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Unsupported Innovation in Migration Governance:

Comparing Colombian and Brazilian State Responses to Venezuelan Mixed Migration

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Introduction

In an increasingly globalized world, in which migration remains a polarizing issue, deference to state sovereignty generally outweighs humanitarian concerns. The outsized focus on sovereignty keeps states in control of managing regular and irregular flows of migration relatively unobstructed from international norms – including those seeking asylum from persecution, economic migrants seeking opportunity, or those trying to reunite with family (hereafter referred to as mixed migration). Remaining cognizant of state and international actors and their respective roles in global migration governance, this paper will offer a comparative analysis of two contemporary and innovative state responses – those of Colombia and Brazil – to the rise of Venezuelan mixed migration since 2014. In attempting to understand the differences between Colombia and Brazil's responses, and defining what constitutes an effective "state response," we emphasize actions that offer protection, assistance, or support to migrants and refugees. The roles of actors in the international system in responding to this crisis will also be examined, including bodies like the United Nations High Commissioner for Refugees (UNHCR), non-governmental organizations (NGOs), and religious organizations.

We argue that the differences in state response between Colombia and Brazil are driven by the specific domestic and international conditions of each state. After outlining these conditions, we analyze the response of each country and the associated implications for the safety and well-being of Venezuelan refugees. We then dissect engagement from the international community through a critical lens, noting how international actors are responding and the comparative lack of international attention given to a crisis of this scale. Finally, we suggest areas for improved international engagement and connect implications of this crisis to future mass displacement events.

Historical Background

Venezuela: Driving Factors of the Displacement Crisis

The Venezuelan refugee crisis is the largest recorded refugee crisis in the Americas, with an estimated 5.4 million Venezuelans having fled the country since 2014.[i] The main issues driving emigration initiated in 2010, during the final years of Hugo Chávez's presidency. A "maelstrom" of hyperinflation and chronic shortages of food and medicine, combined with a rise in crime and mortality, disease, corruption, and violence, has driven over 5 million Venezuelans into neighboring countries, including Colombia, Brazil, Ecuador, Peru, and Chile.[ii] Although Venezuela possesses the world's largest oil reserves, mismanagement, underinvestment, and poor maintenance stifled oil production to the lowest point in decades. This occurred at the same time as an astronomically high inflation rate – reported as high as 10,000,000% in 2019.[iii] As opposed to other mixed migration events, explicit conflict or war was not a driving force in the grand-scale emigration of Venezuelan migrants. Rather, the overspending of leaders such as Chávez and Maduro, and the lack of attempts to restore economic balance, have contributed to the widespread poverty throughout the Venezuelan population.[iv]

Alongside the economic push factors influencing emigration, the crime rate of Venezuela ranks among the highest in the world and the second-highest in the region, with an all-time high of 82 homicides per 100,000 people.[v] Major driving factors of increased crime and insecurity include government corruption, a weak and ineffective judicial system, the dissolving healthcare sector, and poor gun control policies.[vi] Additionally, state violence via government repression and human rights violations is also widespread, with allegations against Venezuelan state forces for arbitrary detention, excessive force, and torture of political opponents.[vii]

A "simultaneous reduction" of food imports and production has contributed to a decrease in food supply of over 60% between 2014 and 2018, according to the Venezuelan Health Observatory.[viii] Alongside the negative effects of undernourishment and malnutrition, the scarcity of food and astonishingly high prices have forced people to increasingly rely on the state to provide food.[ix]

These harrowing conditions have induced a wave of mixed migration from Venezuela since 2014. However, the plight of Venezuelan mixed migrants, as well as local, national, and regional efforts to adequately respond, has been largely ignored by the international community, exacerbated by the lack of regional cooperative support in South America. This is reflected in a lack of media coverage in the Global North, as well as an inferior system of international aid when compared to the response to the Syrian refugee crisis.

Country Conditions: Colombia and Brazil

The inflow of Venezuelan migrants in Brazil is dramatically smaller in scale relative to the magnitude of Venezuelan migrants in Colombia. Around 900,000 migrants have crossed the Brazilian border since 2018, and while many have traveled instead to other Spanish-speaking countries in Latin America, around 300,000 remain in Brazil, constituting only 0.14% of the total population of around 213 million.[x] By contrast, over 1.8 million Venezuelan migrants now live in Colombia.[xi] Differences in migration pathways can be explained in part by the specific nature of the border regions and the language barrier between Portuguese-speaking Brazilians and Venezuelans who speak Spanish and/or indigenous languages.[xii]

There is an extensive, 2,219 km-long border between Colombia and Venezuela, with bridges facilitating traffic to and from Venezuela over a largely open border. As a result, over 35% of the six million migrants and refugees leaving Venezuela have arrived in Colombia, with close

to half a million of the poorest migrants remaining in regions that have been characterized by protracted conflict among guerilla groups, the informal trade of coca crops, and long-term state neglect.[xiii] Alongside increased competition for jobs and a downward economic shift, this has led to an increase in tension, animosity, and xenophobia towards the mixed migrants.[xiv]

Many informal settlements have emerged because of this.[xv] It is important to note that, alongside thousands of Venezuelan mixed migrants, these settlements also provide shelter for internally displaced Colombians as well as returning Colombians who had previously been in Venezuela.[xvi] Lacking access to resources, including healthcare, childcare, and education, these migrants are further vulnerable to sexual violence, exploitation, or becoming victims of human trafficking.[xvii] Criminal networks and drug cartels are the primary perpetrators of trafficking, but in 2019, law enforcement officers in Cúcuta and Norte de Santander were also found to be implicated in trafficking networks.[xviii]

Regarding Brazilian border characteristics, the most sparsely populated Brazilian province of Roraima borders a number of Venezuelan national parks, with the Amazon rainforest covering large areas on both sides of the border.[xix] As a result, there is only one main crossing at Paracaima – a town in the Roraima province that lies on the border with its Venezuelan sister city of Santa Elena de Uairén.[xx] Venezuelan migrants generally settle in Boa Vista, the isolated provincial capital of Roraima. Since the burden of the migrant inflow disproportionately affected this underequipped province, its governance structures were unable to support them and its capacity was quickly overwhelmed.

Brazil maintained a leading role in refugee policy following the promulgation of its *Lei de Migração* (Migration Law) in 1997.[xxi] Brazil's state-led National Committee for Refugees (*Comitê Nacional para Refugiados*, or CONARE), which was also established in 1997, worked with

international organizations—most notably UNHCR—as well as subnational actors such as religious organizations and NGOs.[xxii] During this time, Brazil's refugee response was generally humanitarian in focus. Brazil's policy shifted from a humanitarian to security focus after the large influx of refugees from Haiti in 2010, the Syrian refugee crisis in 2014, and an economic downtown from 2014-2017.[xxiii] Former President Michel Temer revised immigration law in 2017 to reflect this shift.

The Brazilian government's initial response was marked by a hesitancy to request international support other than minor operational collaboration with UNHCR.[xxiv] Resolution 126, passed by the Ministry of Labor in March 2017, set up a system where Venezuelans could stay up to two years in Brazil after entering by land, paying a low fee, presenting documentation, and withdrawing their asylum applications.[xxv] However, because most migrants were in extreme poverty and did not have the required documentation, this resolution was largely unsuccessful.

In 2018, the Brazilian Government closed the border with Venezuela, citing increased pressure on security, prison, health and education services.[xxvi] This act (*Decreto* 25.681-E/2018) violated of a number of national and international humanitarian laws and obligations.[xxvii] National legislation includes *Lei* 13.445/2017, which demands the universality of human rights; repudiation and prevention of xenophobia, racism, and discrimination; non-criminalization of migration; humanitarian assistance; and clauses against expulsion and deportation of migrants.[xxviii] In addition, the 1997 Migration Law (*Lei* 9.474/1997) guaranteed migrants equal rights to those of Brazilian Nationals, including access to health and social services.[xxix]

The Colombian and Brazilian responses to the protracted Venezuelan migrant crisis reflect two distinct and paradoxical attitudes; a distaste for the Maduro government generating fraternity with those fleeing the regime, which operates in parallel to the increasing xenophobia that targets

Venezuelan migrants. On the one hand, the case of Venezuela has been packaged as a case study for failed left-wing policies, and this positioning has been exploited for political victories by the Brazilian right, most notably in the election of Jair Bolsonaro in 2018.[xxx] At the beginning of the crisis, this attitude led to positive Brazilian engagement with Venezuelan refugees because their flight served the narrative that Venezuelans were leaving an oppressive and ineffectual far-left regime. On the other hand, Colombia has designated the Maduro government as an enemy, and many Colombian politicians have viewed the migrants as "victims" of Maduro's regime.[xxxi] Much like Colombia and the United States, Brazil does not formally recognize the Maduro government as legitimate, but instead supports the opposition leader: Juan Guaidó, with whom Bolsonaro maintains contact.[xxxii]

Analysis of State Responses

Colombian State Response: Temporary Statute of Protection for Venezuelan Migrants

Colombia's response has been considered "innovative" in the standard of migration management, in that no other state in the region has coordinated action on the same scale or to the same extent as Colombia. This has been the case since the initial influx of mixed migrants in 2014 and has continued on-and-off since then.

Before 2021, Colombia employed two key practices in formulating a state response. The first was known as a "Border Mobility Card," granted to almost 500,000 migrants, allowing for circular migrants to remain in Colombia for one week at a time.[xxxiii] This initially enabled Venezuelan migrants to procure food and groceries, medical supplies, and other resources from Colombia. However, the practice was eventually halted in March 2020 when countries around the globe closed their borders as part of the international reaction to the COVID-19 pandemic.

Unfortunately, this left more than 5.2 million people who had previously been issued a card without even temporary documented access to Colombia.[xxxiv]

The second practice had been known as a "Special Stay Permit," a renewable two-year document that enabled access to residence and regular labor in Colombia.[xxxv] This permit was renewed twice, allowing almost 700,000 migrants to receive documentation by the end of 2020. However, a key challenge of this permit was its lack of connection to a more long-term or permanent transition, leaving migrants in a worrying state of limbo as they struggled to access resources, housing, and employment.

In February 2021, President Ivan Duque announced – to widespread international acclaim – that temporary legal status for up to ten years was being extended to over 1.8 million Venezuelan mixed migrants. Provided they had arrived in Colombia prior to January 31 of the same year, this documentation extended to those in both regular and irregular migrant situations.[xxxvi] Combining a mix of attention to social and security policy, Duque justified the "necessity" of conducting this act by listing a multitude of ways the policy may benefit Colombia while providing much-needed assistance and support to a group that the international community has otherwise neglected. Despite its promise, the so-called "Open Door Policy" is rife with challenges in both its makeup and implementation.[xxxvii]

To begin, Duque argued that the lack of information about the more than 1.8 million Venezuelan mixed migrants, many of whom were entirely undocumented, presented lapses in both social and national security. He asserted that access to proper documentation through biometric data tracking benefits the state by allowing it to monitor those that it has allowed into the country. He also argued that documentation benefits migrants by allowing them access to Colombian healthcare, education, and other social resources.[xxxviii]

The policy extends access to social resources including education and healthcare: two sectors that had increasingly suffered under deteriorating domestic conditions in Venezuela. The decade-long temporary legal status will also enable many of these mixed migrants to become eligible for work, a move signaled by Duque as attempting to capitalize on the "brain drain" of Venezuelan doctors, lawyers, teachers, engineers, and other high-skilled workers that have fled the country.[xxxix] The primary issue with this declaration, however, is the lack of simultaneous investment in Colombia's state and social resources.

Investigation into some of Colombia's domestic conditions reveals a worrying environment, one that is demonstrably unequipped to handle an additional 1 million or more individuals requiring support or assistance. There are over 7 million internally displaced Colombians, and an estimated 10% of the population is designated as "needing direct humanitarian assistance."[xl] Tensions between existing paramilitary groups and drug traffickers, part of the decades-long armed conflict, in the areas Antioquia, Chocó, Catatumbo, and Nariño present a compounding threat to Venezuelan refugees, where further forced displacement have emerged because of conflict.[xli] These populations' vulnerabilities include increased nutritional deficiencies as well as lowered access to education, decent housing, and healthcare. This is driving mortality rates, especially among women and children. The UNHCR alleges that "conflict and armed violence continue to uproot Colombians and, in a growing and worrying trend, also Venezuelans," with the primary cause being clashes and confrontations among different armed groups.[xlii]

Further, an additional domestic concern affecting Venezuelan mixed migrants is the cultural linkage between Colombia and Venezuela and the varied effect it has had throughout the duration of Venezuelan movement into Colombia. Some have considered Duque's decision to extend temporary legal status to Venezuelan migrants as an act of "reciprocity"; Venezuela had

similarly settled many Colombians fleeing from guerilla violence during the 1980s and 1990s, giving them a safe haven and enabling them to seek employment.[xliii] However, personal accounts of Venezuelan mixed migrants depict rising levels of xenophobia, violence, and discrimination from Colombian nationals, who blame Venezuelans for rising crime levels, skyrocketing unemployment, and the further spreading of COVID-19.[xliv] Throughout the duration of the COVID-19 pandemic, there has been a global trend of rejecting the migrant "other," who is constructed as disease-spreading and crime-inducing.

Brazilian State Response: Operação Acolhida

As a result of growing public pressure to address the debilitating strain on food, healthcare, and education systems in the Roraima province, the Brazilian government introduced *Operação Acolhida* (Operation Welcome or Shelter) on April 5, 2018.[xlv] As in Colombia, this innovative system garnered acclaim from the international community as a humanitarian response to the mixed migration flows from Venezuela.[xlvi] *Operação Acolhida* is a collaborative effort between the CONARE, the Brazilian Military, UNHCR, IOM, the UN Population Fund and over 100 additional NGOs and Civil Society Actors.[xlvii] One notable innovation is the *interiorização* (internalization) program which redistributes Venezuelan Migrants throughout Brazil—a move that lessens the economic and capacity strains on the Roraima province.[xlviii] Between 2018 and 2020, 46.5 thousand migrants were internalized in 645 Brazilian cities including Manaus, Curitiba, and São Paolo.

The response is focused on three parts:[xlix]

1. Border Security: addressing documentation needs and vaccinating the migrants
2. Reception: securing shelter, food, and medical attention for migrants

3. *Interiorização* (Internalization): voluntary transportation to other Brazilian states with the ultimate goal of socio-economic inclusion.

Operação Acolhida can be described as "humanitarian infrastructure," and consists of reception, triage, and shelter facilities supported by data exchange systems, partially digitized information, and logistical nodes.[l] It operates alongside Operation Control with a focus on increased border security and military presence around Paracaima.[li] This allows for border inspections to coincide with cross-border crime-fighting operations and frames military involvement under the auspices of humanitarian aid, giving the policy more popular support.

There is a legal distinction between asylum seekers and humanitarian migrants in Brazil, creating a strong divide in the mechanisms of *Operação Acolhida*.[lii] "Migrant for humanitarian reasons" institutionalized a quasi-refugee status, and was used to offer temporary residency to those who fled for human rights violations but did not meet the requirements for "well-founded fear of persecution."[liii] The goal of this designation was to safeguard asylum mechanisms from fraudulent claims.[liv]

The distinction between these two classes of migrants has informed the infrastructure of the reception response. Upon arrival at the *Posto de Recepção e Identificação* (Reception and Identification Post, or PRI), Venezuelan migrants first meet with military members who check their documents. They then wait in either a blue (for asylum seekers) or a red (for temporary resident applicants) line according to the designation they are seeking.[lv] IOM handles processing for humanitarian migrants, while the UNHCR is responsible for those seeking refugee status by claiming asylum. Many partnering NGOs and local government agencies work together to distribute work permits, food, and other necessary supplies.[lvi] According to the Brazilian government, the migrants receive three meals a day, sanitary kits, Portuguese classes, telephone

communication with Venezuelan relatives, and 24-hour security.[lvii] Charities run by religious organizations, including evangelical Christians, Mormons, and Catholics, have also assisted by building shelters and offering aid.[lviii] Migrants are housed in one of thirteen shelters in Roraima before beginning the *interiorização* process. [lix]

However, there are notable faults in this militarized humanitarian program. Host states can reportedly exclude low-income migrants by running background and skill checks.[lx] The camps are also well-known for their degrading humanitarian conditions.[lxi] The strict military administration of the camp requires migrants to surrender their autonomy to authorities, who determine when they eat, when they can access medical treatment, and dictate the asylum process.[lxii] This has been especially distressing for the more than 5,000 indigenous people born in Venezuela who have been subjected to militarized violence after migrating to Brazil.[lxiii] There were also at least 2,500 unaccompanied minors who crossed into Brazil in 2020; a population at increased risk with specific governance concerns.[lxiv] Non-state actors, such as religious groups, try to fill the gaps in state response, but do not have the funding or influence to support the entire migrant population and remain largely unsupported by the international community.

Analysis of International Responses

State centrality in global migration governance has resulted in limited jurisdiction for international organizations. However, the rise of complexity in migration issues and multilevel responses to critical challenges has resulted in a wide-reaching international role in several areas, and increased non-state participation in on-the-ground activity.

One of the most significant international organizations in this domain is the United Nations High Commissioner for Refugees (UNHCR), whose original mandate was to monitor states' implementation of the 1951 Refugee convention and the 1967 protocol.[lxv] In the flurry of

institution-creation during the latter half of the 20th century, UNHCR has faced more competition over the domain of refugees.[lxvi] As a result of new competition, UNHCR has voluntarily expanded beyond its original mandate to increase its relevance to states.[lxvii] It increasingly partners with NGOs, states, and other formal IOs to increase its efficiency, leading to the creation of a refugee regime complex.[lxviii]

The legal recognition of refugees in Brazil differs from the situation in Colombia, where migrants have been granted temporary legal status through different documentation systems. Since they are already authorized to live and work in Colombia, albeit temporarily, they do not necessarily need additional legal protections of refugee designation. However, the temporary legal status comes with its own challenges. For example, there are limitations placed on the date entered and the manner in which they enter the country.[lxix] Irregular entry through informal border points often results in deportation (which is a violation of the principle of non-refoulment), forcing migrants to repeat the application process.[lxx] Moreover, the *ad hoc* dimensions of status-granting by Colombia could be viewed as a means to avoid further state responsibility that would come with assigning refugee status to Venezuelan migrants, enabling them to grant fewer protections to a large portion of migrants.[lxxi]

To respond to the myriad issues in the region, the 2021 Refugee and Migrant Response Plan (RMRP) was released at the end of 2020. The RMRP is described by the UN as "the result of field-driven planning," between over 150 organizations, host governments, civil society organizations, and local communities, with the common objective of "addressing the overarching humanitarian, protection, and socioeconomic integration needs of refugees and migrants from Venezuela".[lxxii] This plan includes a regional analysis of population projections of 2021, people in need, financial requirements, and RMRP-affiliated partners based in the country of focus.

Colombian figures are generally the most severe in the region by wide margins. The Plan indicates that over 4 million people are in need in the country, and $641 million is projected to be required "for regularization and integration in a complex external environment.[lxxiii] However, the plan only projects a "targeted response" to aid 1.7 million people, with no explicit distinction of whether these are Venezuelan migrants, refugees, asylum seekers, or some other group.[lxxiv] Brazil, by contrast, identifies 379,000 people in need in the country, with 184,000 of those people targeted for response in the Plan.[lxxv] Brazil's financial requirements are also significantly lower than Colombia's, with a total estimate of $98.1 million USD.

The goals of the 2021 RMRP urge "maintain[ing] a balance," by focusing on both responding to urgent humanitarian needs and "bridging the humanitarian-development-peace nexus" by re-orienting state responses to be mindful of longer-term projects, such as local integration or the eventual discontinuation of detention.[lxxvi]

The IOM, the principal intergovernmental organization working in migration, also assisted in the Regional Response Plan by calling for on-the-ground action and multilevel advocacy dialogue. IOM recommendations include increasing private-sector assistance, strengthening national and regional responses in key sectors such as health, shelter, food, and sanitation, and – to the extent possible – engaging in integration measures, especially for women and children.[lxxvii]

Though international financial support remains scarce, the multiplicity of actors participating in on-the-ground activities represent a general lack of coordination and cooperation.[lxxviii] Duque asserted that too many groups conducting similar actions were minimizing the efficiency of the multi-level response in Colombia. Duque's call for international cooperation shed the traditional narrative of an overwhelmed state operating beyond capacity in favor of a narrative depicting an innovative governor championing a novel humanitarian act, one that remains

entirely unconventional within the context of global migration governance.[lxxix] This re-framing asserts the state's chiefdom in global migration governance and re-establishes state power in formulating responses to movement.

UNHCR integration in national response is clearly observable in the operations of *Operação acolhida*. UNHCR partners with IOM, NGOs, religious institutions, the Brazilian government, and the Brazilian military to document mixed migrants, provide services, and process their asylum claims.[lxxx] UN agencies have overseen the coordination and delivery of humanitarian aid; they use largely American and European funding to construct and maintain shelters, to purchase medicine and food, and to pay wages for workers who sort migrants into asylum seekers and humanitarian migrants.[lxxxi] However, UN operations can seem rudimentary and quickly backlog. For example, at the reception center in Paracaima, only one contracted UNHCR employee and two interns scan asylum requests individually to send to CONARE.[lxxxii]

In Brazil, Venezuelan migrants were officially recognized as refugees on June 14, 2019, when the CONARE declared the Venezuelan crisis as a situation of grave and generalized human rights abuses in line with both the Cartagena Declaration of 1986 and the Interamerican Court on Human Rights.[lxxxiii] The Cartagena declaration is a regional legislation that expands the traditional refugee definition from the 1951 Refugee Convention and 1967 protocol to include generalized violence, foreign aggression, internal conflicts, and gross human rights violations.[lxxxiv] In practice, this decision will incrementally increase capacity for refugee claims but will not grant immediate access.[lxxxv] Colombia, despite also being a signatory to the Cartagena Declaration, has gone the route of temporary legal status as an expedited response strategy rather than engaging in the asylum process to label Venezuelan mixed migrants as refugees, leaving the Declaration generally inapplicable as a mechanism for refugee governance in the country.[lxxxvi]

The international response appears to be strengthening, with USAID offering $4 million in January 2020 to construct a new program in tandem with IOM that aims to assist Brazil in long-term resettlement for tens of thousands of Venezuelan migrants.[lxxxvii] On December 10, 2020, the UN invested an additional 1.44 billion dollars[lxxxviii] which will be applied to the RMRP to assist Latin American Countries struggling to meet the needs of the almost 5.4 million mixed migrants from Venezuela.

Comparative Analysis of Mutual Challenges for Colombia and Brazil

While the international community has lauded both systems of refugee governance as innovative, the failures on the ground demonstrate that reform is still needed to ensure a sustainable livelihood for Venezuelan migrants. Moreover, there are several factors that impede the success of these governance strategies for both countries: lack of funding, growing anti-immigration sentiment, and the COVID-19 pandemic.

A tremendous gap in funding and international attention must be addressed. Two areas of financial needs are of the utmost importance in developing an appropriate international response: humanitarian aid and local capacity-building.[lxxxix] Supporting these two areas would encourage local integration and enhance access to the formal labor market. However, this funding must support those involved in informal labor as well, providing access to resources or other support that may be necessary for their survival. States in the Global North have propagated a narrative of Colombian and Brazilian success, allowing them to largely ignore their funding needs. As post-colonial power dynamics continue to have consequences in global governance, it is not surprising how little international attention this crisis has garnered despite the massive scale of displacement.

For Colombia, these deficiencies raise the question of whether "innovative governance" as a trend possesses a normative influence on the actions of other states in the region, particularly after the exaltation from the international community. The paltry international response to the Venezuelan situation highlights the distinction between government commitment and government action. Colombia's social services are not equipped for access by hundreds of thousands, if not millions, of Venezuelans in addition to current Colombian citizens. Without proper investment to address domestic social problems in Colombia, Venezuelan migrants, despite possessing temporary status, are still needlessly suffering.

In Brazil, the once innovative response has been undermined by military violence, exploitation of laborers, and perennial underfunding.[xc] The government-issued emergency basic income was reduced by half in September 2020, causing difficulties for the 42,519 migrants who were relying on these funds to meet their basic needs.[xci] More than half of mixed migrants do not have access to adequate water and sanitation, with 73% of migrants in Paracaima and 56% in Boa Vista lacking access. The socio-economic situation in Venezuela is expected to deteriorate further, with 400 migrants predicted to enter Brazil daily via Paracaima in 2021.

Colombia and Brazil are examples of rising center-right and right-wing governments. Their messaging has seen a paradoxical development, with anti-Venezuelan, anti-leftist ideology growing in parallel with protectionist and anti-immigrant ideology. With the election of Duque in 2018, Colombia ushered in a rising wave of right-wing populism and a rebuke of traditional politics, alongside a rise in nationalist and xenophobic tendencies.[xcii] Crossings into Brazil of up to 550 migrants per day increased strain on local supply and resulted in a spate of xenophobic attacks against Venezuelan migrants by Brazilian nationals in 2018-2019.[xciii] While anti-immigrant

sentiment was rising during Temer's presidency, it has proliferated after the election of Bolsonaro.[xciv]

Lastly, the effects of the COVID-19 pandemic have added yet another strain on resources and exacerbated the health and security situation for migrants in both states. In Brazil, the COVID-19 pandemic has exacerbated economic challenges, forcing the closure of many essential services to refugees and has led to a backlog in renewed residence and asylum permits.[xcv] While identity documents that expired after March 2020 are still recognized as valid, this impasse creates barriers for Venezuelans attempting to access housing and employment. A movement known as *Regularização Já* (Regularization Now) has begun advocating for implementing existing laws and other reforms, namely mass regularization for immigrants whose asylum applications have been tabled due to the pandemic.[xcvi]

The Brazilian government's response to COVID-19 has been criticized on multiple levels, and the incessant denial of the severity of the pandemic by Bolsonaro has resulted in the collapse of public health infrastructure as Brazil experienced one of the world's worst COVID-19 outbreak.[xcvii] Hospitals are pushed beyond capacity, the vaccine rollout has been incredibly inefficient, and Bolsonaro and some locals have heavily criticized efforts by local governments to enact public health legislation. Migrants often live in situations where they cannot effectively socially distance or practice proper hygiene, leaving them at an increased risk of infection and serious disease.[xcviii]

The situation in Colombia regarding the COVID-19 pandemic, while not quite as severe as in Brazil, still presents a number of issues. Two months before announcing the temporary legal status for mixed migrants, Duque asserted that Venezuelan migrants would not receive a COVID-19 vaccine should it become available, despite arguments that this would lead to increased

infections in Colombia.[xcix] After an extensive wave of criticism from humanitarian organizations, Duque eventually walked back on this proposal, and vaccinations were included with the establishment of temporary legal status. A primary observation in many South American responses to the intersecting COVID-19 and Venezuelan mixed migrant crises references the exclusion of migrants from a cohesive COVID-19 response. This exclusion undermines the efficacy of the state to provide not only those who have migrated into the country but also for its own citizens.[c]

Addressing these three issues: chronic underfunding, rising xenophobia, and failures in health governance to address the COVID-19 pandemic have interfered with the successful implementation of the innovative governance structures designed and implemented by Colombia and Brazil to manage the Venezuelan migrant crisis. If the lack of international attention continues, the negative trajectories of the state responses in Colombia and Brazil will continue to worsen.

Conclusion

Colombia and Brazil have received international recognition for their responses to the massive displacement of Venezuelan mixed migrants, and many international actors are calling for these models to be implemented in other crises. Both systems appear to address the humanitarian concerns of migrants with dignity and offer opportunities for socioeconomic integration. Colombia's innovative strategy of long-term legal status is unparalleled in modern-day global migration governance and may offer an example for other states experiencing high rates of migrant influx. Brazil's *Operação Acolhida* is a trailblazing response towards relieving the burden on the Roraima Province, which does not have the capacity nor infrastructure to handle the scale of incoming mixed migrants on its own. These signal innovations in refugee governance, and the humanitarian motivation in these policies has been rightfully applauded.

When deployed, however, there is a great discrepancy between the humanitarian intent and the effectiveness of the strategies employed. In Colombia, primary restraints on a more thorough implementation stem from the government's financial issues, polarization in the country, and a high unemployment rate as well as high informal economic participation.[ci] This limits access to benefits that were initially promised to Venezuelan migrants as a result of their legal status – directly blocking their ability to open a bank account, seek healthcare or education, or properly register for formal employment in certain parts of the country.

The militarized nature of the Brazilian regime has resulted in harassment and violence towards indigenous migrants and led to psychologically damaging conditions in camps. Additionally, access to healthcare, education, sanitation, and regular employment remain distant for many Venezuelans, visible in the 243% rise in homeless Venezuelans living in Paracaima after the reopening of the border in June 2021.[cii]

These state responses are being employed in highly specific cultural contexts. Despite a long history of camaraderie with Colombia, and the past extension of goodwill to fleeing Colombian migrants, Venezuelan migrants are also experiencing a rise in xenophobia, hate crimes, and discrimination. The military continues to lead efforts in this region with General Sérgio Schwingel assuming command of the Operation in September, 2021.[ciii] A similar rise in xenophobia can be seen in Brazil, and although *Operação Acolhida* and its redistributive efforts through *interiorização* are an innovative response, they have not adequately addressed the crisis in practice.

Policymakers should consider these factors when taking lessons from these governance responses; they should not simply apply these strategies to other crises without first making significant changes to increase adaptability to the crisis at hand. Mutual language, historical and

cultural ties, specific border conditions, and proportional impact on host populations must all be considered when planning refugee response.

In applauding the efforts of Colombia and Brazil, the Global North cleansed its hands of the crisis, resulting in low international attention and low funding compared to the refugee crises in the Mediterranean and at the US border. Nations of the Global North are not dramatically affected by the Venezuelan migrant crisis, allowing them to largely ignore it without repercussions. However, this exacerbates the situation for Latin American countries and greatly undermines the effectiveness of their innovative governance structures. Recent initiatives to increase funding and detailed response plans may help, but increased attention from the Global North to this crisis and a stronger attitude of burden sharing could help ensure stability for millions of displaced Venezuelans. By adequately supporting the innovative humanitarian goals of Colombia and Brazil, and applying pressure on governments to resolve lingering issues therein, the world's second-largest displacement crisis could be effectively managed to ensure security, dignity, and prosperity for both Venezuelan migrants and their host communities.

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The Smokey Mountain Housing Project: Observations of Infrastructural Projects in Metro Manila, and Implicit Discriminatory Housing Avenues

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Abstract

This research and analysis explore efforts to provide low-cost housing and develop infrastructure for scavenging and homeless populations in the National Capital Region of the Philippines, with particular focus on the Smokey Mountain Housing Project as a joint venture between the National Housing Authority and the private developer, R-II Builders' Inc. This paper delves into discriminatory practices in low-cost housing for larger households, especially for families possessing younger or elderly members. Households in these projects are unable to compete economically and survive short-term costs. Therefore, they continue to exist within scavenger areas, such as the Payatas Dumpsite, even after the 1995 closure of the Smokey Mountain site. Through analysis and observation concerning infrastructure, governance, and housing discrimination capacity within the Philippines, as well as the socio-economic environments of both Tondo and the Payatas, this paper builds on the observation that the Smokey Mountain housing project inadequately provides for larger households and younger members, as scavenger populations prefer to continue short-term, immediate slum housing rather than suffer the costs of long-term garnered profit, i.e., separated, private housing.

Background

Smokey Mountain was the popularized name for a large landfill in Manila. The Smokey Mountain decomposing waste site hosted many scavengers dependent on the refuse for their shelter and livelihoods becoming a testament to the wealth disparity in the urban center. Over more than fifty years, the National Housing Authority (NHA) and R-II Builders Inc. worked on public housing projects and urban resettlement to deal with this endemic issue.[1] However, when the area was closed in 1995, those depending on the site moved to the Payatas dumpsite instead

of entering public housing. They continued the scavenger lifestyle that the government had been trying to remove from the National Capital Region. This phenomenon reflects the more considerable discussion of the efficiency of the NHA and central government, the corruption in funding for public works, and the accessibility and attitudes towards poverty in the Philippines. These projects resulted in the inability of scavenger populations to remain in transit and find solutions providing economic relief. The origins of this project and its development embody the ties between public housing limitations and mounting levels of privatization that have impacted the Metro-Manila area over the past three decades.

The original project began in 1992 as the Smokey Mountain Development and Reclamation Project (SMDRP), with the Aquino administration approving the National Housing Authority of the Philippines, a subsidiary of the Department of Human Settlements and Urban Development. This project's purpose was to approve the removal of the Smokey Mountain dumpsite to develop a coastal community to allow for a revitalization of economic development and health. The SMDRP was initially organized as a deal between the NHA and a private company, R-II Builders Inc, which was structured to receive private ownership of public land to help cover associated expenses and protect the Philippines-based company from foreign competition. However, the project's budgetary constraints led to increased distribution of public land into the hands of the private company, with over two hundred hectares of land allocated to R-II Builders Inc. to the company to avoid going over the NHA budget.[2]

However, two years after the project began, the R-II company ran low on funds due to inefficiency and ill-preparation. Further, the mounting Asian Financial crisis, drained economic activity and government expenditures. The project was sustained by entering into an asset pool arrangement which bankrolled until its eventual completion in 2001. The dumpsite was

bulldozed entirely, and the remaining residents were relocated to temporary housing environments. The residents were then organized to receive more permanent placement within the low-cost housing structure.[3]

First, this section analyzes the NHA and its administrative structure during the project's time. The NHA was founded in the 1970s and its administrative work on the Smokey Mountain Project was split between two executive agents: Angelo F. Laynes and Raymundo R. Dizon Jr. During their time with the agency, the two witnessed the project's execution, with the intent of entering a sponsored agreement with private corporate entities to attain a restructured image of the labor in Tondo.[4] The practice of linking private entities with government projects is rooted in infrastructural issues with the NHA's inadequate handling of larger projects, especially within the Metro-Manila area. According to the Philippine Institute for Development Studies (PIDS) research, government projects within the Metro area often struggle to complete projects due to a lack of accountable rehousing. In contrast, successful programs see more success via private developer partnerships.[5] One of the most significant resettlement projects in the nation, known as the Completed Housing Project, mainly comprises private partnership contracts, representing approximately seventy percent of the completed work.

Additionally, projects within urban centers are much more expensive. With limitations on housing capacity, socialized housing opportunities within Metro Manila demonstrate a dysfunctional environment proliferated by privatized housing costs. Given that most NHA funds go towards work within the Greater Manila Area (GMA), the issue with delayed or failing projects could be attributed to a lack of supply for construction goods and human labor for high-cost projects or improper utilization of supplies. Coupled with the heavy alignment towards privatized industry, this may be indicative of the capability of the NHA to properly oversee

housing and resettlement projects, such as the SMDRP. Figure 1 is a chart from the PIDS displaying the yearly distribution of project costs and showcasing the larger distribution made towards the GMA. Figure 1 reflects the patterns we anticipate seeing during the life of the SMDRP.[6]

Figure 1: PIDS chart on Public Housing Project Spending in the Philippines

Item	2007		2008		2009		2010		2011		2007-2011	
	GMA	Regions	GMA	Regions	GMA	Regions	GMA	Regions	GMA	Regions	GMA	Regions
Project Development (including Housing Support)	95%	5%	97%	3%	95%	5%	96%	4%	86%	14%	94%	6%
Land Acquisition/Assembly	52%	48%	87%	13%	93%	7%	100%	0%	100%	0%	74%	26%
Other Project Related Capital Outlay	-	-	-	-	-	-	41%	59%	86%	14%	77%	23%
Total (Project Related)	94%	6%	97%	3%	95%	5%	95%	5%	86%	14%	93%	7%

Source: NHA Corporate Operating Budget
Notes:

Exploring the private entities partnering with the NHA, like the R-II Builders, Inc., this research can derive a brief outlook of how interwoven the NHA is with the private sector for public sector projects. The R-II Builders was licensed and registered in 1988, under the Philippines Security and Exchange Commission (SEC) as a general contractor, working on construction in housing, hospitals, and stadiums, with a particular focus on certification and capacity towards reclamation and engineering displayed in the Tondo housing project. Their work is also featured in other NHA collaborations, such as the Sugartowne Housing Project, a Joint Venture Program delivering housing units via resource and expertise sharing mechanisms through private governance.

Initialized in 1999, only a few years after the initial development of the Tondo project, the Sugartowne Housing project was assigned a Steering Committee for project implementation, which would oversee and manage. This committee shared joint authority between an NHA representative, the local Sugar Regulatory Administration under Wilson S. Gamboa, and R-II Builders, Inc. president Edmond Q. See. This relationship displays the company's level of influence and authority in the affairs of government housing projects.[7] Projects oriented around

community development (specifically resettlement and reclamation) require incentives for private entities through monetary exchange and funding for their work. When looking at both the ownership of land (as what occurred in the Tondo project) and an over-extended budget resulting in debts for the work completed, one is left to consider the amount of private pressure for creating a profitable future environment.

The Smokey Mountain landfill was in Tondo, the largest and most densely populated district in Manila. According to the World Health Organization's (WHO) research, it is also one of the poorest districts in the nation, with living standards and poverty rates amplified by extreme population density and high costs of living.[8] While the WHO's research focuses on healthcare access, it highlights the normalized costs and difficulties anticipated by urban centers, specifically in private companies being far more competitive in affluent urban areas than in poorer peripheral communities. Development of the Smokey Mountain community draws on two predominant factors. Foremost is the privatized concentration of land ownership in a processing system leftover from Spanish influence that delegated considerable control and power to certain families and institutions, resulting in high land and housing costs. Another contributing factor is the recent period of economic development in the Philippines; one that saw the concentration of political resources towards intense urbanization. For instance, while the agricultural sector sustains a majority of the rural Philippines, it receives far less attention; the expanding labor force is more incentivized to travel to metro centers than continue to contribute to rural agricultural sectors.[9]

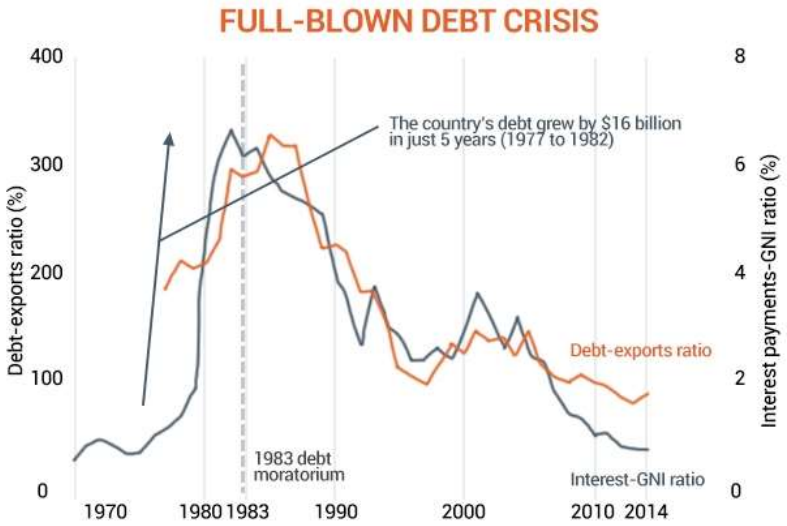
Philippines National Infrastructure, Housing in the GMA

The Marcos administration was known for its excessive spending and cronyism. It was also known for its vision of a bolstered Philippine economy through extensive infrastructural

tourism within the Greater Manila Area, despite land development costs and the lack of polity made for such reform. The Marcos administration increased temporary employees and built patronage offices. It also inflated the Department of Tourism to befit an image of beautification elaborated on in the 'Edifice Complex' made famous under the Marcos administration,[10] with excess money filtered into the projects by various hotel building costs under the Government Service Insurance System[11].

The most immediate repercussion to implementing this vision was increasing costs without means of return. High-cost government spending towards a population that could not pay taxes to offset costs, with most construction being zero-profit infrastructure that promised no return, created a skyrocketing debt crisis. Also, the growth of the Greater Manila Area far exceeded the economic capacity and labor identity of the surrounding region. This dilemma further accentuated an urban-rural divide and pushed more weight onto the urban poor, as wealth only accumulated in the entities Marcos took an interest in, namely those from his home province of Illocos Norte. The Marcos administration's efforts to create tourism and infrastructural modernization within the GMA was responsible for the debt crisis.[12] Figure 2 is a depiction of the rapid escalation of the debt crisis during the Marcos presidency.

Figure 2: Debt Crisis Graph of the Marcos Administration



. *Source: The Rappler*

The fixation on the infrastructural development to the urban capital was marked by stagnation in spending towards rural land improvement measures. Raw goods manufacturing would have provided sustainability for those within agriculture, yet the Marcos Administration had little interest in following through with grants or economic opportunities outside of Manila. A looming debt crisis, coupled with infrastructural weakness, made many of these positions unsustainable. Thus, the GMA appeared as an option for economic activity for many who couldn't find anything remaining to support them in their rural home environments.

One driving factor of this relationship seems to be the pre-martial period of the Marcos administration and how it facilitated the appointment of a system of technocratic appointees absorbed into the political elite of the administration. This group of executive branch technocrats was highly responsible for facilitating international economic decisions and were largely American-educated. The government chose these technocrats for their capacity to open the country to foreign investments. The government gave preference to those who could facilitate more accessibility to imports rather than assisting the agricultural, export-based prowess of the

Philippines.[13] While this environment was praised for its staunch aversion to communism in a rapid liberalization push, the National Economic Council (NEC) highlighted its nationalistic and protectionist nature related to infrastructure instability. It also became apparent that this selective process for economic leadership was also intrinsically versed in nepotistic practice. One of the most extensive voices in pre-martial Marcos power, Roberto Benedicto, was the executive secretary's longtime companion and employer, Rafael Salas, and it is widely understood that Benedicto's appointment came only through his relationship with the Secretary. This practice demonstrates the pervasive socio-cultural elements in technocratic appointments based on family and maintaining authority to a ruling, select elite.

Post-Marcos spending and infrastructure development marked an era marred by using global aid to solve the debt crisis. In October of 1983, the government declared national bankruptcy, and the World Bank's bailout required the end of government subsidies, Peso devaluation, and complete removal of tariffs. These requirements drew ire in the utilization of foreign funds into low-return infrastructural projects within the GMA. It further de-popularized the mechanism of government building projects. It facilitated an environment with enormous debt forgiveness for larger businesses that could commandeer their authority and cost growth in the capital.[14] The Marcos administration decisions, namely those relating to the heightened spending, accentuated the stifled development of urban housing projects, treated with intensive scrutiny or necessitating a private partner.

These policies further facilitate an understanding of the Aquino administration's economic decisions and priorities of spending. The Marcos administration was reliant on debt renegotiation and economic diplomacy with a staunch provision to every agreement to ensure the Marcos administration's denialism and ignorance would not continue. Because of this, the credit

facility of the Philippines with the IMF needed to be entirely redrawn given the Marcos era noncompliance, rendering it null.[15] This new credit facility established an environment fearful of extensive government spending but required drastic work, especially in the GMA. It continued to attract a rural migratory population to a dwindling supply of space, infrastructural development, and economic opportunities. It is this environment that facilitated the first contemporary private-public partnerships and joint venture programs. They served as staunch boundaries between private corporate interests and wealth distribution to ensure the efficiency of government projects.

In 1989, a memorandum declared by President Aquino established joint venture guidelines and capabilities with the ability for government-owned or controlled corporations (GOCC) to hold minority investments in private corporations. The memorandum allowed for the complete authority of the private sector to utilize funds for the project for their orientation while maintaining that government imposition and presence can only apply itself and analyze primary corporate purposes and intentions. This policy created an environment with government spending and investment reserved for "desirable economic activities" that preferred private corporate autonomy.[16] In addition, this environment coupled with prior legislation and ruling gave pertinent definition to the ability to engage within a joint venture agreement without following the 1989 corporate limitations of partnership. Like the 1954 ruling, as long as the business ventures are approved within the limitations of its charter, direct registration with the SEC is not needed. When a partnership or corporation is not newly created, the agreement itself does not require additional registration. This requirement is exemplified by R-II Builder's collaboration with the NHA already in place and given prior facilitation of infrastructure projects and work on housing within the GMA.[17]

What emerged from the attitudes sparked by Marcos spending to Aquino recovery is an environment desiring frugal government attention towards a growing population in the Philippines that is in most cases poor. The entirety of the Philippines is coupled with an aversion to extensive infrastructure spending that necessitated the engagement of private interests in housing. The NHA facilitated this development under Marcos in 1975, having abolished all other housing agencies. Under Aquino in 1986, with Executive order NO. 90, the NHA took over the responsibility of the Ministry of Human Settlements and exists as the sole extension of housing construction through government programs, all under the supervision of the Housing and Urban Development Coordinating Council.[18]

A glimpse at pre-Marcos administration spending towards urban and rural housing divides displays a deviation in construction and material capacity. Rural municipalities saw "light material" construction between an average of 36-86% of entire housing projects, while urban cities saw a considerably lower range within 14-50%. This discrepancy is linked to the cost of construction and housing, as light materials such as palm products are traditional and linked to low maintenance costs. Many urban centers adapted to utilizing expensive, heavy materials and stylized in foreign architectural formats. Accordingly, urban centers have higher costs than the housing realities many rural Philippines populations would anticipate.[19]

After the establishment of the NHA, housing development continued to display a preference toward urban centers. For example, government-owned property was issued "Conditional Contract to Sell" agreements, offering housing material loans of P50,000 per family to be paid over a span of over 30 years. This agreement is distinct from the developer contracts in that they would allow the families to individually construct their own houses, with a minimum requirement of subdivision sanitation regulation. This incremental housing project is the

alternative form to the developer-constructed approach and highlights different levels of housing investment for settler populations yet is constrained mainly by limited land availability and resource waste due to a lack of structural planning.[20]

In contrast, organizational work with private entities is tied to the utilization of joint venture agreements and private programs to receive government funding with limited supervision. Metro Manila had utilized the Local Government Code since 1991, situating responsibility and authority of urban development on a sectoral planning approach that provided land-use plans on a heavily localized level. This relationship nurtured a far more accessible option for private developers' interests and abilities. Local governments' ability to dictate land usage became crucial to understanding allocation for socialized housing sites, resulting in a lack of a centralized metropolitan planning approach. Given this devolved distribution of power, a potential lack of coordinating mechanisms means that developers have the greatest interconnectivity network on land plans between local governments rather than the central government.[21]

This is noteworthy because socialized housing becomes equitable to balanced socialized housing programs, which operationalizes them under the private sector to encourage participation, primarily through benefits such as tax exemption and qualification simplicity in acquiring necessary permits for other projects. In 1992, the same year as the development of the Smokey Mountain Housing Project, this was extended further through the Urban Development and Housing Act, which declared polity to allow for the state to cooperate with private corporations on urban development. Incentives allowed greater private corporate accessibility in housing; however, it was oriented around low-income housing exclusively, where private developers often look to invest in high-income productivity, thus requiring further incentives.[22]

Housing development and restructuring elicited a discussion of resettlement, especially given a revitalized interest in land redevelopment and improvement that would disrupt the migratory urban poor, such as the populations in the slums around the Smokey Mountain location. The history of resettlement programs, especially within the urban environment, is hostile. In the 1960s, under Macapagal, a program known as the 'Balik Probinsya' evicted several hundred thousand squatter families from metropolitan areas into unmaintained resettlement zones, with approximately 36% of them returning to the Manila periphery by the end of the Marcos Administration.[23] Post-1986, these evictions continued by the Aquino Administration, which was pressured by the President's Commission on Urban Poverty to encourage Barangay level governance to assume greater authority on socialized housing and local maintenance.

However, following the Urban Development and Housing Act, the higher polity emphasized the legitimization and organization of forced evictions. These forced evictions were lobbied against primarily by Catholic interest groups and lobbied for by the Builders' Association and Chamber of Real Estate, which the general population actively opposed given the lack of controlled economic contributions they would provide.[24] This program instilled a three-year grace period against forced evictions and attempted to provide legal consultation and community mortgage programs for settlers to purchase land. Less than five percent of families did, resulting in local governments selling public land to private developers. These companies' primary objectives centered around working more efficiently in a program of public housing avenues that would provide them economic incentive and capacity, reflected in the Tondo Recycling Collective.

This information suggests an infrastructural dilemma that created an environment that necessitated a controlled government response towards needed public housing. Private companies satiated this demand, and their dissatisfaction with low-income development policy could have been lessened through joint venture programs working through local governance. However, with preferential opportunities to afford such housing from coming jobs with said companies, this semi-socialized housing suddenly became far more viable. An individual that worked with the private sector could find themselves possessing increased domain and freedom in relationships to the local government. Because of this, a polity on resettlement procedure, housing development, and company presence within these socialized communities became something enforceable and contractible, despite it not being often manageable for many populations.

Housing discrimination within the Philippines

Housing discrimination is typically associated with barriers based on racial makeup; discrimination based on gender, sex, and religion exists, though they often protected against to prevent housing discrimination. However, fewer protections exist for physical and mental disabilities, especially where diagnosis and treatment options are not readily available. The aspects of one's physical ability, including parenthood or elderly age, aren't considered. Barriers like this are not uncommon in housing, such as those who prohibit persons under the age of 18 on the property.[25]

In the Philippines, housing accessibility follows the 1948 Universal Declaration of Human Rights, asserting that "everyone has the right to a standard of living adequate for the health and well-being of himself and his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment,

sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control."[26] This statement, alongside the Convention on the Elimination of All Forms of Racial Discrimination, asserts direct mechanisms of discrimination by identity are disallowed; so racially based quotas or limitations are explicitly banned. The Philippines' Law on Housing documentation focuses on the covenant of economic, social, and cultural rights, discussing discriminatory eviction, planned demolitions, and action against private and public maintenance quotas by landlords over topics of rent pricing, dwelling maintenance, and other potential inhibitory factors. The Philippines' Law of Housing, covering discriminatory eviction, would presumably provide protective capacity based on supplicant housing access, especially for such marginalized groups.[27]

An analysis of legal enforcement of these protections reveals weakness concerning the mechanisms and channels allowing one to address discrimination cases adequately, as there is no official mechanism to lodge complaints on housing discrimination. The government advises individuals to go through active NGOs to reach the Committee on Economic, Social, and Cultural Rights. However, such a process requires responsibility by those NGOs, including those that may be discriminatory entities.

Additionally, this document asserts that only evictions conducted by or with the state's approval are considered discriminatory housing. This definition becomes an issue when observing that joint venture programs (such as the Tondo project) are often made with the direct intention of minimizing government intervention and involvement in favor of allowing the private partner entity further domain over low-cost housing.[28] Therefore, while the program itself is government-mandated and constructed, a large proportion of the property and land was

purchased by private entities. Consequently, they would not be held accountable for discrimination in their manner of eviction or housing consideration.

Housing discrimination also includes discrimination against income capacity and wealth. The largest economic activity within the Tondo area was scavenging, which provided a sense of labor capacity with flexible participation for the physically disabled and all people regardless of age. When the Tondo location was closed and renovated for public housing, those living there shifted to working at the recycling-based co-op as a work opportunity. This is an infrastructural issue not uncommon within the GMA, where the cost of living and housing is often higher than the average salary. Such a model disproportionality leaves out members of the population living under the poverty line, as there is a 168% disparity in salary to cost of living.[29]

In the context of the housing project, low-cost housing developments, especially those with private components, would have a lower cost disparity. However, with a financial incentive involved, measures that would harm the ability to receive income would be disapproved. One mechanism for this is the disproportionate levels of homelessness between individuals and family units. Often, a single person typically does not fall into homelessness. At the same time, families cannot afford increased costs of living due to having more mouths to feed, including children too young to contribute economically. Programs that seek to resolve housing vulnerability and homelessness within the Philippines, such as its MCCT-HSF program, note that approximately 75% of the homeless population are likely family units, either transitionally or in permanent status.[30]

Scavenging allows the entire family unit to provide labor and produce income. Removing their only resource can make the costs too high to incur for a family unit. The Poverty and Environment Fund of the Asian Development Bank provide funding for substitutes to

scavenging, such as the materials recovery facility, which has implicitly required child labor provisions, thus removing part of the income once generated in these family units. However, loss of income continues to present problems as family incomes declined by approximately 6% between 1975 to 1981. The decade-long decline in family income was felt more heavily in rural areas, thus encouraging movement to urban centers.[31]

This analysis offers a theoretical framework behind housing discrimination that is based on the family unit, age, and physical ability as it pertains to the capacity to keep a job and afford housing. The most striking component of this is the large amount of homelessness that occurs within family units, and often in migratory patterns rather than those who have developed in communities. What this insinuates is that the population statistics of the projects applied for housing, and how they may shift from individual housing to family housing, influence trends in low-cost housing projects and socialized community building. These trends are also influenced by how much of a residency is populated by single individuals in comparison to family units, compared to the barangay's former homeless population or squatter population that was displaced by the same developments. If there is a higher proportion of single individuals, it means that preferential status is placed upon these individuals, so that they have greater access to housing opportunities. As displayed in Figure 3, the most common household within Manila is that of single individuals, rather than married, or divorced couples, which would typically also have children to account for.[32]

Figure 3: Household Population Statistics by Marital Status

Table 3. Household Population 10 Years Old and Over by Marital Status and Sex: Manila, 2007

Marital Status	Both Sexes	Male	Female
Total	**1,315,416**	**637,147**	**678,269**
Single	607,389	308,746	298,643
Married	516,120	255,784	260,336
Widowed	57,196	10,776	46,420
Divorced/Separated	29,578	9,984	19,594
Common Law/Live-in	100,570	49,763	50,807
Unknown	4,563	2,094	2,469

Source: National Statistics Office, 2007 Census of Population

Tondo & The Payatas

When assessing these regionally observed issues, observation comes primarily from census data collection. This information is limited, but still provides useful statistics on the size of households within separate sectors of the greater Manila area. We look at statistics from 1995 that offer a glimpse of population concentration per area.[33] The National Capital Region (NCR) in total displayed an average of five persons per household beginning in 1990, which decreased to an average of 4.7 persons per household by 1995, despite population growth of 3.3% during the same time. In 1995, Tondo had a total population of 589,644, a recorded household population of 589,273, and 121,438 households. This equated to a 4.86 person-per-household record, higher than the regional average. In comparison, Quezon City, which hosts the Payatas, had a population household average of 4.75 persons per household, also higher than the regional average. For clarification, this means that in the year before the Smokey Mountain Site was officially closed, both areas held higher person-per-household averages than the regional average.

However, post 1995, both household number and household size decreased marginally, with the regional average for both Tondo and the Payatas declining to approximately 4.71 persons per household.[34] These values describe the amount of family units in Manila, as opposed

to those without children to account for as a factor of their livelihood and productivity. This shrink in total housing opportunities despite population growth is indicative of a population that is either no longer able to live in their homes or are moving in with others, thus causing the observed increase in average number of persons per household in the Manila region. This is most likely to occur to families, given they often exist on the poorer end of economic capacity and activity.

Tondo itself holds some of the poorest populations in all of Manila within its slums, with squatter populations almost entirely working temporary jobs that earned less income than average consumption expenditures, typically in a monthly disparity of P371 earned versus P392 in expenditures. Tondo was the largest squatter area in the entirety of Southeast Asia, had a population of 157,860 in 1974, with an average of two full households living in each singular unit.[35] The Tondo Foreshore Housing Development Project, which specifically targeted the dumpsite of Smokey Mountain, was entirely government based, taking 137 hectares to create subsidized land for 15,000 housing units with a 25-year exemption on housing payments, credit extensions, and communal facilities. The belief for the program was that with greater community participation and access to funded government education programs, labor could become more skilled, and thus increase average income within the area as well as help people build up savings. This project did provide relief in a socio-economic sense, and income increasing proportionally to school and income levels for those who were able to increase their skilled labor potential. Figure 4 displays data gathered after the project was in effect, which shows statistical support for the success of the project.[36]

Figure 4: Tondo Foreshore Education and Community Issue Table

Table 2: *Difference of Proportions (t-ratios) of Variables for Tondo Foreshore in 1974 and in 1984*

Variables	*1974 (N=2643)*	*1984 (N=181)*	*t-ratio*[1]
Residents who save	*.380*	*.580*	*5.26***
Education:			
Population enrolled in elementary school	*.185*	*.514*	*10.28***
Population enrolled in high school	*.069*	*.498*	*18.65***
Schooling members who go to high school after elementary school	*.375*	*.968*	*15.60***
Perceived Community Problems:			
Basic facilities	*.200*	*.144*	*1.81*
Physical infrastructure	*.270*	*.110*	*4.71***
Physical environment	*.230*	*.440*	*6.36***
Social infrastructure	*.170*	*.110*	*2.07**
Landownership	*.146*	*.006*	*5.18***
Economic problems	*.461*	*.625*	*4.20***
Peace and order; Social relationships	*.053*	*.309*	*12.80***
No problem stated	*.025*	*.039*	*1.17*

*$p < .05$
**$p < .001$

[1] *df = 2822*

Source: Philippine Sociological Review

The results of issues mentioned in the data suggest that the population that remained found improvement in their situation, following the increase in education and skilled labor. Thus, the success of the Tondo Project encouraged other projects to grow, especially within the private sector. However, important to note is the smaller sample of responses in the data from 1984, which is a direct result of a portion of the population accepting the opportunities of the housing units and new economic environment as opposed to the population that remained in scavenging. However, there remains a disproportionality between available households and the population that needs them, as 15,000 sustainable housing units is simply not enough for the environment and population, and as a result, a large portion of society could not readily afford the newly

available housing. The immediate costs of consumption also became a concern when their housing was far from the scavenging sites they received immediate income from.

Furthermore, a large amount of the scavenging population are the rural poor that are unaccustomed to the urban environment, and as such, are often too old to regularly participate in educational programs, especially pressured by both uneven economic development levels and increasing land values.[37] Tondo itself fell victim to this with the slum populations that lived off the Smokey Mountain Dumpsite, as even with its official closure, the population that remained refused to leave their environment because the dumpsite offered the assurance of long-term economic payoff that expensive and selective housing opportunities could not. This is disproportionately affecting the physically disabled, family units, and the elderly, groups which are commonly found in slums at higher rates than other groups. In addition, the new housing presented more barriers with its infrastructural regulation on household size, while there was a lack of regulatory concerns in slum-based housing in Tondo, allowing for larger family units to exist in a single location.

According to surveys compiled by the Department of Social Welfare and Development in 1988, population density consisted of 463 persons per hectares in the slums, compared to the Metro Manila population density of 93 persons per hectare, with structure overcrowding less of a concern with sustainable housing options.[38] This demonstrates the boundaries of housing accessibility; when these sites are taken and renovated, the amount of people displaced did not equate to the amount of housing units provided; as such, households that were smaller, or less reliant on the economic benefits of scavenging, were more often those who were able to access such houses. What this also asserts is that in the process of allocating housing space for people, it

is likely that regulatory officials would look for those that would prefer rehousing because of their own social obligations and requirements.

Tondo was heavily impacted by Marcos-era policies and funding that placed its focus on massive resettlement programs, primarily assisted by funding from the World Bank, despite multiple assertions that they were actually focused on the development of slums.[39] Resettlement was oriented, at least in successful instances, as large-scale infrastructure projects to ensure that marginalized workers would be kept away from urban real estate opportunities, which would upset short-term focused actors. However, the Tondo Dumpsite was not considered to be a real estate opportunity by the time of the Marcos Administration. Instead, it seems that the population was forced to move simply to improve Tondo's image considering that in the post-Marcos administration, no infrastructure project had taken up space in the area over the dumpsite.

In addition, there was a perception that the high costs of homeownership were part of a coercive process because there were limits on household dispersion, and a lack of immediate localized economic opportunity. Families often rejected the offers of the NHA and were then told to move back to rural areas or were told to meet with a government housing official.[40] The population was averse to this given their immediate socio-cultural belongings and economic status, and this 'compromise' created skepticism in a population given new housing reform programs. Without reassurance or outreach, it seems populations were likely to refuse housing that directly threatened scavenging economic opportunities, thus exacerbating motivations to move to the Payatas Dumpsite.

An indicator of the movement of families disproportionate to single people to the Payatas dumpsite post Tondo-Closure is demonstrated by the significant proportion of children within the Barangay specifically, as analyzed by the enforcement of the State of the Children report and

Child Friendly Cities research project.[41] This research insinuated that more than fifty percent of the population of the Barangay are children, and that a large population living in the disposal areas of the district is predominantly identifiable as youth. What this means is that many of those people in the area belong to larger family units. Considering that many programs are focused on school building and day care centers, we can also deduce that many of these youths have not received much education, insinuating that these are not the same populations that would be privy to educational access within the Tondo site.

Proactive scavenging groups presented a unified front within the Payatas region, monikered as the Payatas Scavanger's Association and connected to the Lupang Pangako Urban Poor Association, both of which work and advocate for the improvement of the dumpsite itself rather than resettlement, given their emphasis on the position being a viable economic opportunity for many.[42] It therefore seems that these organizations are made specifically with the intention of preventing eviction and relocation as a reactionary measure, asserting that many have been impacted by these repercussions and are connected to the direct population shifts flowing from the closed Smokey Mountain location.

Conclusion

This research provides insight into the impacts of scavenging and settler populations in both the Tondo and Payatas areas, displaying the discriminatory mentalities that were prevalent, installed, and expected within Tondo as well as the current socio-cultural standards exhibited within the Payatas to tie them to one another as a dissuading process. As a result of the inability of housing projects to benefit larger households, coercive fear of the removal of the household the high amount of children seen in the Payatas region, and heavily anti-relocation or rehousing projects, there exists an observable connection to the habits of movement towards the Payatas

dumpsite being overwhelmingly made up of families and young children. This raises questions about the true ability and intentions of the Smokey Mountain Housing Project to adequately assist these populations and calls into question the veracity of R-II Builders in assisting these populations.

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Democracy in the Philippines

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The Philippines' unstable relationship with democracy is one predicated on external rule, first by colonial Spain and later under the U.S. These effects have continued to the present day. Throughout the late 1990s and early 2000s, the democratic structure in the Filipino government eroded. Outlined by Nancy Bermeo in *On Democratic Backsliding* and Ozan Varol in *Stealth Authoritarianism*, the process of democratic erosion can be seen through the actions of former Philippine President Gloria Macapagal Arroyo. Beginning in 2001, Arroyo used her power as president to exacerbate the shift of the Philippines government away from democracy.

Democracy in the Philippines

Under the presidency of Fidel Ramos from 1992-1998, the Philippines embarked on a nine-year period of democracy as classified by Freedom House. Freedom House rates measures the freedom of countries using a six-point scale, with one being free and six being not free. During Ramos' presidency, the Philippines was scored a three in political freedom and a two in civil freedom, meaning that they were defined as free by Freedom House.[i] This period would continue under the ruling of Joseph Estrada, 1998-2001, and partly under Gloria Macapagal Arroyo, 2001-2010. However, four years into Arroyo's presidency, there was a marked shift away from democracy in the Philippines.

In 1996, the Philippines was ranked as free by Freedom House in both civil and political freedoms, scoring "average" in political freedom and "low" in civil freedoms. These scores remained the same until 2005 when their ranking dropped to "low" in political freedom, suggesting a slight dip in democratic freedoms.[ii] By the end of 2005, the Philippines no longer met Freedom House's minimum standard of democracy; by 2007, Freedom House no longer classified them as a democratic country. To understand the

democratic breakdown of the Philippines, it is necessary to look at three Philippine leaders: Fidel Ramos, Joseph Estrada, and Gloria Macapagal Arroyo.

Under President Ramos, the Philippines saw a shift towards liberalization in both civil and political freedoms. This transition was attributed to the fear of not being competitive in economic and political spheres.[iii] Ramos was elected with the support of Corazon Aquino, the current president, and this support won him 23.4% of the popular vote.[iv] Aquino believed that Ramos would "preserve the gains of the People Power revolution," a revolution that has roots in the removal of Ferdinand Marcos as leader of the Philippines.[v]

As president, Ramos worked to promote political freedoms through the National Unification Commission (NUC). The NUC brought together rightist, leftist, and Muslim political groups to discuss the best way to attain peace. The result of these coalition talks came in December 1992, when 65 detained communist leaders were freed, and 68 rebel soldiers were released. By freeing these prisoners, Ramos allowed for political competition, something that would change under the Estrada and Arroyo presidencies.

Along with his efforts to promote political freedoms, President Ramos also worked to promote civil freedoms. One of his policies, as evidenced by the *Local Government Code*, allowed nongovernmental organizations to be involved in local government.[vi] This granted Filipinos the ability to be directly involved in their government through non-governmental organizations (NGOs), which furthered the democratization of the Philippines.[vii] While democratization continued under Ramos, it did not last under President Joseph Estrada.

Estrada had a different plan for the Filipino people. Although Estrada was vice president under Ramos, their two legacies are vastly different. While Estrada was only in power for three years, he began the slow erosion of democracy within the Filipino government. Relying on close friends and cronies who had ties to Ferdinand Marcos, the former Filipino President from 1965-1986, Estrada welcomed corruption into the highest

levels of Filipino government.[viii] He would hold "midnight cabinets" with a group of cronies to make political decisions while drinking and gambling.[ix] Going against core values of democracy and freedom of the press, one of Estrada's cronies was able to buy out a major Filipino newspaper, the *Manila Times*, after Estrada sued the paper for libel.[x] He also went after the *Philippine Daily Inquirer* but was unsuccessful in fighting the company and eventually ended his campaign against them.[xi] Although Estrada was unsuccessful with taking down the *Daily Inquirer*, his attack against freedom of the press did not go unnoticed. Ultimately, Estrada would later resign from his presidency after a national court case uncovered his involvement in making large payouts from an illegal numbers game.[xii] As a result, Estrada was able to begin the breakdown of democracy in the Philippines without a coup or revolution but rather with under the table negotiations that undermine democracy.[xiii]

Since Arroyo was Vice President during the Estrada administration, Arroyo was sworn in as the new President following Estrada's resignation. Despite creating a cabinet using members of the former Ramos administration, she was determined to cut many of the programs and policies that Ramos brought to the Philippines.[xiv] Arroyo used several mechanisms that eroded democracy in the Philippines throughout her presidency, similarly to Estrada.

Democratic Erosion

As president, Arroyo deployed several strategies that slowly transitioned the Philippines from being designated "free" to "partly free" by Freedom House throughout the 1990s and early 2000s. In Nancy Bermeo's *On Democratic Backsliding* she outlines two methods of democracy erosion: executive aggrandizement and strategic manipulation of elections.[xv] Arroyo used both of these methods to erode democracy in the Philippines.[xvi] According to Bermeo, executive aggrandizement occurs when "elected executives weaken

checks on the executive power one by one, undertaking a series of institutional changes that hamper the power of opposition forces to challenge executive preferences."[xvii] Manipulation of elections occur when actions are taken to tilt the electoral playing field in favor of incumbents, in this case Arroyo herself.[xviii] These two methods are exhibited by the way Arroyo rose to power, and how she later maintained power in the 2004 presidential election.

On the twentieth anniversary of the downfall of the Marcos regime, several junior officers and civilians attempted to overthrow the government. In response, Arroyo used the Filipino military to create an "all-out war" on the communist insurgency in the country.[xix] This war allowed Arroyo to "legitimately" target many political activists and leaders, clearing the field of political opposition.[xx]

Arroyo was determined to regain legitimacy in the 2004 presidential election through the use of strategic manipulation to create a wide margin of victory for herself. In the 2004 presidential election, Arroyo skillfully funded local politicians throughout the Philippines archipelago to gain support, tilting the playing field in her favor.[xxi] Throughout the election, Arroyo was criticized for disrupting the integrity of the process; these allegations centered around her "improper use of public funds, manipulation of government programs, and tampering with vote counts."[xxii] Arroyo was able to survive this criticism with the help of corrupt election monitoring groups, which claimed that the elections were "free and fair."[xxiii] Since the election monitors were supervised by Arroyo, their claim were biased and illustrated how Arroyo used her power to maintain her position as president.

Ozan Varol offers more insight into the erosion of democracy through what he calls "stealth authoritarianism"; he defines this as "a way to protect and entrench power when direct repression is not a viable option."[xxiv] One mechanism that enables stealth authoritarianism is judicial review. Although judicial review is usually used to create checks

on other political branches of government, it offers three ways for authoritarians to avoid being detected as they erode democratic rule.

Using judicial review in a corrupt manner, authoritarians like Arroyo can consolidate power, bolster democratic credentials, and avoid accountability. 2001 marked the year that the Philippines fell victim to stealth authoritarianism. Once Estrada resigned halfway through his presidential term, Arroyo relied on the Supreme Court of the Philippines' decision to state that since she was Vice President under Estrada, she was the rightful successor.[xxv]

While many questioned the legitimacy of her claim to Presidency, Arroyo used the Supreme Court ruling to back her claim that she was taking over the presidency legitimately. This weakened the balance of institutional power that is necessary in a democratic state. Varol argues that bolstering democratic credentials can occur in two ways: legitimation and ruling against an incumbent to appear democratic.[xxvi] Arroyo used judicial review to bolster democratic credentials by gaining legitimacy through the courts.

Arroyo also used traditional methods to undermine democracy. Throughout the Philippines' history, revolutions and other political movements relied heavily on local support of villages, towns, and provinces.[xxvii] This support often caused the rise or demise of political leaders. Patricio Abinales argues that the weak link between opposition forces and the political leaders of local governments allowed for Arroyo to gain and hold onto power throughout her presidency.[xxviii] Furthermore, Arroyo was able to find and maintain an equilibrium between governing the state and appeasing her allies at a local level.[xxix]

One way that Arroyo was able to find a balance between ruling the two was through funding. Arroyo allocated funding to provinces in the Philippines if they did not oppose her, which allowed her to gain loyalty from the leaders of these provinces.[xxx] With her policy of forgiveness of local debts to the state, support for her only grew. She was also able to gain voter support through the use of rhetoric. Because Arroyo could speak several languages

spoken throughout the Philippines, she targeted individual groups who couldn't communicate through the primary language, Filipino. She also cultivated the image of herself as a mother or older sister to rural community in the Philippines, someone who can talk to them and understand them through their own language.[xxxi]

Although Arroyo had the support of some Filipinos, she continued to face opposition throughout her time in power. Since the courts ruled that Arroyo was the rightful successor to Estrada, under Chief Justice Hilario Davide, the court would eventually rule against elite interest. This led to Arroyo undergoing renewed scrutiny from the public as many corruption scandals came to light.[xxxii] On the twentieth anniversary of the People's Power movement, the protest that overthrew Ferdinand Marcos and his regime, an anti-Marcos political group and unsatisfied political and military leaders attempted to oust Arroyo as President.[xxxiii] The uprising quickly fizzled out and Arroyo declared a state of emergency.[xxxiv] This declaration granted Arroyo more power to control the nation as she no longer had to go through legal means to enact change. According to Jan-Werner Müller, a German political philosopher and historian at Princeton University, a crisis can be used by populist leaders to frame a situation as an existential threat which allows these leaders to insert legitimacy into their actions.[xxxv] Using this logic, the uprising allowed for Arroyo to reassert her legitimacy by consolidating her control.

The courts, despite their growing bias towards the executive, still drew a line concerning cases dealing with democracy and the exercise of fundamental freedoms. This is why the Philippine courts decided to strike down Arroyo's declaration for a state of emergency following the attempted coup.[xxxvi] The growing bias towards the elites from the courts resulted in a loss of trust in the Philippine court system.[xxxvii] The abuse of the court system under Arroyo was another way in which she was able to undermine the principles of democracy.

The Philippines' process of democratic erosion and eventual breakdown follow both Bermeo and Varol's guidelines of democratic backsliding and stealth authoritarianism. Arroyo utilized many of the mechanisms of democratic backsliding and stealth authoritarianism outlined by both authors: executive aggrandizement, strategically manipulating elections, and using judicial review. Although these mechanisms help describe the process of erosion, they only partially explain how Arroyo undermined democratic rule.

Theories of Eroding Democracy

Ellen Lust and David Waldner provide six theories as to why democracy erodes in any given country. These include political leadership, political culture, political institutions, political economy, social structure and political coalitions, and international factors.[xxxviii] The erosion and eventual breakdown of democracy in the Philippines can be described using political institutions, social structure, and political coalitions.

Filipino democracy was eroded using political institutions in a few different ways. The civil society of the Philippines saw a rise in support for democratic principles in the 1992, 1998, 2004, and 2007 elections, as voter turnout was also highest in these years.[xxxix] Although democracy appeared to be on the rise during these elections, the political institutions created were a result of U.S. colonization attempting to pave the way for democracy within the Philippines. With the influence of the U.S., Filipino political institutions disenfranchised the masses, had powerless political parties, institutional weaknesses, and saw the abuse of high public offices.[xl] These institutional flaws of the electoral process masked erosion of democracy with the façade of representing all Filipinos.

During Arroyo's presidency, she dissolved horizontal accountability by weakening the power of the judicial branch. At the very beginning of Arroyo's term, the Supreme Court

often ruled in in her favor.[xli] Following the Court's decision to not support Arroyo after an attempted coup, she began her quest to weaken the Courts.

Arroyo attacked the Supreme Court by impeaching Chief Hilario Davide Jr. after the courts struck down her state of emergency. Davide's impeachment sent a strong message to the judiciary as well as to other justices on the court, and after Davide was removed from his position of Chief Justice, the Supreme Court was again perceived as being biased towards the executive.[xlii]

The social structure of the Philippines also helps to explain the erosion of democracy within the country. Lust and Waldner describe the social structure as a way of looking at various groups within the country to find areas where potential conflict could occur, and examining the implications of these groups and their conflicts.[xliii] The Philippine Constitution of 1989 allowed for the increased power of civil society in policy development.[xliv] This decentralization of power has been argued to promote the interest of local elites, allowing for areas to maintain dynastic family power.[xlv] Emma Porio argues that this happens through "networked governance practices," or the practice of incorporating civil society organizations by giving them a role in city governance.[xlvi] This allows elites to create alliances with civil society which maintains their power.

Along with this decentralization of power, the Philippines has traditionally favored the elites over the middle and lower classes.[xlvii] With the 1987 Philippine Constitution, however, there was a shift of power to the middle and lower classes.[xlviii] Since the Philippines has a history of a social division with the elite class holding a majority of the power, it is understandable why the Philippines has struggled to maintain democracy. Elites threatened by the prospect of democracy aim to use their power to combat democratic development in the state.

Daron Acemoglu argues that democracy looks after the interests of the majority while non-democracies tend to look after the interests of a specific group, like the elite.[xlix] This supports the argument that the Philippines was moving away from democracy, as the interests of Arroyo and her elite group were being prioritized. Acemoglu would consider the Philippines to be nondemocratic because of the high influence that the elites have within the country. The elites that Arroyo favored during her time as president once again highlights the way in which the Philippines shifted away from democracy. Acemoglu lists eight factors that can be used as determinants of democracy: civil society, shocks and crises, income and composition of wealth, political institutions, inequality, the middle class, globalization, and political identities and the nature of the conflict.[l] Although civil society in the Philippines was effective in the past, current civil society lacks the development and cohesiveness that allows for structural change to occur. Acemoglu articulates that civil society that is not developed and well-organized will delay democracy indefinitely.[li] Civil society in the Philippines faces challenges in working together to promote democracy in the country.

Although Acemoglu says that democracy is more likely to occur in times of crisis, the Philippines' example suggests that this is untrue.[lii] As mentioned earlier, on the twentieth anniversary of the People's Power movement, a new revolution was planned in Manila the . Rather than prompting the creation of a democratic nation, Arroyo cracked down the revolution and called for a state of emergency to combat the uprising. This was not conducive to the creation of a more democratic regime in the Philippines.

In addition, Acemoglu suggests that a highly divided society creates issues for democracy because of the perceived threat to the elites.[liii] Elites will oppress the people to avoid democracy at all costs, as seen in the Philippines. The elites' hold of power in local governments, and the alliances between Arroyo and local elites, allow elites to hold significant power and decrease democracy at the local and national levels.

The Future of the Philippines

The future of democracy in the Philippines is still unclear. As of 2020, Freedom House considers the country to be "partly free" since their civil liberties and political rights continue to be scored "low."[liv] Since Rodrigo Duterte was elected as President in 2016, the Philippines has continued to move further away from democracy. Duterte's violent war on drugs allows him to create coalitions with communist groups and the Filipino police force, giving him the support he needs to wield his power undemocratically.[lv]

Samuel Yu's piece, *Political Reforms in the Philippines: Challenges Ahead*, argues that there is a way to reform the political landscape of the Philippines through economic development.[lvi] Robert Dahl argues for increased political participation, asserting that, previously, political participation was only available to the elites.[lvii] Since most of Duterte's support came from the middle class and the elite, it is important to establish that all Filipinos have the right and ability to vote.[lviii] Dahl argues that political participation and civil liberties are a necessity for democracy to thrive within a country.[lix] Political opinions and widespread representation can only occur with an increase of political participation.

Furthermore, Acemoglu emphasizes that the middle class of a society can act as a buffer between the elites and the citizens.[lx] For nations that are transitioning from nondemocracy to democracy, the middle class can act as a driver of democratic practices.[lxi] Should the middle class ever achieve this power, they will be able to dissuade the elite from repressing democracy while also supporting policies that benefit both the middle class and the elite, thus driving the beginnings of a true democracy in the Philippines.

Although the Philippines is not democratic today, there is still a chance that the country can change with the next election. From the original People's Party movement to their successful removal of Ferdinand Marcos, the Philippines has had an unstable relationship with democracy that continues today. While the Philippines strived for

democracy under Ramos and Estrada, it quickly shifted away again with the rise of Arroyo and her manipulation of the election system, the breakdown of horizontal accountability, and securing a coalition to support her. Through these actions, Arroyo stripped the Philippines many democratic principles and values, which eventually resulted in the breakdown of democracy in the country. Today, current president Rodrigo Duterte continues to attack democracy through his "war on drugs," once again shifting Filipino institutions and public opinion farther away from a true democracy.

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Examining the Motivation Behind the Republic of Korea's Pursuit of Hard Power-Oriented Diplomacy

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Abstract

Various age groups feel differently about how much funding should be allocated to the military of the Republic of Korea. The motivations for higher support tend to favor a strong perception of Japanese aggression in the East Sea (Sea of Japan). However, the Cold War legacy of Chinese-sponsored communist guerrillas and Chinese backing of communist states remain key motivating factors among older Koreans to support the allocation of more funds to the military of the Republic of Korea.

Keywords: THAAD, Hard Power, Communism, Japan, China, Korea

Introduction

The Republic of Korea has been shaped by war since its inception. For most of the twentieth century, the attitude of the Korean authorities exclusively relied on hard power. It was not until the democratization of the country in 1988 and the presidency of Kim Dae-Jung in 1998 that the leadership of the country began to take a less militaristic approach to foreign affairs. However, after a decade of détente, the conservative leadership of Korea made heavy gains in the mid-2000s and once again steered the country toward a more confrontational approach, particularly with the North. Furthermore, the foreign policy of presidents Kim Dae-Jung and Roh Moo-Hyeon has been avidly criticized by the Korean public for its softer approach to Korean-Japanese disputes and is often blamed for allowing the North to develop nuclear weapons.[1;2] While the confrontation with the North has been softened once again under the presidency of Moon Jae-In, the Republic of Korea remains in a deteriorating relationship with both the People's Republic of China (PRC) and Japan, in part, due to rising nationalism. Nationalism in

Korea is considerably based on the Japanese colonial legacy and confrontations over disputed territory since independence in 1945.[3;4] Presently, the same sentiments spawning from more recent confrontations with Japan may be giving rise to unwanted frictions with China. In essence, the Korean public is sleepwalking into a conflict in which they are rearming for a showdown with Japan and are consequently provoking a Chinese response.[5] The question therefore remains: What is motivating the Korean public to pursue this change in the foreign relations of the country?

Background

The relationship between the People's Republic of China, the Republic of Korea, and Japan is one of mutual distrust rooted in the Japanese colonial legacy and the foreign policy of Chinese communists after 1949.

Figure 1

Both Koreas have poor relations with Japan, primarily due to the Japanese annexation of Korea in 1910. Imperial Japan attempted to erase the Korean language and drafted thousands of Koreans into the Imperial military and forced labor. [6] Imperial Japan also systematically assigned Korean women to serve as "comfort women" so that the Japanese soldiers would "maintain their morale."[7;8] As many as 200,000 Korean women were forced into sexual slavery by

Imperial Japan between 1910 and 1945.[9] To this day, Japan actively minimizes the crimes of the Imperial military. Japanese lawmakers have removed sections of school textbooks that detailed said crimes to whitewash the history of colonization in East Asia.[10] In addition, Japanese newspapers such as the Japan Times, often self-censor to avoid public backlash when reporting on events related to Japanese wartime mass-rapes.[11]

After the defeat of Japan in the second World War, several territorial disputes erupted between China, Japan, and Korea. While the larger, high-profile islands like Jeju and Formosa were returned to Korea and China respectively, smaller islands in the Sea of Japan remain contested. A set of islands known as "Dokdo" to Koreans and "Takeshima" to the Japanese is a major source of friction.[12] The Republic of Korea often displays anti-Japanese propaganda stemming from the territorial dispute while Japan actively downplays its role in causing it.[13;14] The friction between the two nations has worsened since the military of the Republic of Korea began intensifying exercises over the island in August 2019.[15]

The uneasy relations between the Republic of Korea and Japan may come as a surprise to many Americans. Both nations are strong U.S. allies who often conduct joint military exercises with U.S. troops and currently host a total of 23,468 American troops in Korea and 39,800 in Japan.[16] The close relationship the Republic of Korea and Japan maintain with the United States may give the impression that there are amicable relations between the East Asian nations, but with the United States out of the equation, Korea and Japan have many issues to settle.

Figure 2

The relationship between the Republic of Korea and the People's Republic of China has been, and remains, a strenuous one. After Chinese communists seized control of the Chinese mainland, they actively encouraged Kim Il-Sung of the Democratic People's Republic of Korea (DPRK) to invade the newly formed Republic of Korea in the south of the peninsula.[17] The events that followed are known in the United States as the Korean War, where North Korean troops advanced as far south as Busan. The armed forces of the Republic of Korea entrenched themselves in the Busan perimeter for a last-ditch defense. Soon thereafter, a United Nations armed intervention, mostly composed of American servicemen, landed in the coastal city of Incheon, cutting off the North Koreans in the South. After the successful capture of the South Korean capital of Seoul, the combined forces of the Republic of Korea and the United States went on the offensive and mounted an attack against the DPRK to unite the Korean peninsula under the Republic of Korea. The Chinese communists had hoped that by attacking the Republic of Korea they would be able to remove American military presence from the East Asian mainland. Their plan had the opposite consequences as American forces raced towards the Chinese border with the DPRK. Determined to halt the American-South Korean advance, the Chinese Communist Party (CCP) opted to take matters into their own hands and invaded the

Korean peninsula with over three million ground troops under the People's Volunteer Army (PVA) against the 178,000 American servicemen present.[18;19] The PVA managed to push back UN troops to the 38th parallel and briefly recaptured the southern capital. The Korean War culminated in an armistice but was never formally ended. The uneasy peace between the United States, China, and both Koreas lies in the ruins of the Korean War.

The bitterness between the belligerents of the Korean War remains high to this day. In 2006, North Korean leader, Kim Jong-Il announced to the world that the DPRK had developed its nuclear weapon. Thus, the relations between the Koreas began to sour after more than a decade of re-engagement, eventually prompting former president Park Geun-Hye to permit U.S. deployment of Terminal High Altitude Area Defense batteries (THAAD). THAAD is a defensive set of weapons capable of intercepting a missile before it reaches its target. To do so, however, it must scan a considerable amount of air and land with potent radar technology. Chinese authorities have argued that the real reason the United States deployed THAAD in the Republic of Korea was to gather intelligence on Chinese military technology since THAAD's radar could allegedly reach Chinese territory. As a result of allowing THAAD to operate in Korea, Korean enterprises have suffered years of economic warfare at the hands of the CCP as a means to pressure the government of the Republic of Korea into removing THAAD batteries from the country.[20]

Research Question and Literature on the Topic

Understanding the motivations of the citizenry of the Republic of Korea for the pursuit of a hard-power- oriented foreign policy may be the key to predicting and avoiding future conflicts in the region. Particularly, Sino-Korean relations because they have serious global implications, should the countries find themselves at irreparable odds while the Republic of Korea escalates its

military presence in the Sea of Japan and tries to gain favor with the United States by allowing the deployment of THAAD batteries in the country.

Scholars around the world have widely studied the trend of foreign policy escalation. Robert C. Watts IV's "Rocket's Red Glare" builds on core principles elaborated upon by foreign policy experts such as Henry Kissinger and Robert S. McNamara.[21] The role of the hard-power-driven foreign policy of the Republic of Korea is part of a larger American-backed plan to "contain" the PRC. [22] Viewing the expansion of the THAAD through the lenses of what Kissinger referred to as "great power diplomacy" offers a perspective that fits the situation accurately.[23] For Korea, driving a hard bargain in their foreign policy means isolating the balancing coalition formed by the United States to contain China. The underlying question of the research goal to identify the motivations behind THAAD deployment would, therefore, ask what motivates states to pursue political goals through non-diplomatic channels: Why was the Korean public this inclined to accept THAAD with all its repercussions into Korean territory? Is their support of this escalation at all correlated with the increased tensions with Japan?

Scholars in the International Relations field, such as John Mearsheimer, argue that state power in the context of relative gains is the primary motivator behind state's foreign policy.[24] The political goals and the very survival of states depends on how much power they accumulate. While in the international affairs field a distinction is made between hard and soft power, scholars like Mearsheimer stress the fact that ultimately, states will accumulate power based on their military and how their militaries compare to rival states.[25] In the case of the Republic of Korea, there is a strong argument to be made that the foreign objectives of the Republic of Korea are being pursued through this realist lens.

On the contrary, it may be argued that the Republic of Korea actually benefits from its soft-power diplomacy, such as the rise of K-Pop and the exporting of the Korean language. However, the execution of soft-power by the Republic of Korea has only been executed at a time when the country achieved a favorable position of power when compared to its main rivals of the PRC and Japan.[26]

In turn, both the PRC and Japan have invested in upgrading their arsenals to close the gap between the Korean military power and their own[27].

In the case of Japan, the pacifist constitution of the country drafted by the United States at the end of the second World War prohibits the use of an offensive military.[28] In the face of a richer, more authoritarian China that has been rapidly expanding its aerial and naval capabilities through the String of Pearls and the Belt and Road Initiative, the Japanese government under Prime Minister Shinzo Abe has repeatedly tried to revise the constitution to amend the pacifist limitations it forces upon Japan.[29;30] A course of action occurs despite the overwhelming amount of soft power Japan projects. For example, Japanese pop-music, cartoons, comics, video games, and toys are ubiquitous wherever they are sold.[31] Japan has been the darling of the West for decades, allowing it to undermine war crimes of the scale of Nazi Germany committed in China and Korea.[32] All the soft power in the world could not buy Japan the security from Chinese expansion it sees necessary.

To Korea, both North and South, the expansion of the Japanese military into an offensive force is nothing short of a direct threat to the sovereignty of the two states. Korea was a colonial possession of Japan from 1905 to 1945 and the Japanese are known to have grossly mistreated the Korean public during the colonial period. Forced labor, mass rapes, and the attempt to destroy the Korean language altogether makes Koreans on both sides of the Peninsula weary of

Japanese foreign policy objectives.[33] When Koreans see the perceived balance of power as tilting in favor of the Japanese, it stands to reason that further Korean military expansions must counter relative power changes. This cycle is known to scholars of International Relations as the *security dilemma*. In Korea, a specific name exists for the security dilemma between the three East Asian powers, aptly named the "East Asian Paradox."[34] The East Asian Paradox is a microcosm for the neorealist theory of international relations: Korea, China, and Japan all hold an adversarial position with one another, yet their economies remain largely intertwined and travel between the states is frequent. Each increment of increased hard-power diplomacy is another straw added to the fragile back that is regional peace.

The interdependency of modern-day East Asia would prompt any faithful neoliberal to stress the following assumptions:

First, international economic interdependence decreases the likelihood of war. With the high level of economic interdependence that is present in East Asia, the likelihood of war is low. Second, democratic peace holds true thus far, thus, war between China, Korea, and/or Japan is unlikely. The motivations behind this study rest upon the arguments that exist to disprove the two previously stated schools of thought.

There is ample literature that disproves that interdependency prevents war between states. Interconnectivity of world economies in the present day is thorough, and it is true that war has become a rare occasion between two economically interconnected states. [35] But as every political scientist must learn, correlation does not equal causation. In the case of the interdependency of the East Asian economies, it is true that today they are more connected than at any other time in history.[36] However, this does not mean that the nations are exempt from conflict. For instance, the German and British economies were at their most interconnected point just before the

outbreak of the first World War.[37] A leading factor to the outbreak of war in the European theater had to do almost exclusively with Germany's rise in industrial and naval capabilities – something the United Kingdom considered an unacceptable shift in the balance of power in Europe. [38] It did not matter that the United Kingdom still possessed the largest, most powerful navy in the world. What mattered was that the German Empire was closing the gap, reinforcing Mearsheimer's claim that relative gains are responsible for motivating states to engage in hard-power diplomacy.

The claim that democratic peace would act as a safety brake in East Asia ignores two key factors: China is not a democracy, and democracies also have security concerns – as is the case of Japan and Korea. Furthermore, democratic peace specifically refers to relations between democracies, not between a democracy and an autocracy. Conflict between democracies and non-democracies has become common in the post-Cold War era. Examples of democracies fighting non-democratic states include: the Gulf War in 1991 where the United States formed an international coalition to repel Saddam Hussein's invasion of Kuwait; the Bosnia-Herzegovina War from 1992 to 1996 where NATO established no-fly zones in the aforementioned Balkan countries; the Kosovo-Montenegro-Serbia War from 1998 to 1999 where NATO actively bombed Serbian Yugoslav forces; the invasion of Afghanistan by the United States and NATO in 2001 where the Taliban was deposed; the United States invasion of Iraq in 2003 which saw the defeat of Saddam Hussein and a purge of the Ba'athist party of Iraq; and the NATO bombing campaign in Libya which oversaw the overthrow of the dictator Muammar Gaddafi in 2011.[39] Flashpoints that have not escalated into full-scale war also include the Third Taiwan Straits Crisis of 1996 where the government of the PRC attempted to intimidate the Taiwanese electorate by firing missiles over the island of Taiwan only to be blocked by an American carrier

fleet, as well as the "red line" in Syria where the United States nearly begun military operations against Bashar al-Assad's government in 2012. [40;41]

Examining the motivation behind the Republic of Korea's foreign relations trajectory can help understand the likelihood of conflict and help prevent conflict altogether. The literature on the topic is vast and emphasizes the importance for understanding why states behave the way they do. Public opinion in democratic states, such as the Republic of Korea, is easy to measure and can be considered relatively accurate since anyone polled can also vote. This study aims to identify some of the reasons why Koreans feel compelled to embark on a hard power-centered strategy.

Methods

This experiment was conducted by gathering data from three variations of a closed-ended opinion survey with a sample size of 53 respondents. The survey asks the respondents whether they think U.S. troop presence in the Republic of Korea made the country safer, whether the Republic of Korea should spend more money on its military, and whether the deployment of THAAD has made the Republic of Korea safer. The survey, which was administered via Qualtrics software, was programmed to randomly show the subjects one of three variations of the aforementioned questions:

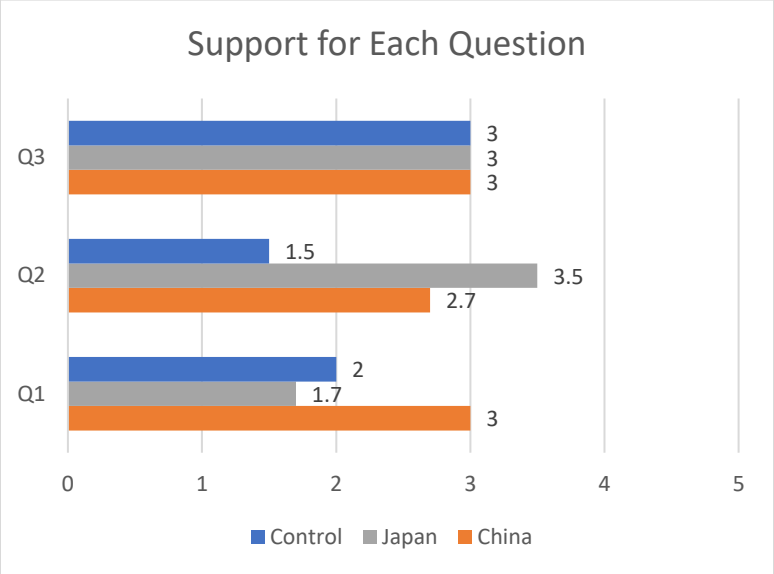
The first group, or the control group, was shown the questions above without any context.[42] This group will be used to compare how the treatments affect the Korean public's attitude towards the subjects discussed in the questions.

The second group, given the first treatment, was shown a variation of the questions above that explicitly reminded them about Japanese claims over the disputed Dokdo Islands and the denial of the Japanese authorities over their violent aggression.

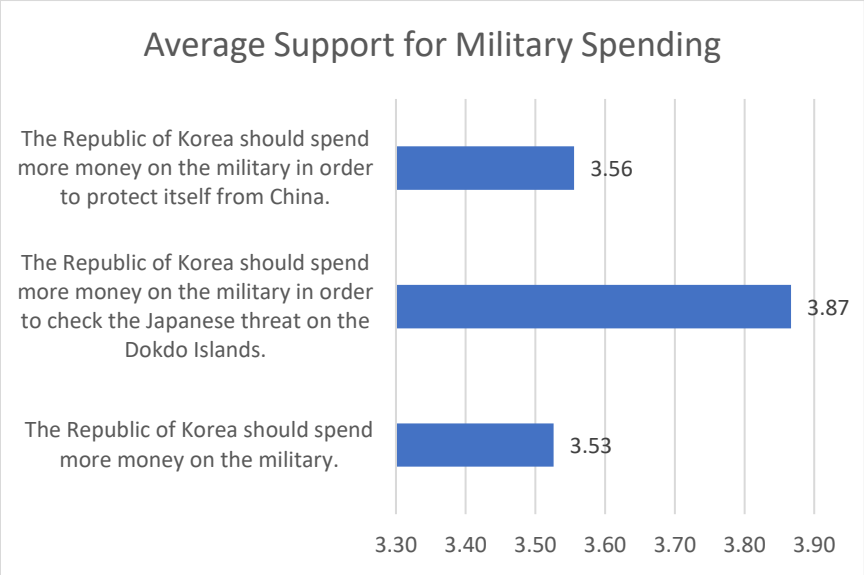
The third group, given the second treatment, was shown another variation of the questions above. This time, the subjects were reminded of the Chinese intervention in the Korean War as well as the general hostility of Chinese foreign policy pursuits.

In order to yield a sample size that is as representative of Korean society as possible, responses were collected from Korean citizens that belong to different socio-economic groups. Respondents who participated in the surveyed were university students, minimum wage workers in cyber cafes, young professionals, and experienced salaried professionals. The subjects' major in school and overall knowledge about international relations did not play a role in the selection of respondents in order to avoid polling a biased sample. The locations where the subjects were selected also varied but were confined to the city of Seoul. These locations included cyber cafes, metro stops, universities, coffee shops, restaurants, and the streets of various neighborhoods in Seoul. The neighborhoods represented include wealthy as well as working-class neighborhoods, both of which tend to be more prosperous than neighborhoods located in the countryside. Because there is no single correct way to gauge public opinion, the goal of this experiment was not to report on the popularity of the policies being presented to the subjects. Instead, it was structured in such a way that one could conclude, for example, that treatment two is a greater motivator of support for aggressive foreign policy measures than the control group, but not a greater motivator than treatment one. The respondents answered with a number between one and five, "five" is the strongest indicator of agreement with the given prompt and "one" is the weakest indicator.

Findings



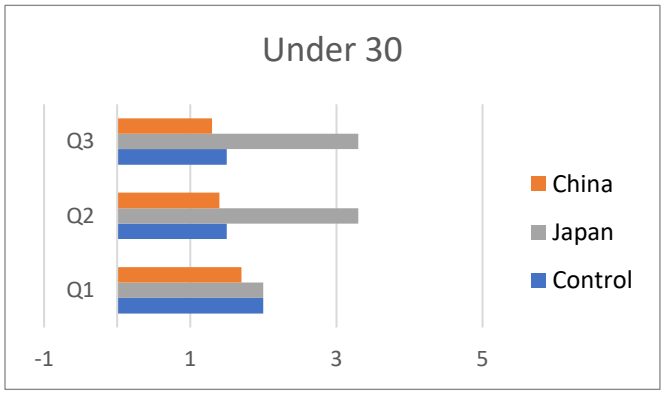
The data collected points to an increase in support for a more militaristic foreign policy when Japan is mentioned. However, when China was mentioned, the overall trend was of less support for a similar foreign policy. This trend ends with the age group of 51 years or older for reasons that are beyond the scope of this study. Most young people, both male and female, overwhelmingly see Japan as a foe and seem likely to support a foreign policy that is geared towards confronting Japan, particularly over the Dokdo Islands dispute.



Although there was a general agreement that the Republic of Korea should invest more into its military, in comparison to China and the control versions of the survey, participants responded the most favorably to increasing military spending when given the Japan version of the survey.

Support for a higher military budget increased by 9% in comparison to the China and Control versions of the survey.

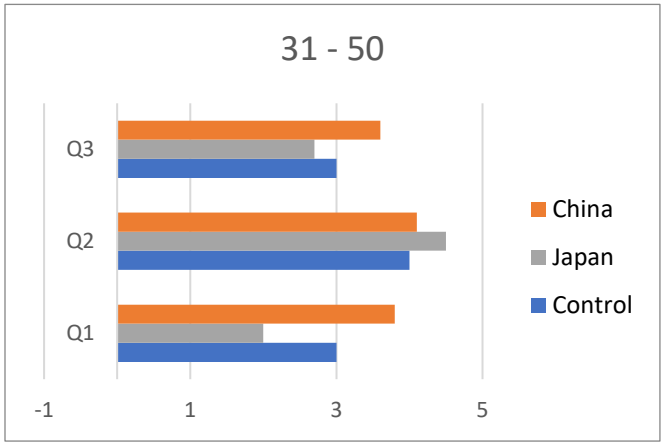
Analysis

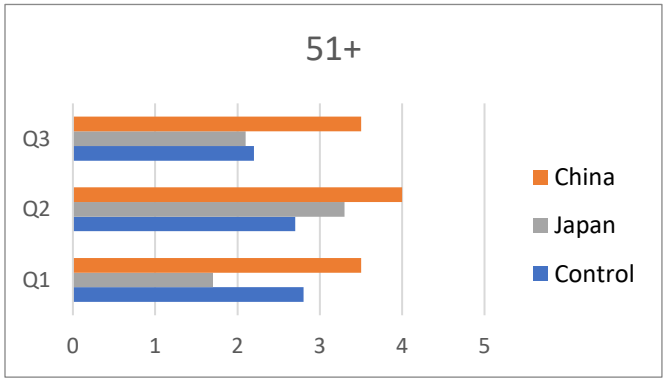


When responding to each question, the respondents were given five options to choose from, with "Option 1" being the lowest indicator of support for the question and "Option 5" being the highest. The population of subjects has a visible presence in support for "higher military spending" so long as Japan is mentioned. When broken down by age groups, this pattern is still observed until the 51 or older demographic. People under 30 were born after the democratization of the Republic of Korea in 1988. By most measures, they have known the best life Korea has had to offer in its history. They have grown up with the right to freely express their disapproval of the government. This generation grew up hearing about President Kim Dae-jung and the détente with the DPRK. The only major external military issue they have encountered is the Japanese claims to the Dokdo Islands and the subsequent Korean occupation of said islands. Their history reflects on their answers both in the way they feel about higher military spending (Question 2) and their support for THAAD (Question 3). The similarity of scores provided by the age group in both the China and Control versions of the survey may point to a feeling of indifference. The "people under 30" age group seems indifferent towards China through military lenses, especially if invoking the Chinese intervention in the Korean War.

The support for THAAD remained relatively stable regardless of a variable. However, the "Under 30" age group was the most likely to see THAAD negatively; this generation has grown up with an increasingly intertwined economy with China and may, therefore, see some of its future job prospects dependent on the success of China.

Subjects from the 31 to 50 demographic are overall the most supportive of "higher military spending". This age group was born in the dictatorial state led by general-turned-president Park Chung-Hee. They grew up with a level of militarism comparable to today's DPRK. While generally accepting of the democratic peace, as indicated by their indifference in question one, military spending was universally agreed upon to be an issue of high importance, particularly when Japan was mentioned. In this way, the 31 to 50 age group is reminiscent of the age group under 30. However, they show an overall higher appreciation of a strong military. This age group saw its parents fight communist forces in Vietnam. Mao's China was instrumental in arming the Viet Cong and North Vietnamese Army (NVA) during the Vietnam War. The Korean combatants who fought alongside American and ARVN forces in South Vietnam drew a parallel to their own history of national division as a result of foreign communist interference.





Subjects belonging to the 51 and above age group also show strong favorability for more military spending; however, their main concern is not Japan, but instead China. This age group fought in the Vietnam War, saw its parents fight in the Korean War, saw the nearly successful assassination of President Park Chung-hee, and a decade later, another attempt to take the life of President Chun Doo-hwan by North Korean commandos. These events were all orchestrated by foreign communist forces. This age group sees communism as the natural enemy of Korea, and China, arguably no longer a conventional communist state, still carries the same party that lead it into Korea in 1950, into Vietnam in 1979, and fiscally and militarily aided various communist factions such as Kim Il-Sung in the DPRK, Ho Chi Minh North Vietnam, Pol Pot in Kampuchea (now Cambodia) and Robert Mugabe in Rhodesia (now part of Zimbabwe). Communist China further aided communist insurgencies in Thailand, Malaysia, Burma, Indonesia, and the Philippines.[43] To the 51 or older age demographic, Chinese-backed communism remains a threat to the Republic of Korea. Their ideological struggle was still reflected in the way they ranked foreign threats and regarding how much money they believe that the Republic of Korea should allocate in its budget.

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Conclusion

The Republic of Korea has withstood the test of battle, dictatorship, and countless hardships. However, it has managed to democratize and propel itself to become an economic, cultural, and military powerhouse. The Korean public currently finds itself in one of the most favorable times in all of Korean history. The scars of the creation of the modern Korean state are still visible in various ways, and they are especially reflected in generational gaps. Those Koreans who lived through the dictatorships of Chun Doo-Hwan and Park Chung-Hee

experienced a level of militarism more comparable to the DPRK than the modern Republic of Korea. Their support for higher military spending is visible, especially when foreign threats are in question. People under 30 have experienced a life of democracy and relative prosperity. In their eyes, the most serious foreign threat the Republic of Korea faces today is the Japanese claims to the Dokdo Islands in the East Sea, and they reflect their support for higher military spending only when Japan is in question. People under 30 feel mostly indifferent about China regarding national security and are thus not likely to support higher military spending even if reminded of the role that communist China has had in advancing communism in East and Southeast Asia. While people in the 31-50 demographic largely agree with the "Under 30s", Koreans in the "51+" demographic continue to view China as a greater threat than Japan. While recognizing the limitations of this study due to the small sample size, the findings point to a generational shift in attitudes towards Korea's neighbors where Cold War era attitudes prevail in the older population, while the growing ever-more-prosperous China has been eroding resistance against China in the younger segment of the population in the Republic of Korea.

Understanding the motivations of the citizenry of the Republic of Korea for the pursuit of a hard-power oriented foreign policy may be the key to predicting and avoiding future conflicts in the region. Unaddressed colonial grievances in Korea have been exacerbated by recent land disputes with Japan. American policymakers who are looking for counter China's rise must consider the sensitivities of the Korean public, otherwise they risk pushing the Korean public closer to China.

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Graphs

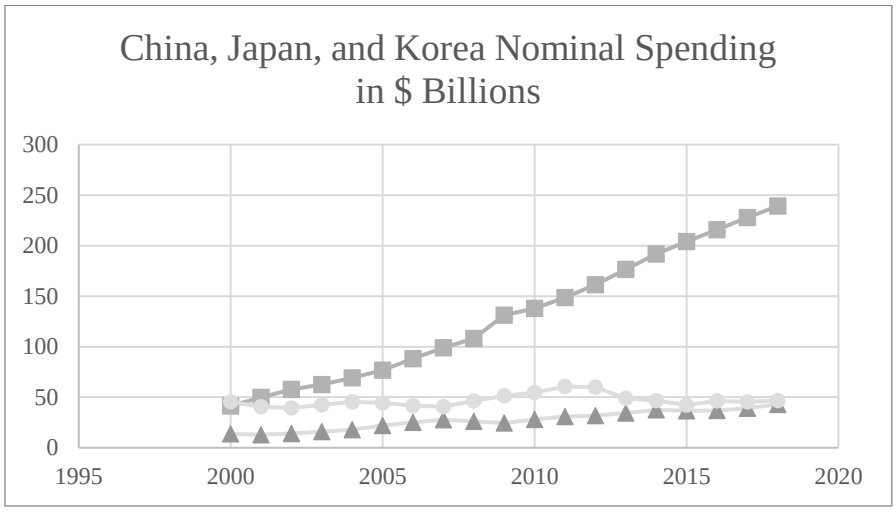
Military Spending Graph 1:

(World Bank 1988-2018)

Military Spending Graph 2:

(World Bank 2000-2018)

(Center for Strategic And International Studies 2000-2018)


China, Japan, and Korea Nominal Spending in $ Billions
300
250
200
150
100
50
0
1995
2000
2005
2010
2015
2020

Survey Questions

Control

1) The Republic of Korea benefits from American troop presence.
2) The Republic of Korea should spend more money on the military.
3) The deployment of THAAD has made the Republic of Korea safer

Treatment 1 (Japan)

1) The Republic of Korea benefits from American troop presence so that it can focus on checking Japanese aggression in the East Sea.
2) The Republic of Korea should spend more money on the military in order to check the Japanese threat on the Dokdo Islands.
3) The deployment of THAAD has made the Republic of Korea safer.

Treatment 2 (China)

1) The Republic of Korea benefits from American troop presence because it deters China from taking aggressive actions as it did during the Korean War.
2) The Republic of Korea should spend more money on the military in order to counterbalance Chinese influence in the Korean Peninsula.
3) The deployment of THAAD has made the Republic of Korea safer.

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Journal of International Service

Women and Nationalism in Hungary: An Analysis of the Relationship Between Nationalism and Reproductive Rights in Hungary

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In April of 2011, Fidesz, the ruling party in Hungary, ushered a new Constitution through Parliament.[i] Fidesz' leader and Hungarian Prime Minister Viktor Orbán proudly heralded it as the culmination of a revolution "fought not with swords and blood, but with the heart and faith."[ii] The 2011 Constitution came amid a surge in nationalistic fervor that portrayed Hungary as a Christian nation and made assertions of conservative, nationalistic ideals.[iii] Accompanying this surge in nationalism was a corresponding restriction of the traditional roles and rights of women in Hungary up to that point. As Prime Minister Orbán and his party, Fidesz, touted nationalistic sentiments across the country, the government seized control over women's reproductive health to secure an enduring Hungarian identity through the birth of babies within their preferred national identity.

Defining Nationalism

As noted by philosopher Ernest Gellner, nationalism is a theory of political legitimacy that invents nations where they do not exist through the imposition of a high culture on local or low-level cultures.[iv] Commenting on Gellner's definition of nationalism, political scientist Benedict Anderson goes on to contend that Gellner's definition of nationalism conflates invention to falsity. Conversely, Anderson proposes that nations are "imagined communities" with systems of cultural representation where people imagine shared experiences that form their identification with extended communities.[v] Nations then rely on the institutionalization and performance of differentiation between communities and people. For nationalism to take hold, distinct gender roles must be embraced. This is how the next generation of nationalists will be raised to perpetrate the nationalist agenda. As such, nationalism relies on gendered constructions and institutionalized differences in gender, thus making nationalism reliant on patriarchy.[vi]

Etymologically, nationalism boils down to the elevation of one's national identity above its more esoteric characteristics, emphasizing a heterogeneous society and marginalizing, or excluding those who are aligned to personal identities. This is inherently problematic for those who minimally participate in political processes or are further removed from mainstream socioeconomic categories. Therefore, nationalism is hazardous to those whose identity is perceived to be in conflict with the image of a homogeneous national identity.[vii] This identity is often crafted universally, as if men and women experience nationalism identically, and therefore is often operationalized under the traditional default setting of being a man.[viii] Like men, women may be energized by nationalistic fervor, but it is often the case in nationalism that women are reduced to mere symbols of the state: the state and women must both be pure, protected, and willing to reproduce.[ix] This signifies that the creation of the sought-after homogeneous national identity is really a homogenous national *male* identity, whereby the mandated differentiation in society means women remain isolated from, and very often under the control, of men.

Women in Nationalism

Nationalism necessitates the birth of children who fit into such a homogeneous national identity. Thus, women in countries experiencing a rise in nationalism also often experience a call to fulfill their duty to the state by bearing children who fit in the preferred nationality.[x] Nationalistic countries may then employ restrictions in contraceptive knowledge and techniques, denial of abortion, and material rewards for bearing children.[xi] In such a setting, abortion may even be decried as treasonous.[xii] This can be seen through the statements of Croatian President Franjo Tudman, who referred to women who have abortions as "mortal enemies of the nation,"

further stating that abortion is a "national catastrophe" and that any woman who has not birthed at least four children has not "fulfilled their unique, sacred duty."[xiii]

For women who do not fit into the prescribed national identity, a surge in nationalism may be met with draconian solutions. In Nazi Germany, for example, Jewish women were subject to forced sterilization, while Aryan women who sought abortions were subject to harsh punishment, including the death penalty.[xiv] The stark contrast between the way pregnancy was treated for the two groups of women was indicative of an even more heinous distinction made at the state level of "worthy" and "unworthy" life, which led to enforced, selective breeding by the state.[xv] A similar trend can be seen in more recent years in Italy, where the government has accused migrant women of being too fertile.[xvi] The birth of migrant babies became such a "problem" in Italy that the Ministry for Policies on the Family began offering "baby bonuses" to Italian women as an incentive to birth Italian babies and counteract the influx of migrant baby births.[xvii] In a similar vein, Turkish President Erdoğan has advocated for Turkish women to have at least three babies and has referenced the Kurdish minority "terrorist group in Turkey" as having "at least ten to fifteen children" as the source of this push.[xviii] All of these examples show how control over a woman's reproductive system has been hijacked by nationalist states trying to purify their country through a baby boom of the preferred race.

Hungarian Nationalism

For Hungary, the seeds of a non-democratic regime have been festering for centuries. Authoritarian domination by outside powers has been a reasonably consistent condition for Hungary, dating back to the Mongols in the thirteenth century and ending only in 1990 with the retraction of the Soviet Union's forces.[xix] This perpetual control by outside powers cultivated a

legacy of muzzled civic participation, eliminating an important precondition for democracy and making the country ripe for a takeover by an illiberal, nationalistic government.[xx] Prime Minister Orbán first seized this opportunity when he came to power in 1998.[xxi] Following a brief hiatus from the office, Orbán's re-election in 2010 resulted in him and his party, Fidesz, advocating for constitutional reforms to consolidate control over the country's independent institutions such as journalists, universities, and non-governmental organizations."[xxii] He is an open advocate of illiberal democracy, and because of the policies he has enacted since taking office, Hungary has become the first and only member of the European Union to be considered partly free by Freedom House.[xxiii] His goal is to create an illiberal Hungarian state that rests on "national foundations," citing examples of China, Russia, and Turkey as inspiration.[xxiv]

Orbán's re-election campaigns have focused , at length, on the narrative that Christian Europe is "under invasion" by migrants and that countries who do not stop immigration "will be lost."[xxv] In 2016, Orbán referred to migrants as "poison" and said that his country did not want nor need "a single migrant."[xxvi] His campaigns have openly advocated against migration as a human right, and he's frequently criticized the European Union for implementing a refugee quota. In 2018, he stated that "Africa wants to kick down our door, and Brussels is not defending us."[xxvii] In a 2018 re-election speech, he recalled how Hungary had ejected the Ottomans, Habsburgs, and Soviets and how they would likewise eject the "Uncle Georges," in a reference to George Soros, who is of Hungarian Jewish descent and remains a vocal proponent of civil participation in the country.[xxviii] Through such comments, Orbán has established a political persona based on the premise that Hungarians "do not want a multicultural society" and that "it is very important to preserve ethnic homogeneity."[xxix]

Prime Minister Orbán has also adopted family-centric rhetoric, claiming that the family "is the foundation of the nation" and that it "must be protected."[xxx] This has become such a defining characteristic of Prime Minister Orbán's posture that a sign at the Budapest airport welcomes new arrivals to a "family-friendly Hungary."[xxxi] In line with this position, several changes have ensued, aimed at keeping men and women in their traditional, familial roles. For example, the public school curriculum features textbooks that perpetuate a wide swath of gender stereotypes, positioning women as only wives or mothers and often implying that women are generally less intelligent than men.[xxxii] This cultural typecasting is reflected among the Hungarian population, 77% of whom feel that women should bear most, if not all, of the immediate post-birth childcare, while men go to work outside of the home.[xxxiii] Continuing with this trend, nearly 70% of Hungarians believe that a child will suffer if their mother works.[xxxiv] This suggests that the procedural differentiation inherent within nationalism is designed to create an environment in which women who aim to have jobs instead of, or in addition to, being mothers are seen as deviant, thus discouraging women from aspiring to be anything but reproductive agents.

These gendered stereotypes are reflected through the words and actions of the Fidesz party. For example, a commercial starring senior government minister, Katalin Novák, encouraged Hungarian women to make peace with the fact that they will never make as much as their male counterparts, and advised Hungarian women to not try and compete with men and instead try to follow different baking recipes.[xxxv] Minister Novák goes on to suggest that the only way for Hungarian women to be successful is to have children and that they should "know their place."[xxxvi] She concludes by saying, "Let's not give up our privileges in a misunderstood emancipation struggle… dare to say yes to the child."[xxxvii] While this is a flagrant display of anti-

feminist, nationalistic propaganda, Novák was not the only Fidesz member to suggest such blatantly sexist behaviors. Fidesz Representative Varga stated in a debate session regarding domestic violence that women should go back to having "two or three or rather four or five" children so that men will value women more, leading to a decrease in domestic violence.[xxxviii] He concluded by stating that if people want to be Hungarian in fifty or sixty years, then every woman must have at least two or three children, reducing the role of women in Hungary to simply baby-making machines and placing the endurance of Hungary as contingent on women birthing Hungarian babies.[xxxix]Another famous Hungarian political figure, Edda Budaházy, stated in a publicized commercial that "without giving birth to at least two children, you are also the cause of Hungary's destruction," concluding with an urging to women to not "be feminists, but mothers."[xl]

While this rhetoric and its congruent beliefs are alarming in their glaring distaste of women who behave outside of their assigned gender norms, it is also inherently nationalistic. Reducing the Hungarian woman solely to a mother who produces children keeps the patriarchy intact and preserves the patriarchy through the perpetuation of male privilege and female oppression.[xli] While the movement for Hungarian-born babies is evident in the comments made by Fidesz senior members, it has also been operationalized in the policies of Viktor Orbán's tenure. Following an all-time low birth rate of only 1.23 children per woman in 2011, he addressed the issue by claiming that "the west wants as many migrants to enter as there are missing children" and that in his Hungary, they have a "different way of thinking…instead of just numbers, we want Hungarian children…migration for us is surrender."[xlii] In line with his goal of increasing the Hungarian birthrate, Orbán has devoted five percent of Hungary's annual GDP to family-planning measures.[xliii] With this money, he has nationalized in-vitro fertilization

clinics, offering free treatment to all heteronormative Hungarian women under the age of forty.[xliv,xlv] In addition to this, the government has implemented the Family Housing Allowance Program (*családi otthonteremtési kedvezmény,* or CSOK in Hungarian), which offers newly married couples loans of up to the equivalent of $36,000 US dollars to buy a home.[xlvi] If the couple has three children within a preset time frame, the loan is then forgiven, and if not, the couple must pay back the loan.[xlvii] Additionally, couples with three or more children are eligible for additional tax and interest benefits of up to the equivalent of $50,000 US dollars per family.[xlviii] Given that the average yearly salary in Hungary is equivalent to around $12,000 per year, these are extraordinarily appealing financial incentives for straight couples. [49]

In addition to the CSOK, the Hungarian government has modified the National Core Curriculum taught in schools. All gender norms have since been codified as inherited, and the biological nature of these norms are emphasized.[xlix] Sex education in Hungary revolves around healthy pregnancies, breastfeeding, and heterosexual family life.[l] In 2019, a new state-sponsored schoolbook contained several anti-abortion references.[li] Hungarian universities have also seen changes in their curriculum with the elimination of graduate-level gender studies programs, and the implementation of graduate-level programs entitled "Economics of Family Policy and Public Policies for Human Development."[lii] This change was made without consultation of the affected universities and was enforced by the government, which claimed that gender studies programs were threats to their ideology and incompatible with their conservative views of family and nation.[liii] It is important to note the government's citation of gender studies as incompatible with their views of family *and nation.* This solidifies the premise that women in Hungary are seen as symbols of the nation and that control over their reproductive systems is essential to the nationalistic agenda of Orbán's administration. This indoctrination through education has the

dual effect of enforcing politically favorable views on children of Hungary and limiting the efficacy of any opposition since opposition would contradict the ideas children were taught at a young age.

Reproductive Rights in Hungary

It is not surprising that the use of contraceptives in Hungary have dropped dramatically since these changes have been implemented. In 1993, nearly 60% of Hungarian women reported using birth control pills.[liv] By 2019, the usage dropped to just 12%.[lv] While Hungarian public policy regarding *access* to birth control pills has not significantly changed, this points to a change in the mindset of the female population of Hungary, which is continuously bombarded with nationalistic propaganda that ties their value to the state almost entirely to their childbearing proficiency. This consistent rejection of responsible family planning reflects the insidious effects of Orbán's pro-birth campaign and shows that the minds of both men and women have been influenced by this anachronistic, nationalistic rhetoric.

Similarly, Hungary has also instituted restrictions placed on abortion rights. In 2012, they became the first and only country in the European Union to declare that a fetus' right to life begins at conception, and embedded that declaration within its constitution.[lvi] Also in 2012, the Family Protection Act was passed, which reinforced the right to life from conception.[lvii] A campaign launched in 2011 depicted women who sought abortions as murderers and portrayed the European Union as evil due to the regulations that enforce a woman's right to reproductive health.[lviii] Even though the European Union demanded this campaign be cut short, a similar message was revived in 2013 in Hungary's "Every Child's Place in the Family" campaign.[lix] While a 1992 law in Hungary legalized abortion up to the twelfth week of pregnancy, recent

restrictions have made access to that difficult.[lx] The abortion pill was outlawed in 2012.[lxi] For a surgical abortion, a woman must first prove that her pregnancy is high risk for her or the fetus, or that she is pregnant due to a crime.[lxii] Once a woman proves this, she must endure a three-day waiting period known as the "cooling-off" period, and attend two mandatory counseling sessions.[lxiii] These sessions attempt to persuade women who are seeking abortions to instead keep their baby.[lxiv] She must then obtain permission from the Family Protection Services, and only after these multiple steps have been completed is she permitted to receive an abortion.[lxv]

Additionally, these appointments are becoming more and more difficult to get, even though abortions are time-sensitive. Unfortunately, it is impossible to receive one without all these steps being taken first.[lxvi] Wealthy Hungarian women may be able to bypass such restrictions and processes by traveling to a neighboring country for an abortion, but this is not a realistic option for many women.[lxvii] As such, many women in Hungary face undue duress in seeking abortions.

In October 2019, Orbán officially co-sponsored a Geneva declaration saturated in anti-abortion and family-first language.[lxviii] The Geneva Consensus Declaration is non-binding, but is still a clear rejection of an international right to abortion.[lxix] Hungary was accompanied on the declaration by twenty countries in the world most characterized by abominable women's rights records, and while the declaration does not make any legal changes, the endorsement speaks to Orbán's views on abortion and family.[lxx] Although no new abortion restrictions have been formally imposed since 2012, Orbán's signature on the Geneva Consensus Declaration is ominous. Given the current ambiguity in the laws, which permit abortion in a 1992 law but then guarantee a right to life from conception in 2011, the trajectory from the recent past suggests that

there is potential for Orbán and Fidesz to align the inconsistent policies by way of outlawing abortion entirely.

Minority Women in Hungary

Possibly, Prime Minister Orbán has not yet outlawed abortion because of the rate at which it is used by women outside of the preferred national identity. For example, Romani babies currently count for twenty percent of births in Hungary.[lxxi] When Romani women from low-income households request abortions in Hungary, the government offers little to no resistance.[lxxii] As noted by one women's rights expert, "[t]he government doesn't want their babies; they want white middle-class babies."[lxxiii] Other methods of controlling the reproduction of Romani women have been reported in Hungary, such as forced sterilization.[lxxiv] Access to abortion and forced sterilization are two ways that the Hungarian government seeks to minimize the rising Romani population, which is projected to rise from seven percent of Hungary's total population to fifteen percent in the next thirty years.[lxxv] This shows how the government is not seeking the birth of any baby, but rather a baby that is compliant with their preferred national identity. The duality of treatment towards women in Hungary demonstrates the ways in which the government uses the reproductive systems of women as political battlegrounds through which nationalism may be controlled.

Conclusion

Both Fidesz and Prime Minister Orbán have imposed their anti-immigration, pro-birth, nationalistic policies on Hungary during their tenure, and women in the country have borne the brunt of the government's nationalistic practices. As a result, women in Orbàn's Hungary have

been subject to oppression, and now women are seen by the government as people whose only contribution to the state is their ability to birth Hungarian children. This is a side effect of nationalistic fervor, which is characterized by a belief that migrants are "poison" and that the only babies worth having are those who fit in the Minister's vision.[lxxvi]

Recalling the definitions of nationalism as an "imagined community" in which specific roles and ideals are imposed on society, it is clear that Hungary imposes specific gender roles on their women. The imagined community perpetrated by Prime Minister Orbàn in which women stay home, birth babies, and raise Hungarian children has become a reality for many women due to the restriction of abortion access and aggressive heteronormative campaigns. These acts are met by reports of forced sterilization of minority women, exemplifying the desire to control who births babies in Hungary and further solidify the "imagined community." Prime Minister Orbàn has aggressively imposed a conservative, Christian society over Hungary, furthering Hungarian nationalism through the control of women's bodies.

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Erdogan's Turkey: The Rise of the AKP

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At the beginning of the 21st century, Turkey was in line to become the model for democracy in the Middle East. A new political party was emerging, guided by the premise that democracy was compatible with Islam. The Justice and Development Party (AKP), was founded by Recep Tayyip Erdoğan. Today, almost twenty years after the AKP's rise to power, the hopes for a strong democratic Turkey are all but gone. The AKP party's tactics have shifted from democratic erosion to more blatant authoritarian actions. This transition leaves many questions about the mechanisms of democratic decline in Turkey. The following will address these questions, identifying the causes of democratic decline in Turkey and assessing the likelihood of its return. This will be done through an examination of the actions of the AKP party from their formation to present day, highlighting key events, the warning signs of democratic erosion, and discussing the future of democracy in Turkey. The direction the AKP has moved over the past two decades reflects not a sudden reversal of policy, but a continuity with its objectives, which is exemplified by the origins of the AKP.

Kemal Ataturk was the founding father and first president of the Republic of Turkey, who pioneered a project of radical modernization and secularization.[i] The Kemalist legacy of secularism left by Ataturk has continued to define politics in Turkey. Islamist parties that have challenged this legacy have been repeatedly struck down by military coups. The 1997 military deposition of the Islamist Welfare Party was instrumental in the formation of the AKP and the rise of Recep Tayyip Erdoğan.[ii] Erdoğan, who was a member of the Welfare Party and mayor of Istanbul, was jailed two years later for reciting an "inflammatory" Turkish poem.[iii] With the Welfare party banned, Erdoğan, upon his release from jail, sought a rebranding that would prove crucial to his rise to power. This rebranding required Erdoğan to shed the traditional Islamist label and emphasize democratization and liberal ideas. Such a reframing allowed the AKP party

to build a coalition of voters who would not have otherwise supported the party.[iv] During this time, there were high levels of discontent among the general population with the established parties due to their failure to address the economic crisis and the AKP was able to capitalize on it and gain mass support.[v] Having consolidated a power base, the AKP won by a landslide in the 2002 elections, and Erdoğan became Prime Minister.[vi] While Erdoğan and his AKP party kept many of their initial pro-democracy promises, there were subtle signs of what was yet to come.

Levitsky and Ziblatt are Harvard Professors who have dedicated over 20 years to studying democratic breakdown, together they wrote a book called *How Democracies Die* where they present a litmus test with four indicators of authoritarian behavior.[vii] Those indicators include: a rejection of the democratic rules of the game, denial of the legitimacy of political opponents, toleration or encouragement of violence, and a readiness to curtail the civil liberties of opponents. They observe that outsider populist candidates frequently test positive for these factors and Erdoğan displayed many populist tendencies, even in the earliest stages of his leadership.[viii] According to Jan-Werner Müller, a historian and political philosopher at Princeton University, "the core claim of populism is thus a moralized form of anti-pluralism."[ix] Candidates make a moral claim to represent the one and true people against the corrupt elite.[x] Erdoğan did this by presenting the political establishment as undemocratic.[xi] Müller also tells us that populism is strong where party systems are weak.[xii] It was clear in that first election in Turkey that the party system was weak as none of the six established parties reached the required 10% electoral threshold in the 2002 elections.[xiii] Enjoying massive support both domestically and abroad, the AKP began to exercise more concerning behaviors – which Levitsky and Ziblatt tell us are clear warning signs that were overlooked. Eventually, Erdoğan would display all these factors in full, but there were two of them that he displayed early on. His attacks on the media

and purging of non-loyalists in government positions were evident from the onset of Erdoğan's rule. Erdoğan's government seized Zaman, one of Turkey's biggest newspapers, because their owner had formed an opposition party against the AKP, and increasingly filled government positions with those who agreed with their cause over people who met the qualifications.[xiv]

The strategy of the AKP employed, embracing democracy as a path to power, worked exceptionally well. With reforms, the economy began to grow at a rapid rate, and with it the goodwill of the people.[xv] As a group, they broke the traditional model that Islamist parties had used in the past, while "preserving its ideological objectives and ambitions."[xvi] This gave the AKP time to consolidate their power and ensure its preservation before moving toward more aggressive reforms. As Erdoğan himself once stated, "for us, democracy is a means to an end."[xvii] This path of capturing power in the state was especially apparent between 2007 to 2011. There was a constitutional referendum to reorganize the courts, a purging of military generals, and a rapid increase in the number of journalists incarcerated on questionable charges.[xviii]

These actions fit neatly into Ozan Varol's conception of stealth authoritarianism. Varol, who is originally from Turkey is a law professor at the Lewis and Clark School and is best known for his work on democratic coups. Stealth authoritarianism is a strategy adopted by regimes in a post-Cold War world "which utilizes formal legal mechanisms for anti-democratic purposes."[xix] A key advantage of this strategy is that governments can avoid many of the costs of outwardly oppressive authoritarian practices.[xx] Varol presents a list of tactics frequently used in this endeavor, including: libel lawsuits, changes in electoral laws, charging dissidents with non-political crimes, and surveillance laws. The actions taken by the Erdoğan government in this early period attempted to maintain the veneer of democracy and largely avoided outright violence against opposition parties. In the early days, the AKP was careful to keep their actions

palatable to the public but in 2013 Erdoğan began to drop the stealth component of his authoritarianism.

The protests over plans to add commercial and residential buildings in the Gezi Park greenspace marked a turning point in Erdoğan's leadership. A small protest from a group of environmentalists eventually became a nationwide uproar of over 3 million people in 79 cities.[xxi] The protests brought together a diverse movement within Turkish society, prompted by the extreme violence that the government used against those protesting. Five people died and over 8,000 individuals were injured.[xxii] It was at this moment that Erdoğan clearly revealed his "authoritarian nature" to a broader audience, and further demonstrated Müller's populist logic, saying of the protesters, "If you gather 100,000, I will gather 1,000,000."[xxiiixxiv] This statement not only shows the us-them mentality perpetuated by Erdoğan, but also reinforces the idea that he represents the majority. Unfortunately, the Gezi Park Protests of 2013 did nothing to prevent the election of Erdoğan to the presidency in 2014. This election was significant not only because it was Erdoğan's first term as the president, but because it was the first time the president was elected by a direct popular vote.[xxv]

The other major event that contributed to the democratic backsliding was the 2016 coup d'état. To understand the coup and the impact that it had on Erdoğan's consolidation of power, we must consider the AKP's split from the Gulen movement. The Gulen movement, known as Hizmet, which is Turkish for service, is a wide-reaching group created by Fetahullah Gulen.[xxvi] The group's focus is on both education and community engagement. It was largely considered to be apolitical but was a close ally to the AKP. Tensions began to rise between the two groups in 2010, but the full break occurred in December of 2013.[xxvii] Just a month before, Erdoğan's government had announced their intentions to close several tutoring centers run by Hizmet. In

response, a group of prosecutors closely associated with the movement revealed a corruption investigation into Erdoğan's government.[xxviii] They attempted to arrest one of Erdoğan's sons, shattering their long-held facade that they were not involved in politics, and placing them solidly in the political arena.[xxix] Erdoğan now saw Gulen's networks in the police, military, and judiciary as a substantial threat to his power. Despite the benefits their alliance had brought, this presented a clear and present danger. Prompted by this incident, Erdoğan began purging Hizmet members that remained in positions of power; this effort culminated in the 2016 coup.[xxx]

The great irony of the failed 2016 coup in Turkey is that it was branded a triumph for democracy, but instead resulted in a consolidation of Erdoğan's power.[xxxi] Historically, the military in Turkey acted as the guardian of democracy and Kemalism, a practice that can be traced back to the original designs of Ataturk. However, as time progressed, military interference in the country was viewed as increasingly illiberal and an unwelcome method of protecting democracy.[xxxii] After almost 14 years of being hollowed out by the AKP, the military staged a coup led by Hizmet members.[xxxiii] Some argue that the coup was a test of the military's power; if this was the case, they failed miserably as not a single opposition party chose to support the military in this effort. In a calculus between the threat of Erdoğan and the threat of the military, Erdoğan was regarded as the lesser of two evils.[xxxiv]

What is especially remarkable is why the coup failed. As previously mentioned, the military received no external support from the political parties, but Erdoğan also rallied mass support to fight for democracy. In a seminal moment, Erdoğan appeared over facetime on the news to call on the citizens of Turkey to go out into the streets to fight for democracy.[xxxv] Not only did police and loyalist soldiers come out to fight the military, but thousands of Turkish citizens flooded the streets to resist. This response did not come without heavy casualties, as 241

people were killed and 2,194 were injured.[xxxvi] In the three weeks that followed, citizens continued to come into public squares to participate in "democracy watches."[xxxvii] This helped the government further solidify those resisting the military as morally right and ideal citizens.[xxxviii]

The long-term impact of the failed coup would be swift and devastating for the very democracy the people were trying to defend. Seizing the opportunity presented by the crisis, the government declared a state of emergency, giving the executive a virtually unchecked mandate to make decisions without oversight. According to Human Rights Watch, 2,167 judges and prosecutors were jailed while another 2,147 were removed while also issuing decrees to close multiple media agencies, schools, hospitals, and clinics that were believed to be associated with the planners of the coup.[xxxix] Erdoğan also used this moment to shift his rhetoric, emphasizing the importance of having a strong unified executive to promote stability. With this momentum, a package of constitutional reforms was proposed in December 2016, to be voted on the following April. The package included 18 different amendments to the constitution. Most notably, it abolished the position of prime minister and granted the powers previously held by that office to the president. It also drastically increased the power of the president to declare a state of emergency, while eliminating the Grand National Assembly's ability to root out corruption or check the actions of the president.[xl] The referendum was widely criticized, but the government poured extensive resources into their support for the "Vote Yes" campaign, and even supporters of the AKP government admitted that there was no real chance for the public to consider the ramifications of the vote. There were also claims of fraud and ballot stuffing, especially after it was determined that the resolution only passed with 51% of the vote.[xli]

By 2018, the authoritarian practices of Turkey had now become overt. Erdoğan called snap elections and moved them forward by almost a year to try and capitalize on the country's nationalist sentiments.[xlii] It was also the first year that Freedom House listed Turkey as "not free," citing the expansion of emergency powers, abuse of vaguely worded terrorism laws, pretrial detention without due process, and the increase in disappearance and torture of political opposition.[xliii] A final devastating blow to elections came in 2019 when the High Election Board ruled that municipal elections would be rerun in Istanbul, where the AKP had lost. This shattered any illusions that free elections were still being held in Turkey.[xliv] However, this fit with the model the AKP had been pursuing all along. As the BPI put it, "the political system that the leaders of the AKP are working to implement is distinctly illiberal and autocratic, treating public support for their rule as a formality to be engineered in elections that may be free but certainly not fair."[xlv]

Moving into 2021, Erdoğan has made no sign that he intends to stop his campaign to give more power to the executive. Recent trends in polls have shown that the AKP is declining in popularity, down from 42% to 36%.[xlvi] From the AKP's perspective, this is especially concerning because they build their legitimacy through elections. With support declining, new actions are needed. In typical authoritarian fashion, instead of changing their policies to appeal to the people, Erdoğan is pursuing changes to election laws. While the government did not specify exactly what those changes would be, a member of the government suggested that they would be creating new districts, gerrymandering the boundaries to help the AKP stay in power.[xlvii] Another recent blow to democracy were calls by Erdoğan to ban the HDP party. He claimed that they were associated with the Kurdistan Workers Party (PKK), designated a terrorist organization by many countries including Turkey and the US. This is widely seen as a reaction to

the HDP's growing popularity, which has been attracting former supporters of the AKP.[xlviii] Despite the continual onslaught on the opposition, there are still groups fighting for democracy.

The Middle East Institute points to three groups as agents of democratic resilience: political parties, youth disillusionment, and non-co-opted civil society.[xlix] Even with brutal crackdowns on the opposition, and a continued effort by Erdoğan to rewrite election laws in his favor, opposition parties are still forming and building coalitions against the AKP. These opposition parties were able to win several municipal elections in 2019, and are looking abroad to try and learn from other resistance parties such as those in Hungary or Poland. The second factor MEI points to is youth disillusionment and, according to poll data, many of the young people in Turkey are seeking new political strategies to protect the things most important to them. Youth in Turkey face high levels of uncertainty, unemployment, and constant changes to their education system. At the beginning of 2021, hundreds of students came out to protest Erdoğan's decision to personally appoint his own rector of Bogazici University in Istanbul. Calling the move undemocratic, students protested to show their discontent for the current political climate.[l] The final point MEI highlights are civil society organizations.

The Center for American Progress reports that since the early 2000s civil society has grown at a high rate with a nearly 50% increase in the number of people participating in various organizations.[li] Islamic organizations in particular have risen dramatically. This can be partially attributed to the fact that as the AKP has been friendlier and more focused on Islamist issues.[lii] However, this is also because of the strategy Turkey employs when it comes to civil society-containment and appropriation.[liii] Containment refers to the limitation and suppression of organizations that pose a threat while appropriation allows the government to co-opt organizations to foster closer ties with their voter base. Specifically, they accomplish this by

making funding and other benefits more readily available to those groups that enforce the AKP's agenda and goals.[liv]

Overall, CIVICUS rates Turkey's civil society as being repressed.[lv] However, in a true testament to democratic resilience, containment and repression have not stopped the people from coming together to resist. Over 23,000 groups in Turkey are focused on research and advocacy for social and political issues.[lvi] One important group, Vote and Beyond, uses grassroots efforts to mobilize tens of thousands of people to monitor elections across the country.[lvii] However, monitoring and even winning elections will not be enough to save democracy in Turkey; that will require a much larger "emancipatory democratic project."[lviii] Especially considering the large institutional upheaval the country has gone through over the past 20 years. The damage done by Erdoğan will not be undone once he leaves, but every day in Turkey, people show that they are not willing to give up their freedoms without a fight.[lix]

The discussion around democracy in Turkey often portrays a shining example gone astray. However, this hope may have been a false one from the start, merely a projection of western "aspirations and values onto foreign leaders with their own objectives."lx The AKP, from its formation, utilized democratic rhetoric and ideals to gain support so that they could push through their own agenda. In an analysis of the rhetoric used by the AKP throughout their time in office, the authors found that, "...the AKP does not champion inclusivity unless it benefits the party's conservative constituents and as long as there is no possibility of a coup by the military or closure by the Constitutional Court."lxi In the normal fashion of stealth authoritarians, they used the disguise of democratic practices and reforms to mask their actions. Despite this, there were warning signs. Even before the 2016 coup, Erdoğan had all the markings of an anti-establishment populist who met every indicator of the authoritarian litmus test. Through the

changes made in the 2007 constitutional referendum, he made apparent his desire to solidify electoral legitimacy and his lack of respect for democratic rules. His anti-establishment and populist tendencies showed a clear denial of the legitimacy of political opposition. Toleration or encouragement of violence is one area that, at least early on, he was not overt about. However the events of the Gezi Park protests showed that he was willing not only to tolerate but also perpetrate violence. The last category - attacks on civil liberties - was where Erdoğan struck the earliest and the most often. He actively undermined the media and sought restrictions on the opposition. Additionally, the fact that Erdoğan espoused the moral logic of populism as described by Müller should be seen as harmful to democracy. Populism and democracy are not complementary; one cannot be both anti-pluralism and pro-democracy. Looking back, it is easy to point at certain actions as clear warning signs, but even at the time, these actions could have been identified.

Erdoğan summarized his time in the political sphere in three phases. He called his time as a member of the Islamist Welfare party and mayor of Istanbul his "apprenticeship," his time as prime minister his "journeymanship," and his time as president his "mastership."[lxii] Throughout this paper, we have been examining Erdoğan's rise to power and his systematic breakdown to Turkey's democracy. This research supports the argument that Erdoğan was headed down a path of autocracy from the start. Learning from the mistakes of former Islamist parties, Erdoğan was able to successfully rebrand not only himself, but his entire party. He did so by methods of stealth authoritarianism. Through the co-optation of democratic ideals and values, he was able to build a broad coalition that allowed him to entrench his power.

With this understanding, the change by the AKP in Turkey was not a sudden reversal, but a natural continuation of the values espoused by their leader. The framework provided in *How*

Democracies Die, shows how Erdoğan passed all the initial tests for a potential authoritarian. He also fit Müller's conception of a populist candidate. Erdoğan repeatedly showed a lack of respect for democratic norms, vilified his opponents, and repeatedly attacked civil liberties, with particular contempt for the media. His initial success was built off of his appeal by promising to create something new and succeed where his opponents had not. Early on, many of his actions were written off or ignored because they were contrasted with the beneficial things he was doing. By the time the Gezi Park incidents occurred, and Erdoğan's nature was more fully revealed, he had already broken-down institutional protections and horizontal accountability. Thus, the outpouring of protests was not enough to overcome what had been entrenched over the past 12 years. Furthermore, the failure of the military coup in 2016, while celebrated as a triumph for democracy, was the marker of its downfall. The coup also seemed to remove much of the lingering restraint on the President. Seizing on the opportunity, Erdoğan was able to pass a constitutional referendum, allowing him to crack down on those that opposed him, effectively, moving himself from stealth authoritarian to outright autocrat. The road ahead for democracy in Turkey will not be an easy one. Even if the opposition parties manage to oust Erdogan in an election, it will be a long process to undo the damage that has been done. However, the opposition in Turkey has shown that they will not give up democracy quietly. The AKP was brought into power almost 20 years ago through the promise of democracy, coalition building, and grassroots organizing committed to change. Yet those may be the very actions that remove them from power.

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