, or constitutional functions, except insofar as they are (or were) elected, are (or were) recognized as a part of the national government, and exist (or existed) separate from a formal bureaucratic hierarchy.

In their call, the sponsors referred to the Universal Declaration of Human Rights, but they made no attempt to limit the participants to particular rights within that broad catalog.

Some Europeans were bothered by these ambiguities, suggesting that less developed countries may not really have standing to participate in a discussion such as this. Some Irish observers were concerned that the conference might be used to whitewash repressive governments.

Political and Civil Rights

None of the participants condoned torture or physical cruelty, however. So there appeared to be general agreement on the importance of this human right, at least. Beyond that, the paper writers focussed on rights and on cases which they consider worth talking about and which they felt free to discuss.

Roger Errera, a member of the French Bar, described how his country's Parliament pressured a reluctant government to ratify the UN Convention on Racial Discrimination and to enact needed implementing laws, which prohibit certain kinds of expression and association. The Parliament played a similar role with respect to the European Human Rights Convention, he said. Following up on parliamentary debates and questions over a

three year period, the French Senate in 1973 launched a major inquiry into wiretapping, but the investigating committee had to pursue its work without government cooperation. Their final report recommended legislation which would require advance judicial authorization for taps. The government rejected the recommendation but promised not to listen in on the calls of politicians, journalists, or labor union officials except in national defense cases.

A committee of the Austrian Parliament is currently investigating taps there.

In Brazil, the Federal Congress recently focussed unfavorable publicity on a plan by the police to have the Minister of Justice make it legal for them to imprison people without the approval of a judge. The plan appears to have been dropped, according to James Heaphey, of the State University of New York, and co-authors Rosinethe Soares, of the staff of the Chamber of Deputies, and Theo Pereira da Silva, of the Senate staff.

From time to time, Brazil's Congress has established commissions of inquiry to investigate torture. These commissions do not formally complete their investigations and file reports. It appears that there are negotiations between the Congress and executive authorities, and then they are suspended. Also, individual Congress members criticize the general state of civil and political rights in Brazil and particular violations. Newspaper coverage of these speeches is said to be widespread.

It is true, nevertheless, that members of Brazil's Congress and other politicians can be deprived of their political rights by the executive authority.

In Kenya, the Parliament has investigated and debated apparent assassinations of leading politicians, including the killing last year of J.M. Kariuki, an outspoken critic of the government. Professor U.U. Uche, of the University of Nairobi, writes that it is a forum for criticism of detentions without trial, which are carried out under the Public Security Act, and the government has felt the need to respond in Parliament to questions on these matters, although two members were arrested in the Parliament building last March.

Until its dissolution following the Rabat Arab Summit Conference in 1974, Jordan's National Assembly was also a forum for criticisms of government interference with political and civil rights under color of the Defense Laws. Unlike the situations described for Brazil and Kenya, however, much of the discussion was not reported in the news media, according to Abdullah Khatib, of the Royal Scientific Society.

During war time, Korea's National Assembly in 1950-1951 passed three civil rights bills over the opposition and vetoes of the President. One, called the "Anti-Lynching Act", imposed criminal penalties against

military and police personnel who violate the rights of life, liberty, and property in the course of punishing traitors and collaborators during the emergency. A second law set up procedures to protect involuntary collaborators from the full application of criminal punishment. The third law modified criminal penalties decreed by the President under his emergency powers and also instituted procedural protections for defendants.

This case from the early years of the Republic, Professor Suh Won-Woo, of Seoul National University, suggested, shows that the legislature, among other institutions such as courts, religious organizations, and non-government organizations could perform a very important role in protection of human rights and in balancing national security and human dignity.

On the other hand, he questioned if parliamentary functions such as this are consistent with developing countries' need to meet economic goals.

#### Social and Economic Concerns

In June 1975, India's President proclaimed a state of emergency under which the government arrested opposition leaders, including parliamentarians, whom it said were responsible for inciting rebellion and economic disruption. The Parliament did not go out of business. It approved these actions of the government and has proceeded to take an active role in passing laws and constitutional amendments aimed at carrying out a 20-point economic development program.

In this regard, the Parliament is working toward a new balance between what the Constitution calls Fundamental Rights (traditional political and civic rights) and Directive Principles (social and economic rights), according to Subhash Kushyap, who is Director of the Parliament Library and Parliament's research services. Judicial interpretations of property rights have been a particular obstacle to economic and social reform in India. The crux of the problem, he said, is that the courts were interested in protecting the property of the few against laws which were intended to provide the benefits of property to the many. Over the years, Parliament has sought to correct this problem through constitutional amendments, legislation, and reports.

Government programs in the social and economic sphere have often followed on the heels of private members' initiatives in the Parliament, which has taken a leading role in the enactment and oversight of affirmative action requirements intended to help people associated with deprived castes and tribal groups.

A variety of procedures are available to permit members of the Parliament to raise questions about improprieties, laxity, and injustice in government administration, Mr. Kushyap noted.

Similarly, in Kenya, the National Assembly has focussed attention on school leavers who are jobless and the distribution of educational and job opportunities. It was partly in response to these concerns expressed in the Assembly that the Government invited the International Labor Organization to make its World Employment Program study there, Professor Uche observes. The Assembly has also pushed the Government on land distribution and on protection of the rights of all Kenyans to freedom of movement throughout the country and nondiscrimination in public facilities.

In Brazil, the Federal Congress gives special attention to discrimination against people on account of the geographic region where they live, to the way social legislation is carried out, and to the availability of educational opportunities for the poor.

One way it carries out this work is to provide massive documentation and to publicize inadequacies in government programs. A 1971 report by a Congressional study commission composed entirely of members of the Government party called attention to the problems of Northeast Brazil, which it described in statistical detail. The report declares: "It is time to stop living with the illusion of a development (in Brazil as a whole) that benefits only a few while many sacrifice."

This year, a special commission of inquiry investigated and publicized the problem of abandoned children, of which there are more than 22 million in Brazil, and the number is going up rapidly. In the course of its report, this commission also highlighted the existence of stark poverty which is hidden by aggregate national statistics on economic progress.

A major discussion in 1974, supported by a lengthy Congressional staff study on social welfare systems in other countries, was intended to focus attention on inequities in the administration and financing of health and welfare services, which account for approximately half of Brazil's national budget.

### Evolution

A number of participants in the Dublin conference suggested that to understand the work of a legislature and its real and potential contribution to human rights, one must pay attention to its historic evolution and the political, social, and economic environment of which it is a part.

The papers on Jordan, Kenya, India, and Bangladesh-Pakistan stressed the initial role of legislative assemblies in the late colonial period as a means for promoting national unity and independence. In Kenya, where there was a substantial White settler population, individual and

property rights were spelled out in great detail in the independence constitution to protect those colonists. In the other cases, national self-determination was seen as necessary to secure individual human rights for the local people. And, with the experience of colonial administration in mind, some stress was placed on the enactment of formal protections for political and civic rights.

On the other hand, the civil and military officials of the new states, following the models of colonial administration, had little background or help in approaches to the administration of modern state power which might be responsive to democratic processes or respect for political and civic rights.

The problem has been further complicated by the massive social and economic problems which the developing countries face, the expanded role of the State in all countries, the constant threat of disorder, and the rise of new technologies which pose new kinds of human rights problems even for the most advanced countries.

### Technology

Electronic eavesdropping, already noted, is a relatively new problem for protection of the individual. Attacks on the individual through environmental degradation is another. A startling example was provided by Ataji Balos, a member of the House of Representatives in the Congress of Micronesia. Two-hundred-thirty-nine residents of the Marshall Islands, in the Trust Territory of the Pacific, were exposed to the fallout from a U.S. nuclear test in 1954. Payments were made by the U.S. to some of them eleven years later, in 1965. After that, the first signs of illness became apparent. A case of stunted growth was found, and then various forms of thyroid disease. Each year new cases are discovered, and the 1972 leukemia death of a nineteen year old youth has been attributed to radiation exposure when he was a baby.

The people came to mistrust U.S. Government doctors who were sent out to examine them periodically, and they asked Congressman Balos for help. He invited some Japanese doctors to examine the people, but Trust Territory officials refused to allow this. The Micronesia Congress set up a joint committee to investigate, secure medical assistance, and obtain compensation for the people. The committee saw to it that a medical survey was made, including outside doctors, and they submitted a detailed 266 page report on the medical aspects of the affected people which was adopted by the Congress. The report included a number of recommendations on medical services, and the executive authorities put these into effect. On the basis of further study, an additional report on compensation was adopted by the Congress in 1974. This will require appropriations from the U.S. Government, and members of the Micronesian Congress have been pursuing the matter directly with Executive and Legislative officials in Washington.

The Micronesia story is an unusual one, especially because of the relationship between the Islands and the U.S. and the fact that their Congress' powers are strictly limited in law and fact. But the case, as described in the presentation to the Dublin conference, suggests a fairly ingenious and persistent effort on the part of a representative assembly to press individual rights against administrative inertia if not hostility.

### Political Process

An important function of representative assemblies is to provide a forum for political expression and an arena for political compromise. Magahales Pinto, President of the Brazilian Senate, says that body has performed the function ever since Don Pedro the First became the "Constitutional Ruler and Perpetual Emperor" of the country in 1824, when the Senate provided an institutional framework for conciliation among monarchists and republicans. On the other hand, some members of the official opposition party in Brazil suggest that this function cannot be performed well if important viewpoints or interests are denied adequate representation or are entirely excluded from the process, or if Congress has little actual power.

Also, they suggest, there is little to negotiate when your opponent wants to condone torture and even murder.

According to Kamal Hossain, a former member of national assemblies in Pakistan and Bangladesh now at Oxford University, those bodies could not effectively perform the negotiation and conciliation functions because important viewpoints were excluded or under-represented. From this standpoint, things slid from bad to worse following the end of colonial rule in 1947. After the breakup between the East and West 24 years later, the Bangladesh assembly took care to assume that fundamental rights were provided for in its constitution. As a practical matter, however, the overwhelming majority won by the ruling party was not a true reflection of public opinion. As in the old Pakistan, there was a great deal of opposition unrepresented in the Parliament and outside the established political system. The disorder created by this opposition, the worsening economic situation, and a feeling of helplessness on the part of members of the Parliament led to a collapse of parliamentary government and death in jail for some of them.

The handling of Civil Rights legislation by the U.S. Congress during the period 1945-1968 suggests how the negotiation and conciliation function is carried out in this country and how important it can be, according to Karl O'Lessker, a University of Indiana professor and former Senate aide. A detailed computer analysis of official data plus the published memoirs of major political figures and their assistants show that the Congress provided initiatives, imposed timetables, and followed a process which permitted major social change to take place without tearing the country apart. The fact that Southern whites saw their position actively championed and fought out under accepted rules

of the game made the legislation more acceptable to them than it otherwise would have been. The analysis suggests that in the Civil Rights field, at least, Congress functions on a no-party (rather than a two-party) basis. And the conciliation and negotiation process necessarily involves bargains that do not pertain directly to the issue at hand. Public works projects and Federal appointments were important bargaining chips when it came down to the disposition of Civil Rights issues during the period studied, according to Professor O'Lessker.

### Common Goals

None of the participants suggested that there must or can be an unremitting hostility between executive officers and the legislature in any system. They are closely linked as a formal matter in parliamentary systems, but even where constitutions separate them, as in Presidential models, the system cannot exist without a lot of interaction and agreement on the rules of the game.

A case of executive-legislative complementarity in the human rights field was presented to the Dublin conference by Senator Diego Uribe-Vargas, of Colombia. In this instance, the Ministry of Justice sought to promote political reconciliation and peace through a Bill that would reduce prison sentences which had been imposed against a group of refinery workers convicted of sedition, kidnapping, and harm to government property in the course of labor violence in 1971. When it had the Bill before it, the Congress found that the purpose would be better served by eliminating certain restrictions which it contained, and the amendments were made.

### Regional Integration

In Austria and the Federal Republic of Germany there may be a need to provide new definitions of human rights, but the parliaments show little inclination to exercise initiative in this regard, according to Professor Felix Ermacora, who is a member of the Austrian Parliament and the European Human Rights Commission. On the other hand, as noted in the case of France, they do have a role in ratifying international human rights agreements and bringing domestic law into line with them. The laws which they enact are subject to review by the human rights organs (a Commission and a Court) and the Council of Ministers of the Council of Europe. In response to cases handled by that international machinery, the Austrian Parliament has made changes in laws dealing with legal aid and conditions of imprisonment.

The Austrian Parliament cannot avoid dealing with individual human rights issues in the enactment and oversight of modern social legislation. Abortion and privacy are examples of major issues with which they and other European parliaments have to deal.

Although the parliaments of Austria, Belgium, Denmark, the Federal Republic of Germany, the Netherlands, Norway, Switzerland, and the United Kingdom have made legislative reforms in response to cases brought to the Council of Europe, the international machinery is increasingly unable to handle its heavy caseload in a timely manner. However, the applicable rules and procedures are so restrictive that more than 90% of the complaints sent to the European Human Rights Commission are declared inadmissible at the initial processing stage. From a substantive standpoint, broad exceptions are provided for states of emergency and there are discrepancies between the official texts in French and English which appear to trouble people who work with the European Covenant.

So, for the Europeans, there is a problem of institutional development to improve and to implement enacted human rights principles. And, perhaps, an issue whether machinery which has been established outside the control or competence of a directly elected representative body can function effectively.

#### Shared Issues

Despite the differences among regions and countries and among political systems and institutions, all the assemblies seem to face a number of common issues related to human rights. Among them:

--The balance between individual protection against state action and free speech and association, on the one hand, and maintenance of public peace, on the other.

--The balance between individual rights, particularly the rights of property and privacy, on the one hand, and social and economic welfare, on the other.

--The protection of human rights in the face of new technologies.

--The resolution of conflicts among human rights--such as the right of association and belief, on the one hand, and protection against group defamation and racial incitement, on the other.

--The balancing of technological expertise and bureaucratic discipline with communication of facts, opinions, and concerns outside established channels.

--The maintenance of channels and a forum for criticism and reform and for participation of the public in increasingly broad and complex activities that affect human rights.

--The assurance of a capacity to oversee administration (including the work of foreign and domestic planners) and to develop information without becoming just another bureaucratic machine.

There appears to be room for exploration of the subject among parliamentarians and others on a basis that is mutually beneficial. It would be a shame, however, to insist on definitions or preconditions that would exclude everyone but a small number of industrialized liberal democracies. Or to dismiss out of hand the serious social and economic problems faced by developing countries and Third World perceptions of the colonial experience or dependency that seem uncongenial to us.