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Police Brutality in Pittsburgh

Allyson Fierro

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Police brutality in the United States is not a new topic, but it has gained new attention in the last decade. Through news outlets and social media incidents of police brutality have gained national attention. Although each victim of police brutality is different, it makes one think if there are patterns and ways to prevent other fatalities. The death of Antwon Rose prompted a closer look into the history of the African American community in Pittsburgh, a closer look into other cases of police brutality in Pittsburgh, and an examination of what steps the city could take to help address this issue. Given the history of discriminatory housing and employment practices, African Americans have been forced into disadvantaged, over-policed communities, leading to greater occurrences of police brutality. This paper examines three cases of police brutality in Pittsburgh: Jonny Gammage, Leon Ford, and Antwon Rose. In order to help the African American community both thrive and in order to avoid further instances of police brutality, I recommend that the city brings individual development accounts to Pittsburgh. These accounts would allow low-income citizens to save money and receive assistance for post-secondary education or a home. To help deal with low budgets for the many police forces in the county, smaller forces should merge with larger ones. Doing so could help free up funds for better police training. Lastly, as mentioned, a county-wide CPRB should be instituted in order to hold police officers more accountable after incidents of brutality. These recommendations would be a good start to reduce police violence in Pittsburgh and to help create more equitable neighborhoods.

Introduction

African Americans account for approximately 13 percent of the U.S. population, but make up 24 percent of police brutality victims. The *Washington Post* reported that African Americans are 2.5 times as likely to be shot by police than whites.¹ In the 1830's and 1840's, policing started forming into what we know it as today, an extension of the State that has historically overpoliced low-income areas. Persistent policing in communities of color formed much distrust between police and

minorities.² This form of modern policing can be seen in urban police forces.

Technology has evolved which allows victims or those near them to document cases of police brutality. Cell phones and social media have been tools to make society take notice. What remains unseen is the history behind this issue. Some believe that the solution lies in better police-community relationships while others believe that the solution lies in addressing social inequality among racial and ethnic

¹ "Aren't More White People than Black People Killed by Police? Yes, but No." *Washington Post*. July 11, 2016. <https://www.washingtonpost.com/news/post-nation/wp/2016/07/11/arent-more-white-people-than-black-people-killed-by-police-yes-but-no/>.

² Nodjimbadem, Katie. "The Long, Painful History of Police Brutality in the U.S." *Smithsonian.com*. July 27, 2017. Accessed November 21, 2018. <https://www.smithsonianmag.com/smithsonian-institution/long-painful-history-police-brutality-in-the-us-180964098/>.

groups.³

This paper argues that social inequality is a central cause for police brutality in Pittsburgh. Cases of such brutality in the city occur in low-income African American communities more frequently than in predominantly white areas. These were not made by mistake but have been formed by oppressive housing laws. To help alleviate the issue of police violence, Pittsburgh needs to adopt solutions that create equal opportunities for minorities in employment and housing.

To support this conclusion, this paper provides a history of the African American community in Pittsburgh, case studies of police brutality, and recommendations to help the city move forward. Stereotypes that African Americans are more dangerous than others with similar socioeconomic or educational backgrounds have been perpetuated by discriminant policies. Breaking these incorrect and preconceived notions in society will help break any of these notions carried by police departments and help combat police brutality.

The Rise of the African American Community in Pittsburgh

Civil War to World War I

The foundation for the rise of the African American community in Pittsburgh was

employment. Between the Civil War and World War I, Pittsburgh became the industrial capital of the United States producing over 40 percent of US steel.⁴ White Europeans were taking up these jobs, but labor unrest in the Steel industry caused them to strike. The strikes caused a need for additional workers. African Americans came to Pittsburgh as strikebreakers and this led to the rise of the African American community in Pittsburgh.⁵ Through slavery, many African Americans were trained peddlers, rollers, roughers, and iron and steel heaters which allowed them to take up steel work. By the beginning of WWI, 26,000 African Americans had made their way to Pittsburgh as steel workers. However, they still only made up 5 percent of Pittsburgh's total workforce.⁶ Racism that lasted past the Civil War and WWI caused African Americans to endure a tremendous amount of hardships in their daily lives and workplaces.⁷

Great Migration to WWII

During and after WWI, the migration of black workers increased as did the development of the African American community. African Americans from the South migrated to Pittsburgh as opportunities for employment rose.⁸ Networks of family and friends also contributed to increased migration to

³ Ibid

⁴ Trotter, Joe William, and Jared N. Day. *Race and Renaissance: African Americans in Pittsburgh since World War II*. Pittsburgh, PA: University of Pittsburgh Press, 2010. pg. 2

⁵ Ibid pg. 5

⁶ Ibid pg. 5

⁷ Krishnan, Divya. "Celebrating Pittsburgh's Civil Rights History." The Tartan. Accessed October 1, 2018.

https://thetartan.org/2011/1/17/pillbox/mlk_pg.h

⁸ Ibid

Pittsburgh.⁹ African Americans entered the industrial sector of Pittsburgh's labor force but they were given jobs that were the most difficult, dangerous, and low-paying.¹⁰ The black community was also mistreated in almost every institution including, banks, insurance companies, hospitals, and medical facilities.¹¹ Despite being deprived of equal access to institutions and networks "necessary for climbing the socio-economic ladder out of poverty," the Hill District neighborhood began to thrive.¹² It emerged as a "city within a city" for black residents creating a self-sufficient community through entrepreneurial activities.¹³ The National Associate for the Advancement of Colored People (NAACP) and the Urban League of Greater Pittsburgh strengthened the community politically with civil rights campaigns and programs.¹⁴ These campaigns manifested into the election of the first African American to the Pennsylvania state legislature, Homer S. Brown.¹⁵

More progress was made on June 24, 1941 as President Franklin D Roosevelt issued Executive Order 8802, "banning racial discrimination in government employment,

defense industries, and training programs."¹⁶ This order also established the Fair Employment Practice Committee to see it through. These were small steps in the right direction, but they were not powerful enough to create full equality.¹⁷

From the 1940's to the 1960's

Employment

The decades to come were hard for Pittsburgh and the African American community felt the brunt of the economic downturn and population decline. Steel production went from 54 percent after WWII to approximately 20 percent by 1970. From the 1940's to the 1960's, young adults from the ages of 20 to 39 were migrating out of the city. Despite the economic downturn, there was an increase in the black population in Pittsburgh.¹⁸

The timing of this expansion of the African American community was unfortunate given the decline in available steel jobs.

Employment and working conditions were not improving despite the steel industry being in the city for decades. It was increasingly difficult for African American

⁹ Trotter, Joe William, and Jared N. Day. *Race and Renaissance* pp 9-10

¹⁰ Ibid pg. 11

¹¹ Ibid pg. 15

¹² Gibson, Karen Joyce. "Income, Race, and Space: A Comparative Analysis of the Effects of Poverty Concentration on White and Black Neighborhoods in the Detroit and Pittsburgh Metropolitan Areas." PhD diss., University of California, Berkeley, Dec, 1996. Pg. 14

¹³ Ibid pg. 19

¹⁴ Krishnan, Divya. "Celebrating Pittsburgh's Civil Rights History."

¹⁵ Black, Samuel W. "Paul Lawrence Peeler and the Pittsburgh Public Schools | History Center Blog." Home. February 15, 2017. Accessed October 1, 2018.

<https://www.heinzhistorycenter.org/blog/western-pennsylvania-history/breaking-down-barriers-paul-lawrence-peeler-and-pittsburgh-public-schools>.

¹⁶ Trotter, Joe William, and Jared N. Day. *Race and Renaissance* pg. 41

¹⁷ Ibid pg. 41

¹⁸ Ibid pp 44-45

workers to move up to highly skilled or managerial positions since white workers were trained instead.¹⁹ These workplace dynamics allowed for underreporting of racial discrimination not only in the steel industry but also in the electronic or computer fields.²⁰

African American women experienced blatant racism as well. After WWII, the nursing field expanded.²¹ Regardless of their skill level, black women were not being hired as nurses. For example, by the end of WWII, out of a graduating class of nearly 40 black female nurses only five were able to work in private hospitals.²² All these factors contributed to the high unemployment rate of African Americans from the 1950's to the 1960's which was almost double the unemployment rate of whites.²³

The late 1940's and early 1950's saw an increase in African Americans fighting for equality in Pittsburgh. They pushed to be accepted in the United Steel Workers of America (USWA). For example, black delegates from Pittsburgh and other cities with USWA members proposed the creation of a civil rights department in the USWA. In 1945, State representative Homer S. Brown proposed the Fair Employment Practice bill to help put an end to racial discrimination in the workplace. It was blocked for nearly a decade until it finally passed in 1955.²⁴ Regardless, African Americans continued to

have trouble finding jobs. To help solve this problem, an underground "jitney" service, similar to a taxi service, was created. It served residents of the Hill District and it provided employment. It was estimated that this jitney service was about twice as large as the city's taxi service.²⁵

Housing

Not only was access to employment a never-ending struggle for the African American community in Pittsburgh but so was access to housing. Racial segregation continued to be a pressing issue well into the 1960's and had a direct effect on housing for black residents.²⁶ Residential segregation was estimated to affect 64 percent of the black community in the 1940's and it rose to about 75 percent in the 1960's. Such discriminate policies in Pittsburgh reflected federal policies such as the Housing Act of 1949. These urban renewal plans destroyed predominantly black neighborhoods as they built high-income housing, hotels, sports arenas, etc. By 1966, it was estimated that about 5,400 families were displaced as a result.²⁷

The African American community was pushed further into the Hill District and into public housing projects. In 1940, the Hill District was about 60 percent black and by 1960 it was 100 percent black. African Americans were also discriminated against heavily in the housing market. Realtors

¹⁹ Ibid pp 48-49

²⁰ Ibid pp. 51-52

²¹ Krishnan, Divya. "Celebrating Pittsburgh's Civil Rights History."

²² Trotter, Joe William, and Jared N. Day. *Race and Renaissance* pg. 52

²³ Ibid pp. 53-54

²⁴ Ibid pp. 57-60

²⁵ Ibid pp 61-62

²⁶ Ibid pg. 64

²⁷ Ibid pp 68-69

charged what was called a “color tax” to black renters or home buyers.²⁸ About 50 percent of applications for rental or sale by African Americans were denied and about 30 percent had their applications denied upon submission. Neighborhoods where realtors and homeowners discriminated against African Americans most often were Oakland and Shadyside.²⁹ The Housing Authority of the City of Pittsburgh (HACP) denied the use of racial segregation in selecting public housing tenants, but in an interview with Carnegie Mellon’s Center for African American Urban Studies and the Economy, HACP stated that their officials sought out “better” black families when selecting applicants. City residents were racist as well, accusing African Americans of being less educated, criminal, and dangerous, therefore not fit to be in their neighborhoods.³⁰ Residential segregation in accordance with poverty concentration created much of the inequality in Pittsburgh today.

Pittsburgh’s Modern Black Movement from the 1960’s to the 1970’s

The Black Power Movement in Pittsburgh occurred in the 1960’s and 1970’s. It had waves of “nonviolent direct action,” violent protests, and state and local intervention. There was progress towards social justice, but it did not erase the deeply rooted racist ideas of previous discriminate policies. Grassroots and religious organizations were channels that allowed the African American

community and their allies to mobilize. Equitable employment and housing remained central issues in this time frame as well.³¹

Employment

National policy changes such as the Civil Rights Act of 1964, Lyndon Johnson’s Great Society program, and the War on Poverty manifested in different ways in the city. From 1963 to 1965, there was a surge in equitable employment practices. In 1963, the Pennsylvania Human Relations Commission (PHRC) “cited seven all-white craft unions for racial discrimination and ordered them to admit black workers to membership and apprenticeship programs.” In the court case, *City of Pittsburgh vs. Plumbers Local*, the court fined the IBEW union \$400 for denying membership to two black nonunion employees based on race. In a different case, the Master Builders Association agreed to provide jobs to all licensed black carpenters. Companies like Duquesne Light gradually opened employment opportunities for African Americans. David Epperson, a member of the Mayor’s Committee on Human Resources, facilitated these policies.³²

Housing

Pittsburgh enacted a new fair housing ordinance in 1967 after the case of *Robert R. Lavelle v. The Greater Pittsburgh Multilist, Inc. and P. J. Ricca*—a big win for black

²⁸ Ibid pg. 65

²⁹ Ibid pg. 67

³⁰ Ibid pp 68-76

³¹ Ibid pp 90-91

³² Ibid pp 95-98

realtors. The U.S. District Court for the Western District of Pennsylvania ruled “that the exclusion of Lavelle from GPM membership constituted ‘a conspiracy’ by white members—to illegally constrain interstate commerce and to deprive black brokers of a livelihood.”³³ This ruling not only boosted business for black realtors, but increased the number of black homeowners and helped reduce residential segregation.³⁴ However, in 1972, the crime rate in public housing was more than twice as the crime rate in the city.³⁵ Public housing projects were, “virtual islands of poverty” and “extremely segregated by race and class.”³⁶

Protests and Police Brutality

While the Civil Rights movement’s protesters were by and large non-violent, there were instances of violence that emerged out of exhaustion of racial inequality. In March of 1968, the *Pittsburgh Courier*, the most influential African American newspaper in the nation, wrote a story about plans for a “B-Day” (Burn Day) to take place in May.³⁷ However, in April, after the assassination of Martin Luther King Jr., riots broke out in the Hill District.³⁸ The governor responded by dispatching 4,500 National Guard soldiers and 350 state troopers in addition to a 400-person police

force.³⁹ There were five nights of arson and looting, which resulted in “1,300 arrests; one death; 515 fires; and \$620,000 in property damage.”⁴⁰

The state and local communities had different ways of addressing the issue of violence. Police contained it within the boundaries of local black communities by heavily patrolling the borders between black and white areas.⁴¹ In contrast, Protestant, Catholic and Jewish organizations “established special committees or organizations to alleviate racial tensions and prevent the outbreak of violence.”⁴² White allies’ contributions in organizations like the Pittsburgh NAACP and the Urban League contributed to the decrease in racial tension.⁴³

In 1969, the creation of the Black Construction Coalition (BCC) and the Black Student Movement captured the Black Power movement in Pittsburgh. During that same year, on “Black Monday” and Wednesday, protestors, both black and white, joined and picketed at different locations for days.⁴⁴ On the second day of this three day protest, police maced black leaders, knocked women and children to the ground, and conducted mass arrests and

³³ Ibid pg. 102

³⁴ Ibid pg. 103

³⁵ Ibid pg. 123

³⁶ Gibson, Karen Joyce, pg. 5

³⁷ Jr., Rob Taylor. "The History of the New Pittsburgh Courier." *New Pittsburgh Courier*. August 18, 2018. Accessed October 1, 2018. <https://newpittsburghcourieronline.com/the-history-of-the-new-pittsburgh-courier/>.

³⁸ Krishnan, Divya. “Celebrating Pittsburgh’s Civil Rights History.”

³⁹ Trotter, Joe William, and Jared N. Day. *Race and Renaissance* pg. 104

⁴⁰ Ibid pg. 105

⁴¹ Ibid pg. 107

⁴² Ibid pg. 108

⁴³ Ibid pg. 108

⁴⁴ Ibid pp 112-113

convictions.⁴⁵

The Black Panther Party in Pittsburgh was born from the African American community organizing and combating police brutality and socioeconomic issues in their community.⁴⁶ The defining moment for the creation of the party in Pittsburgh was the police shooting of Robert Lowery, a black teenager, on April 1st, 1970. Pittsburgh police were known to “abuse anyone (particularly black people) who dared challenge their authority.”⁴⁷ To help alleviate socioeconomic issues that African Americans faced in the city, the Pittsburgh chapter of the Black Panther Party created a free breakfast program for families in need, and made plans for a free health clinic and a free clothing project. In addition, they protested police brutality through parades and marches throughout the city.⁴⁸

1980’s-1990’s—Renaissance II

To curb the sting of job and population loss, Pittsburgh revamped its public-private partnerships and launched “Renaissance II” thanks to Mayor Richard Caliguri. The goal was to create new technology-focused firms and attract profitable corporate headquarters. Such firms would enable the city to assemble a new highly skilled workforce, and to shed its old image as a “smokestack metropolis.”⁴⁹ Many African Americans were left behind during this time of

innovation, but they did gradually gain jobs in this postindustrial economy. As in the decades before, the African American community found a way to thrive despite setbacks.⁵⁰

Employment

During this period, Pittsburgh faced challenges creating new jobs. African Americans had higher unemployment rates than their white counterparts. In 1990, over 37 percent of black men were unemployed while only 13 percent of white men were. African Americans were excluded from better-paying positions in service sector jobs, lacked transportation in their neighborhoods, and took entry-level jobs that paid lower than the reservation wage. They were almost completely excluded from well-paid and reputable jobs in finance, marketing, public relations, sales, architecture, law, and engineering.⁵¹ There was no support in the city or country for equal employment opportunities. The Reagan administration restricted federal support for equal employment measures and set off a domino effect at the state and local level. In 1996, the Clinton administration signed into law the Republican Personal Responsibility and Work Act, creating strict time limits on public assistance to “able-bodied men and women.”⁵² It also hurried participants out of welfare into predominantly low wage-earning jobs.

⁴⁵ Ibid pg. 114

⁴⁶ Ibid pg. 114

⁴⁷ Ibid pg. 125

⁴⁸ Ibid pp 114-115

⁴⁹ Ibid pg. 142

⁵⁰ Ibid pg. 141

⁵¹ Ibid pp 146-150

⁵² Trotter, Joe William, and Jared N. Day. *Race and Renaissance* pp 150-151

These policies took the nation out of the era of the New Deal social welfare order and in turn increased the working poor population. In Pittsburgh, Act 75 passed in 1982 which took many needy families, disproportionately black, off of the state's public assistance enrollment.⁵³

These policy changes meant that federal and state funds for community development block grants were declining which in turn decreased the enforcement of affirmative action programs. Mayor Caliguiri canceled agreements to hire African Americans and other minorities in the city's fire and police departments. He also opposed the implementation of a minority business enterprise program and impeded the implementation of affirmative action programs that provided job training to black men in the building trades. Whites in Pittsburgh expressed their fear that they might lose their jobs to a "less qualified black person."⁵⁴ This fear mongering led to cases like the one in 1999 where the U.S. Circuit Court ruled in favor of nine white police officers who filed a racial discrimination suit against the city. The case was an anti-affirmative action win and a loss for women and minorities looking to be hired as new police officers.⁵⁵

The Pittsburgh Police Department was not only racist in its hiring practices but also in

its policing. Between 1993 and 1996, the American Civil Liberties Union (ACLU) studied and reviewed over 500 complaints of police misconduct, most of which were from African Americans.⁵⁶ Based on this study, the U.S. Justice Department "filed a lawsuit against the City of Pittsburgh for civil rights violations by members of Pittsburgh's Bureau of Police."⁵⁷ This case was the first to be tried under the federal Violent Crime Control Act of 1994.⁵⁸

Because of this suit, the city signed a consent decree on April 16, 1997 that placed the police department under the oversight of the U.S. Justice Department.⁵⁹ Complaints from the African American community dropped by approximately 20 percent between October 1997 and October 1999.

Housing

In 1989, approximately 41 percent of African Americans in Pittsburgh lived in poverty compared to only 14 percent of whites.⁶⁰ Not surprisingly, many African Americans lived in public housing projects where poverty was disproportionately and purposely concentrated. By 1990, African Americans made up over 80 percent of public housing residents.⁶¹ Practices such as redlining contributed to the injustices of

⁵³ Ibid pg. 151

⁵⁴ Ibid pg. 151

⁵⁵ Ibid pg. 151

⁵⁶ Ibid pg. 151

⁵⁷ Ibid pg. 152

⁵⁸ Ibid pg. 152

⁵⁹ "History of the CPRB." Pittsburgh Citizen Police Review Board (CPRB). April 08, 2012. Accessed October 10, 2019.

<https://cprbpg.org/about/history-of-the-cprb>.

⁶⁰ Trotter, Joe William, and Jared N. Day. *Race and Renaissance* pg. 153

⁶¹ Ibid pg. 154

housing discrimination.⁶² That same year, the Department of Housing and Urban Development conducted the 1989 Housing Discrimination Study. The study found that black residents faced discrimination by sales and rental agents and from financial institutions.⁶³

From 1992 to 2001, the city demolished some public housing projects under a law called HOPE VI. This law required old projects to be demolished. Consequently, many African American Section 8 families moved into predominantly black residential areas. These areas included Wilksburg, Braddock, Homestead, Duquesne, and North Braddock. White recipients of Section 8 went to the suburbs of Bethel Park, Brentwood, Blawnox, Mt. Lebanon, Ross, Shaler, and South Park. This divide was so stark that it was reported that white elderly recipients of Section 8 did not want to move to any black neighborhoods and waited for spots to open in white neighborhoods. In fact, in seven predominantly white suburbs, the residents fought a court-approved plan to move twenty-three black public housing families into their neighborhoods during the mid-1990s.⁶⁴

During the 1980's and 1990's, there was a high youth unemployment rate, a rise in drug use, and a proliferation of handguns which led to an exponential increase in gangs in Pittsburgh's predominantly black

neighborhoods. Homewood was the worst neighborhood for gang violence. African Americans were about 11 percent of Allegheny County's population, yet they made up most homicide victims. Homicide rates for black males aged 15 to 24 increased from 69 per 100,000 in 1974 to 130 per 100,000 by 1996.⁶⁵

Pennsylvania built eighteen new prisons to deal with the rise in crime and gang activity. There was an increase in drug offenders, but the rates of convicted drug offenders differed between whites and blacks. Between 1990 and 1997, white drug offenders in state prisons increased by 54 percent while black drug offenders increased by 67 percent. "African Americans were more likely to be arrested for crimes involving cocaine and heroin, while whites were more likely to be arrested for marijuana-related crimes."⁶⁶ Research by Roy Austin argued that African Americans were more likely to acquire criminal records because police were more likely to target them in their communities than to target whites in their suburban neighborhoods.⁶⁷ A study done by the Justice Policy Institute concluded that African Americans in Pennsylvania were incarcerated at a rate of 14 times higher than that of whites—the highest disparity in the country.⁶⁸ Studies conducted from 1990 to 1994 show that in Pennsylvania, minorities were four times more likely than whites to be convicted of

⁶² Bangs, Ralph. *Race in America, Restructuring Inequality, Economics*. Edited by Larry E. Davis. Report no. 2. Center on Race and Social Problems School Of Social Work University Of Pittsburgh, University of Pittsburgh. pg. 6

⁶³ Gibson, Karen Joyce, pg. 26

⁶⁴ Trotter, Joe William, and Jared N. Day. *Race and Renaissance* pg. 154

⁶⁵ Ibid pg. 157

⁶⁶ Ibid pg. 158

⁶⁷ Ibid pg. 158

⁶⁸ Ibid pg. 158

drug-related offenses. By 2001, 57 percent of the inmates at the Allegheny County Jail were black.⁶⁹

From the 1980's to the Present

After the fall of Pittsburgh's industrial economy, many African Americans stayed and challenged discriminatory hiring practices by seeking new employment opportunities.⁷⁰ With advocates like unions and the NAACP, changes were made. Fair share agreements sparked an increase in employment for African Americans in all levels of municipal and corporate sectors.⁷¹ One important campaign for equal employment was the Volkswagen campaign where NAACP's head of the labor and economic committee, Robert Pitts, hired about 800 black workers.⁷²

Not only did the NAACP advocate for black workers but so did the Urban League. They increased their efforts to train African American workers for other employment after the collapse of the steel industry in Pittsburgh. The job training was "an intensive mix of basic skills instruction, vocational training, and job search/life skills training, referral, and placement services."⁷³ In the 1990's, the Urban League diversified job training and hired more staff to help as the economy was improving. Additionally, they managed the Career Advancement Network (CAN) which was designed to help

families transition from welfare to work. Programs like this were needed as the federal government passed laws that would "dismantle" the welfare state.⁷⁴

Social services took monetary hits in the 1980's and 1990's under Reagan, Bush, and Clinton which led to "federal support for faith-based social welfare initiatives."⁷⁵ During the 1990's, churches spent \$20 billion on these faith-based social services at the state and local level. Churches in Pittsburgh played an integral role in providing services for poor and working-class African Americans that dealt with "unemployment, hunger, housing, homelessness, health care, drug abuse, and childcare for working mothers."⁷⁶ Computer literacy classes were also available. Organizations like Kingsley, which previously helped European immigrants, began to meet the needs of the African American community.⁷⁷

Brighter Future

Employment opportunities were improving for the African American community and so were opportunities in housing. By the early 1990's, banks that once discriminated against African Americans were approving black applicants for home-purchase loans at equal rates as white applicants. In the decade from 1990 to 2000, the Allegheny County Economic Development (ACED) office helped over 2,600 first-time buyers gain

⁶⁹ Ibid pp 158-159

⁷⁰ Ibid pg. 173

⁷¹ Ibid pp 174-175

⁷² Ibid pg. 176

⁷³ Ibid pg. 177

⁷⁴ Ibid pp 177-178

⁷⁵ Ibid pg. 179

⁷⁶ Ibid pg. 179

⁷⁷ Ibid pp 179-180

mortgage loans and many of those buyers were African American.⁷⁸

The history of the African American community in Pittsburgh is an example of how policies can create social inequality and exacerbate issues such as police brutality. Between 1993 and 1998, police brutality was on the rise in the city as about eight young black men were killed by law enforcement.⁷⁹ Police brutality was always an issue; however, from the 1990's to present day, these injustices have spurred more action than ever before. Three cases of police brutality in Pittsburgh are worth highlighting, Jonny Gammage, Leon Ford, and Antwon Rose.

Police Brutality

Police brutality is a national issue killing 1,000 people each year.⁸⁰ Of those victims, approximately 60 percent were unarmed or were involved in incidents that did not require police intervention.⁸¹ The three

separate cases highlighted in this paper involve three unarmed black men in Pittsburgh. There have been other victims of police violence, but these particular cases have inspired action in the city for tangible change.

Jonny Gammage

On October 12, 1995, Brentwood and Whitehall police murdered 31-year-old Jonny Gammage.⁸² What began as a routine traffic stop at 2:00 a.m. ended in the death of the Syracuse, New York native.⁸³ He was pulled over for driving "erratically" in a 1988 Jaguar borrowed from his cousin.⁸⁴ Gammage was not under the influence of any substance, had a clean reputation, and no criminal record.⁸⁵ One police officer, John Vojtas, "slapped a cellular phone and datebook out of Gammage's hands as he exited the car."⁸⁶ Vojtas called for back-up and there was a "struggle" between Gammage and five police officers.⁸⁷ They beat Gammage with flashlights.⁸⁸ The

⁷⁸ Ibid pg. 182

⁷⁹ Ibid pg. 194

⁸⁰ "The Problem." Campaign Zero. Accessed November 21, 2018.

<https://www.joincampaignzero.org/problem/>.

⁸¹ Ibid

⁸² "Guide to the Proceedings of the Allegheny County (Pa.) Office of the Coroner's Open Inquest into the Death of Jonny Gammage, 1995 AIS.2012.08." Historic Pittsburgh. Accessed November 8, 2018.

https://historicpittsburgh.org/islandora/object/pitt:US-PPiU-ais201208/from_search/-6.

⁸³ CNN. "Three white police officers charged in death of black man." November 27, 1995.

Accessed November 8, 2018.

<http://www.cnn.com/US/9511/gammage/>.

⁸⁴ "5 Police Officers in Pittsburgh Facing Charges in Beating Death." *The New York Times* (New York), November 5, 1995. Accessed November 8, 2018. <https://www.nytimes.com/1995/11/05/us/5-police-officers-in-pittsburgh-facing-charges-in-beating-death.html>.

⁸⁵ Croyle, Johnathan. "Throwback Thursday: Verdicts Made in Jonny Gammage Case." Syracuse.com. November 10, 2016. Accessed November 12, 2018. https://www.syracuse.com/vintage/2016/11/throwback_thursday_verdicts_ma.html.

⁸⁶ Ibid

⁸⁷ Guide to the Proceedings of the Allegheny County (Pa.) Office of the Coroner's Open Inquest into the Death of Jonny Gammage, 1995 AIS.2012.08."

⁸⁸ "5 Police Officers in Pittsburgh Facing Charges in Beating Death."

Allegheny County coroner, Dr. Shakir found 20 bruises, cuts and scrapes on Gammage. He also had several larger bruises on his upper back and around his neck. These details are what was reported, yet Officer Vojtas' account of the events differs. Officer Vojtas claims that he told Gammage to get out of the car because "Gammage refused to keep his right hand visible." Vojtas suspected that Gammage had a weapon and pushed him into the side of the car out of what he claims as self-defense.⁸⁹ Officer Michael Albert testified that he, himself "pressed down on Gammage's shoulders and neck with a collapsible metal club as he lay face down on the ground."⁹⁰ The cause of Gammage's death was asphyxiation by compression of the neck and upper chest. He could not breathe properly with the pressure of the police on top of him and the pavement below which pinned his diaphragm.⁹¹

The Trial and Aftermath

On November 3, 1995, a six-member coroner's jury unanimously recommended criminal homicide charges for the five police officers involved in the death of Jonny Gammage, but that did not happen.⁹²

⁸⁹ Ibid

⁹⁰ Ibid

⁹¹ Croyle, Johnathan. "Throwback Thursday: Verdicts Made in Jonny Gammage Case."

⁹² Kate Daher. "Fact Sheet on the Murder of Jonny Gammage." Accessed November 8, 2018. <https://www.cs.cmu.edu/~pshell/gammage/fact-sheet.html>.

⁹³ CNN. "Three white police officers charged in death of black man."

⁹⁴ Kate Daher. "Fact Sheet on the Murder of Jonny Gammage."

Allegheny County District Attorney Bob Coville charged Lt. Milton Mulholland, Officer Albert and Vojtas with third-degree murder, official oppression, and involuntary manslaughter, yet they were arraigned and released without bail.⁹³ The other two officers were not charged.⁹⁴ A year later, on October 18th, 1996, Judge David Cashman declared a mistrial for Mulholland and Albert.⁹⁵ Officer Vojtas had a separate trial, in front of an all-white jury, where he was found not guilty.⁹⁶

There were protests as a result of the verdict and they were led by Tim Stevens, former head of the NAACP Pittsburgh chapter.⁹⁷ While more could have been done in local government, the community found a way to honor Gammage. The University of Pittsburgh developed the Jonny Gammage Memorial Scholarship, awarded to a person of color who is enrolled in a local law school.⁹⁸

Leon Ford

On November 11, 2012, 19-year-old Leon

⁹⁵ Croyle, Johnathan. "Throwback Thursday: Verdicts Made in Jonny Gammage Case."

⁹⁶ Ibid

⁹⁷ O'Driscoll, Bill. "The Gammage Project Revisits an Infamous Case." Pittsburgh City Paper. November 21, 2018. Accessed November 8, 2018. <https://www.pg.hcitypaper.com/pittsburgh/the-gammage-project-revisits-an-infamous-case/Content?oid=1490288>.

⁹⁸ "Jonny Gammage Memorial Scholarship." PittLaw. Accessed November 8, 2018. <https://www.law.pitt.edu/news/news-item/jonny-gammage-memorial-scholarship>.

Ford was pulled over in Highland Park.⁹⁹ He was interrogated for over 15 minutes for supposedly speeding and running stop signs. Officers Michael Kosko and Miller were convinced that he was Lamont Ford, a known gang member of the Kelly Street Gang in Homewood. Ford complied, handed over his license, registration and other documentation as proof that he was not Lamont. Despite complying and providing proper documentation of his identity, the officers wanted Ford to get out of his car. That is when the struggle broke out.¹⁰⁰ The officers attempted to pull Ford out of his car. According to officer Derbish, Ford's right hand was reaching for what he thought was a gun. That prompted Derbish to jump into Ford's vehicle.¹⁰¹ He claimed that Ford grabbed the gearshift while Ford claimed that the car was pushed into gear during the scuffle with the officers.¹⁰² As the car, "drove off," Derbish said that Ford "put his right hand on his chest if to shove him."¹⁰³ Therefore, Derbish drew his gun and shot

Ford five times in the chest and bullets shattered his spine, leaving him paralyzed from the waist down.¹⁰⁴ The car crashed into nearby steps.¹⁰⁵ Ford recalls falling out of the car onto the concrete, bleeding as "the officers cursed over his body, mocking him, hoping that he'd die."¹⁰⁶ During trial, audio from a distant microphone revealed that Ford asked, "Can I just get my ticket and go home?" while officers screamed "Fuck you, you're talking to the cops," and "You better get your black ass out of the car when police tell you to get out of the car."¹⁰⁷

Trial and the Aftermath

With mounting evidence in this case, there was a trial. Although no drugs or weapons were found in Ford's vehicle, he still faced charges for aggravated assault, reckless endangerment, resisting arrest and reckless driving.¹⁰⁸ He was found not guilty of aggravated assault, but the jury deadlocked

⁹⁹ Ove, Torsten. "Pittsburgh Police Officer Who Shot Leon Ford Describes Fateful Traffic Stop for Jury." *Pittsburgh Post-Gazette*, September 29, 2017. Accessed November 8, 2018. <https://www.post-gazette.com/local/city/2017/09/29/Leon-Ford-Pittsburgh-police-excessive-force-Derbish-Miller-traffic-stop-shot-paralyzed/stories/201709290135>.

¹⁰⁰ Ibid

¹⁰¹ Ove, Torsten. "Pittsburgh Police Officer Who Shot Leon Ford Describes Fateful Traffic Stop for Jury."

¹⁰² "Charges Dropped against Man Paralyzed in Police Shooting." WTAE. October 05, 2017. Accessed November 8, 2018. <https://www.wtae.com/article/charges-dropped-against-man-paralyzed-in-pittsburgh-police-shooting/7469716>.

¹⁰³ Ove, Torsten. "Pittsburgh Police Officer Who Shot Leon Ford Describes Fateful Traffic Stop for Jury."

¹⁰⁴ "Charges Dropped against Man Paralyzed in Police Shooting." WTAE. October 05, 2017.

¹⁰⁵ Ove, Torsten. "Pittsburgh Police Officer Who Shot Leon Ford Describes Fateful Traffic Stop for Jury."

¹⁰⁶ Johnson, Jason. "Black Lives Matter Lone Survivor Leon Ford Jr. Loses Police Brutality Case, Still Pursues Justice."

¹⁰⁷ Johnson, Jason. "Black Lives Matter Lone Survivor Leon Ford Jr. Loses Police Brutality Case, Still Pursues Justice."

¹⁰⁸ Campbell, Andy. "Leon Ford Paralyzed After Cops Shoot Him on Recording (VIDEO)." *Huff Post*, March 08, 2013. Accessed November 8, 2018. https://www.huffingtonpost.com/2013/03/08/leon-ford-cop-shooting-video_n_2837802.html.

on the other charges. The District Attorney's office decided not to re-try Ford.¹⁰⁹

All three officers were put under investigation in a civil rights case by the U.S. Justice Department.¹¹⁰ Derbish was placed on desk duty and all three officers were promoted to detectives despite being under investigation.¹¹¹ The investigation revealed inconsistencies in the officers' story. All three claimed that Ford had a gun, yet only two officers mentioned that in the original report.¹¹² In 2013, Ford filed his own civil rights case against them.¹¹³ This did not have the outcome he desired as Officer Miller was found not guilty of assault and battery. The jury deadlocked on whether Derbish used excessive force.¹¹⁴ In January 2018, after five years of litigation and his civil rights case going to trial yet again, victory was his. Ford received a \$5.5 million payout to settle the lawsuit with the city.¹¹⁵

In December 2017, the Pittsburgh City Paper selected Ford as the inaugural

Pittsburgher of the Year. He was given this honor for all his achievements. For the past six years, Ford has spoken out against police brutality, and he travels around the country to share his story. He has also been an advocate for affordable housing and displacement of residents in East Pittsburgh. He was hired by a California-based venture-capital firm, Bronze Investments, and became a "entrepreneur in residence." In his residency, he will develop smartphone applications and work on projects to support affordable housing in East Pittsburgh. Lastly, Ford has been vocal about wanting to build relationships with police and about the class divide in the African American community.¹¹⁶

Antwon Rose

On June 19, 2018 at 8:40pm, 17-year-old Antwon Rose, was a passenger in a traffic stop made by Officer Michael Rosfeld in

¹⁰⁹ "Charges Dropped against Man Paralyzed in Police Shooting."

¹¹⁰ "Charges Dropped against Man Paralyzed in Police Shooting." WTAE. October 05, 2017.

¹¹¹ Johnson, Jason. "Black Lives Matter Lone Survivor Leon Ford Jr. Loses Police Brutality Case, Still Pursues Justice."

¹¹² Johnson, Jason. "Black Lives Matter Lone Survivor Leon Ford Jr. Loses Police Brutality Case, Still Pursues Justice."

¹¹³ Mock, Brentin, and CityLab. "How Leon Ford Survived Getting Shot by Pittsburgh Police." CityLab. May 04, 2018. Accessed November 8, 2018.
<https://www.citylab.com/equity/2018/05/pittsburgh-h-police-shooting-survivor-wants-to-change-the-game/559493/>.

¹¹⁴ Johnson, Jason. "Black Lives Matter Lone Survivor Leon Ford Jr. Loses Police Brutality Case, Still Pursues Justice."

¹¹⁵ Ove, Torsten. "Pittsburgh to Pay Paralyzed Motorist Leon Ford \$5.5M in Federal Court Settlement." *Pittsburgh Post-Gazette*, January 17, 2017. Accessed November 8, 2018.
<https://www.post-gazette.com/local/city/2018/01/17/Leon-Ford-Pittsburgh-civil-rights-police-shooting-paralyzed-police-officers-David-Derbish-settlement/stories/201801170193>.

¹¹⁶ Addison, Rebecca. "Pittsburgh City Paper's Pittsburgher of the Year: Leon Ford." *Pittsburgh City Paper*, December 20, 2017. Accessed November 8, 2018.
<https://www.pg.citypaper.com/pittsburgh/pittsburgh-city-papers-pittsburgher-of-the-year-leon-ford/Content?oid=5869339>.

East Pittsburgh.¹¹⁷ The car was suspected to be involved in a shooting earlier that day in North Braddock, according to Allegheny County Police.¹¹⁸ There was surveillance footage that showed a black man in a dark shirt open fire with a handgun from the rear passenger window. The shooter was identified as Zaijuan Hester, a teenager. He was another passenger in the vehicle with Rose. Half a mile away from the scene of the shooting, Rosfeld pulled over the car that Rose was in.¹¹⁹

When Rosfeld pulled the car over, he ordered the driver to get out of the car and get on the ground. That is when Rose and Hester ran out of the car.¹²⁰ While the two were running away, Rosfeld fired three shots, which all struck Rose. The first bullet hit Rose on the right side of his face and exited his nasal cavity. The second bullet hit Rose on the back of his right elbow. The last shot was fatal as it struck him in the middle of his back and was lodged in his chest. Hester got away but was arrested and charged with homicide since he was the shooter in the drive-by earlier. The driver of the vehicle who was described as a “jitney driver” cooperated with authorities and was

released.¹²¹ Allegheny District Attorney, Patrick Zappala went on record to say that Rose “never did anything in furtherance of any crimes in North Braddock.”¹²²

Spotlight on Michael Rosfeld and Trial

Rosfeld was a 30-year-old officer who was sworn in the East Pittsburgh police force mere hours before the shooting. He had worked with other local departments for seven years.¹²³ In January of 2018, he left his job as a police officer at the University of Pittsburgh and was hired in May by East Pittsburgh police. Zappala was “disturbed” that East Pittsburgh police would hire Rosfeld given what Zappala describes as a “history of brutality and a history of...falsifying reports.”¹²⁴

Recounting events, Rosfeld said that he intended to get the driver, Rose, and Hester on the ground and wait for backup. However, after ordering the driver to the ground, the teens ran. He claimed that the front seat passenger, Rose, exited the car and turned his hand towards him, when he saw something that he believed to be a gun. However, when asked to recount the events once more he told detectives that he did not

¹¹⁷Wang, Amy, and Alex Horton. "Officer Who Shot and Killed Antwon Rose Is Charged with Criminal Homicide." *The Washington Post*, June 27, 2018. Accessed November 8, 2018. https://www.washingtonpost.com/news/post-nation/wp/2018/06/27/east-pittsburgh-police-officer-who-shot-and-killed-antwon-rose-charged-with-criminal-homicide/?utm_term=.3f5e7b452cc6.

¹¹⁸McLaughlin, Elliott C. "East Pittsburgh Officer Charged with Criminal Homicide in Antwon Rose Shooting." *CNN*, June 27, 2018. Accessed November 8, 2018. [https://www.cnn.com/2018/06/27/us/michael-](https://www.cnn.com/2018/06/27/us/michael-rosfeld-charged-criminal-homicide-antwon-rose-east-pittsburgh/index.html)

[rosfeld-charged-criminal-homicide-antwon-rose-east-pittsburgh/index.html](https://www.cnn.com/2018/06/27/us/michael-rosfeld-charged-criminal-homicide-antwon-rose-east-pittsburgh/index.html).

¹¹⁹McLaughlin, Elliott C. "East Pittsburgh Officer Charged with Criminal Homicide in Antwon Rose Shooting."

¹²⁰Ibid

¹²¹Wang, Amy, and Alex Horton. "Officer Who Shot and Killed Antwon Rose Is Charged with Criminal Homicide"

¹²²Ibid

¹²³Ibid

¹²⁴Wang, Amy, and Alex Horton. "Officer Who Shot and Killed Antwon Rose Is Charged with Criminal Homicide"

see a gun when Rose got out of the car and ran.¹²⁵

Rosfeld was charged with criminal homicide. In the state of Pennsylvania, criminal homicide includes “murder, voluntary manslaughter and involuntary manslaughter.”¹²⁶ Zappala believes that Rosfeld acted “recklessly and without justification.” Therefore, Zappala and his office pushed for murder in the first-degree which PA classifies as “intentional killing.”¹²⁷ Rosfeld went on unpaid leave, later had an unsecured bail of \$250,000, and went on electric home monitoring.¹²⁸ He waived his right to a preliminary hearing.¹²⁹

The trial of Officer Michael Rosfeld began March 19, 2019 and ended March 22, 2019. A diverse jury from Harrisburg, Pennsylvania came in for the four-day trial. Testimonies from 23 witnesses and hundreds of exhibits were considered. Rose’s parents claimed that Rosfeld, “did not attempt to provide medical aid to Rose

after the shooting.”¹³⁰ During the trial, this was revealed to be true after testimony from Officer Scott Lowden, a longtime EMT, who performed CPR on Rose after seeing him face-down, handcuffed, and critically injured.¹³¹ In less than four hours, the jury unanimously acquitted Rosfeld on all charges (first-degree murder, third-degree murder, voluntary manslaughter, and involuntary manslaughter).¹³²

Antwon Rose’s aunt, Carolyn Morrison expressed the sentiment of many attendees of the trial when she said, “The trial was too fast. The verdict was too fast. It was all too fast.” Minutes after the decision was given, a crowd gathered and chanted on the steps of the Allegheny County Courthouse.¹³³

Demonstrations followed soon after in downtown and in East Liberty. Protests continued into the weekend and the following week.¹³⁴

Past v Present Day and Aftermath

¹²⁵ McLaughlin, Elliott C. "East Pittsburgh Officer Charged with Criminal Homicide in Antwon Rose Shooting."

¹²⁶ Ibid

¹²⁷ Ibid

¹²⁸ *Pittsburgh's Action News*. Transcript. Action News 4. July 24, 2018.

¹²⁹ Ibid

¹³⁰ *Pittsburgh Channel 11 News*. Transcript. August 2, 2018.

¹³¹ Reed Ward, Paula, and Shelly Bradbury. "ROSFELD TRIAL DAY 2: Day Closes with Testimony about Gunshot Residue." *Gazette*. March 20, 2019. Accessed May 10, 2019. [https://www.post-gazette.com/news/crime-courts/2019/03/20/updates-day-2-east-pittsburgh-officer-michael-rosfeld-homicide-trial-police-](https://www.post-gazette.com/news/crime-courts/2019/03/20/updates-day-2-east-pittsburgh-officer-michael-rosfeld-homicide-trial-police-shooting-Antwon-Rose-rankin/stories/201903200081)

[shooting-Antwon-Rose-rankin/stories/201903200081](https://www.post-gazette.com/news/crime-courts/2019/03/22/michael-rosfeld-trial-verdict-antwon-rose-police-shooting-east-pittsburgh/stories/201903210103).

¹³² Reed Ward, Paula, and Shelly Bradbury. "Former Officer Michael Rosfeld Found Not Guilty in Death of Antwon Rose." *Gazette*. March 23, 2019. Accessed May 10, 2019. <https://www.post-gazette.com/news/crime-courts/2019/03/22/michael-rosfeld-trial-verdict-antwon-rose-police-shooting-east-pittsburgh/stories/201903210103>.

¹³³ Ibid

¹³⁴ Deto, Ryan. "More than a Thousand March in Student-led Protest Calling for Justice for Antwon Rose II." *Pittsburgh City Paper*. April 26, 2019. Accessed May 10, 2019. <https://www.pghcitypaper.com/pittsburgh/more-than-a-thousand-march-in-student-led-protest-calling-for-justice-for-antwon-rose-ii/Content?oid=14305368>.

The growing presence of social media and the accessibility to cell phones has allowed incidences of police brutality to gain national attention and mobilize people much faster. When Rosfeld pulled over the car that Rose was in, a neighbor from a second-story window recorded a video of what transpired on her phone. She later posted it on Facebook where it gained national attention.¹³⁵ His death sparked four straight days of protests in Downtown Pittsburgh, Homestead, and South Side.¹³⁶ Protests were announced on social media and that allowed the demonstrations to gain more support. As with many cases of police brutality, communities are forever changed. In Pittsburgh, there has been a push for various changes in policies regarding policing in Pennsylvania. Soon after the trial, Reggie Shuford, executive director of the ACLU of Pennsylvania called for two changes. One, to require police departments to publicly release their use-of-force policies. Two, to help avoid possible bias in these trials by having independent prosecutors handle police shootings cases.¹³⁷ Members of the Pennsylvania Legislative Black Caucus are advocating for five bills. These bills would, “modify definitions in statutes for the use of deadly force; reform interdepartmental

police hiring by requiring that law enforcement agencies keep detailed personnel records on an officer leaving a job; appoint a special prosecutor to investigate any incident of deadly force involving a law enforcement officer; reform the certification and decertification process for police officers; and address arbitration regarding matters of discipline for police.”¹³⁸

State Representative Summer Lee of the 34th District, expressed that this is a collaborative issue and not a partisan one. She and the Black Caucus seek support from the police.¹³⁹ Time will tell if these policies will pass and how they will change policing in Pennsylvania.

Recommendations

There is no doubt that historical race-conscious policies have led to an economic gap between African Americans and whites in Pittsburgh. Socioeconomic disparities between white and black residents are still present, contribute to police brutality, and are being tackled in different ways throughout Pittsburgh and Allegheny County. The Center on Race and Social Problems in the School of Social Work at

¹³⁵ Wang, Amy, and Alex Horton. "Officer Who Shot and Killed Antwon Rose Is Charged with Criminal Homicide"

¹³⁶ Wadas, Amy. "Protesters March Through South Side Over Fatal Shooting Of 17-Year-Old Antwon Rose By East Pittsburgh Police Officer." *KDKA 2 CBS Pittsburgh*, June 23, 2018. Accessed November 8, 2018. <https://pittsburgh.cbslocal.com/2018/06/23/south-side-antwon-rose-protest-east-pittsburgh-fatal-shooting/>.

¹³⁷ Reed Ward, Paula, and Shelly Bradbury. "Former Officer Michael Rosfeld Found Not Guilty in Death of Antwon Rose."

¹³⁸ Wimbley, Lacreitia. "Democratic Lawmakers Plan Harrisburg Rally Seeking Changes in Police Use-of-force Laws." *Gazette*. April 28, 2019. Accessed May 10, 2019. <https://www.post-gazette.com/news/politics-state/2019/04/29/Pennsylvania-Pittsburgh-police-use-of-force-laws-legislation-Michael-Rosfeld-Antwon-Rose-black-caucus/stories/201904190095>.

¹³⁹ Ibid

the University of Pittsburgh recommends the gap can be reduced with policies that foster true ownership.¹⁴⁰ I recommend programs that should be brought to Pittsburgh or the county. These recommendations can affect police brutality by challenging the stereotypes that have been developed over a long history of inequality not only in Pittsburgh but in the nation. I propose that Pittsburgh addresses the economic gap in the Greater Pittsburgh Region and the issue of policing by, bringing individual development accounts, merging police departments, and creating a county Civilian Police Review Board.

Socioeconomic

Bring Individual Development Accounts (IDA) to Pittsburgh.

Individual Development Accounts are “special savings accounts that match deposits of low-and moderate-income savers.”¹⁴¹ This means that every dollar saved is matched by that amount or more through federal, state, and private funds. The amount matched varies by guidelines and those guidelines vary by the current IDA areas in the Pennsylvania counties of Philadelphia, Montgomery, Delaware, and

Chester Counties. The money saved in the accounts may be used for “postsecondary education or job training, homeownership, or to start a small business.”¹⁴² Participants can also learn about budgeting, saving, and purchasing assets.¹⁴³

Expanding this program to Allegheny County can be a step in the right direction after so many race-conscious policies.¹⁴⁴ The program has been proven to work and help low-income families. The first test of IDA, the American Dream Demonstration, estimated that 2,128 low-income families who participated in the program saved \$602,181 and had \$1,146,919 in matched funds. The monthly average deposit into savings was \$19 per participant and the average match rate was 2:1.¹⁴⁵

The study, “Weathering the Storm: Have IDA’s Helped Low-Income Homeowners Avoid Foreclosure?” was able to show the results of the program in 17 states between 1999 and 2007. When compared to other low-income home buyers, buyers who had IDA’s “obtained significantly preferable mortgage loan terms...and were two to three times less likely to lose their homes to foreclosure.”¹⁴⁶ Over the last decade, more than 1,100 sites across the U.S. have

¹⁴⁰ Bangs, Ralph. *Race in America, Restructuring Inequality, Economics*. Pg. 7

¹⁴¹ "Individual Development Accounts." *The Road to Zero Wealth: How the Racial Wealth Divide Is Hollowing Out America's Middle Class and What We Can Do About It* | Prosperity Now. Accessed December 1, 2018. <https://prosperitynow.org/everything-you-need-know-about-individual-development-accounts-idas>

¹⁴² Ibid

¹⁴³ Ibid

¹⁴⁴ Bangs, Ralph. *Race in America, Restructuring Inequality, Economics*. pg. 7

¹⁴⁵ "Home." PathWays PA – Helping Women, Teens, Children and Families Achieve Economic Independence and Family Well-being since 1978. Accessed December 1, 2018. <http://www.pathwayspa.org/index.php/ida-program/>.

¹⁴⁶ "Individual Development Accounts." *The Road to Zero Wealth: How the Racial Wealth Divide Is*

opened and administered over 85,000 IDA's. This has resulted in "more than 9,400 new homeowners, 7,200 educational purchases and 6,400 small business start-up and expansion purchases."¹⁴⁷

IDAs are ideal for Allegheny County, however there are some issues with the program. There is an increase in demand for IDAs and a decrease in resources. Since the program operates on matching funds, the largest financial resource is the federal government through the Assets for Independence program. The impacts of this program are also difficult to quantify. Prosperity Now, a nonprofit formerly known as the Corporation for Enterprise Development, estimates that every federal dollar invested in IDAs has the potential to have a return of approximately five dollars to the national economy. This could be in the form of "new businesses, additional earnings, new and rehabilitated homes, reduced welfare expenditures, and human capital associated with greater educational attainment."¹⁴⁸ Bringing IDAs to Allegheny County can be one avenue to address the socioeconomic issues raised in this paper.

Police Control

Form merged police departments.

For many years, combined police coverage has been a trending topic in Allegheny County however, it did not garner enough support. The first successful merge was the Northern Regional Police Department in the 1960's. Currently, municipalities have their own departments. Proponents of merges have mentioned that those who oppose do not want to give up their authority or autonomy; it is a "turf thing."¹⁴⁹ Pennsylvania offers municipalities a free "feasibility study" to show the potential benefits of a proposed merger. There are roughly 130 boroughs, towns, and municipalities that make up Allegheny County and each of them have their own police departments. Many of these departments also have overlapping police forces which complicates jurisdictions.¹⁵⁰ Disparities among police departments can cause ineffective policing. A St. Louis-based nonprofit research center, Better Together, found "significant differences in police training, accreditation, and licensure across the 60 area police departments."¹⁵¹ Findings in many other studies reveal a phenomenon where an officer may be fired in one agency and then hired by another. This was the case with Officer Rosfeld. Having so many departments does not allow for studies to analyze data across departments since they have different "standards for trainings,

Hollowing Out America's Middle Class and What We Can Do About It

¹⁴⁷ Ibid

¹⁴⁸ Ibid

¹⁴⁹ Kerlik, Bobby. "Combined Police Coverage Hasn't Gained Popularity in Allegheny County." *Trib Live*, September 13, 2012. Accessed December 2, 2018. <https://triblive.com/neighborhoods/2339140-74/departments-police-communities-county->

department-regional-northern-seven-allegheny-community.

¹⁵⁰ Ibid

¹⁵¹ Mock, Brentin, and CityLab. "When the Suburban Police Are Out of Control." CityLab. June 27, 2018. Accessed December 2, 2018. [https://www.citylab.com/equity/2018/06/east-pittsburgh-is-latest-case-of-how-suburban-police-are-out-of-control/563384/.](https://www.citylab.com/equity/2018/06/east-pittsburgh-is-latest-case-of-how-suburban-police-are-out-of-control/563384/)

discipline protocols, procurement policies, use-of force guidelines, and so on.”¹⁵² Merged police departments present possible solutions and challenges. In situations like the East Pittsburgh Police Department, a merge can be the best solution. It could free up more funds for things like implicit bias training. One advocate for this was District Attorney Zappala who stated that the department was lacking adequate training for officers.¹⁵³ The department had an annual budget of \$550,000 which was insufficient for such training. The budget also made it difficult to hire full-time officers which led to a lot of turnover.¹⁵⁴ Another reason why a merger would be beneficial is to create clear jurisdictions. Lastly, merging police departments could stop officers who are fired for misconduct in force from easily getting hired in another. These may be small steps, but still steps to help decrease police brutality in Pittsburgh. In August of 2018, there were motions to disband the East Pittsburgh Police Department.¹⁵⁵ Officer Michael Rosfeld, was one of the officers in this department. On November 13, 2018 the Pennsylvania State Police received a request from the East Pittsburgh Police Department to provide full-time policing to the borough after the

department was to dissolve on December 1, 2018.¹⁵⁶ After Rose was shot, five out of the nine police officers in the department left. Residents were concerned about an increase in crime and if there would be timely responses to their calls. If the state police are unable to make a call, they will request help from nearby municipalities.¹⁵⁷

Create a county Civilian Police Review Board

Pittsburgh’s Independent Citizen Police Review Board (CPRB) currently “receives and investigates complaints of police conduct, holds public hearings, renders findings & recommendations and offers advice on police practices, policies and procedures to the Chief of Police and the Mayor.”¹⁵⁸ There are seven members who are volunteers and appointed for four-year terms.¹⁵⁹ The bill to create the review board, Bill 1996-397, originally received push back from The Fraternal Order of Police (FOP), but on May 2, 1997, the referendum passed the Commonwealth Court of Pennsylvania and the CPRB was created. From 1996 to 1997, Pittsburgh hit milestones with City Council passing various police accountability and citizen protection-related

¹⁵² Ibid

¹⁵³ Goldstein, Andrew. "East Pittsburgh Police Officers Pull Their Last Shifts Friday."

¹⁵⁴ Bradbury, Shelly. "County, East Pittsburgh, North Braddock Can't Agree on Policing Deal; Cost a Factor." *Pittsburgh Post-Gazette*, September 27, 2018. <https://www.post-gazette.com/news/crime-courts/2018/09/27/police-consolidation-allegheny-county-north-braddock-east-pittsburgh-antwon-rose/stories/201809270180>.

¹⁵⁵ *Pittsburgh Channel 11 News*. Transcript. August 22, 2018.

¹⁵⁶ Ibid

¹⁵⁷ Goldstein, Andrew. "East Pittsburgh Police Officers Pull Their Last Shifts Friday." *Pittsburgh Post-Gazette*, November 30, 2018. Accessed December 2, 2018. <https://www.post-gazette.com/news/crime-courts/2018/11/30/east-pittsburgh-police-disbands-last-day-antwon-rose-pennsylvania-state-police/stories/201811300452>.

¹⁵⁸ "Boards, Authorities and Commissions." [Pittsburghpa.gov](http://pittsburghpa.gov). Accessed October 10, 2018. <http://pittsburghpa.gov/bac/bac.html>.

¹⁵⁹ Ibid

bills. This was also during the time that the Pittsburgh Bureau of Police city signed a consent decree with the U.S. Department of Justice as a result of civil rights violation allegations.¹⁶⁰

After the death of Antwon Rose, citizens have been trying to take the CPRB to the next level: the county level. The CPRB has existed for two decades and the committee for the CPRB wants to see a change.¹⁶¹ Some residents feel this change is necessary given that gentrification has led many black residents to move to the boroughs. Federal intervention from the U.S. Department of Justice and the death of Jonny Gammage prompted the creation of CPRB in the 1990's. Now, there is no federal pressure but there are same feelings of urgency for action.¹⁶²

Many policy changes fall on the responsibility of municipalities and that is the same case here. Pittsburgh's CRPB is funded by Pittsburgh's general fund at about half a million a year to maintain it. If there was a county CPRB, all municipalities would have to contribute to fund such a board. Another issue is that Allegheny County has over 100 police departments.

Each department operates differently and can be a part of different unions. All departments and unions would have to agree on the same terms and have fair representation to have the board created.¹⁶³ Residents currently have few options to deal with police misconduct. They can file a grievance with the police department, or they can file a federal lawsuit. The first option can operate in a system that protects the officer while the latter is difficult and too costly for most plaintiffs.¹⁶⁴

In July of 2018, Allegheny City Council voted, 8-6 in favor of taking the first steps to start a countywide CPRB. Members of the board have been allowed to hold four public meetings to gather information to decide where to go from there. This came soon after the death of Antwon Rose in June.¹⁶⁵ However, many residents are hopeful. Khalid Raheem, the CPRB's lead organizer, talks about the vision for the board. It is to be inclusive to undocumented persons or other people considered non-citizens hence it will be a civilian police review board rather than a citizen police review board. He says, "A civilian review board is not anti-police, but it is pro-people."¹⁶⁶

¹⁶⁰ "History of the CPRB."

¹⁶¹ Faina, Nichole. "Pittsburgh Has an Independent Board to Review Police Misconduct. These Residents Want to Create One That Covers the County." PublicSource. November 19, 2018. Accessed December 2, 2018. <https://www.publicsource.org/pittsburgh-has-an-independent-board-to-review-police-misconduct-these-residents-want-to-create-one-that-covers-the-county/>.

¹⁶² Ibid

¹⁶³ Ibid

¹⁶⁴ Ibid

¹⁶⁵ Goldstein, Andrew. "Allegheny County Council Takes First Step toward Citizens' Police Review Board." *Pittsburgh City Paper*, July 10, 2018. Accessed December 2, 2018. <http://www.post-gazette.com/news/crime-courts/2018/07/10/Allegheny-county-council-citizens-police-review-board/stories/201807100174>.

¹⁶⁶ Faina, Nichole. "Pittsburgh Has an Independent Board to Review Police Misconduct. These Residents Want to Create One That Covers the County."

Conclusion

Historically, African Americans have been pushed into an underclass which has made them susceptible to police brutality. It has only been 55 years since the Civil Rights Act of 1964 banned segregation. Pittsburgh has had many technological and industrial developments over the years, but one thing that has not kept up with such change is policing and true equality among the city's residents. As mentioned before, on average, over 1,000 people are killed by police each year. Most of these victims are African American.

Social inequality intensifies police brutality in Pittsburgh. After researching the rise of the African American community in Pittsburgh and case studies of police brutality in the city, I am convinced that change is needed. Many residents have been vocal and continue to lead the charge for

change, however there are many roadblocks. Seeking solutions for better policing are important and solutions for equal opportunities for minorities in employment and housing should not be ignored.

Pittsburgh and Allegheny County as a whole can impact these issues by, bringing individual development accounts, merging police departments, and creating a county Civilian Police Review Board.

African Americans are dying because of the stereotypes that have developed historically through racist policies. There is no doubt that these stereotypes must be broken in order to begin changing a broken system. Police brutality can end. It is no longer a matter of "how" but "when." I hope in the future there are less people killed each year by police, less African Americans being targets for such brutality, and more policy changes that foster equal opportunities for everyone.

Education in Rwanda: Shifting from Rebuilding to Reinvention

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In December 2017, Rwandan president Paul Kagame called for a “revolution” within his nation’s education system, a shift towards creating a workforce that can support Rwanda’s desired economic transformation. The goal for Kagame’s government is to capitalize on their potential to be a technologically-advanced innovation hub in sub-Saharan Africa; consequently, there is a push to incorporate more information and communication technology training within the existing curriculum. This paper serves as an analysis of the Rwandan education system through a post-conflict lens, which considers how the country’s history has impacted education policy in the country since the genocide in 1994. Specifically, the research examines three continuing challenges plaguing Rwanda’s educational system, presenting concrete recommendations to address these difficulties in line with the country’s goal of becoming a middle-income country by 2035 and high-income country by 2050.

Introduction

The government of Rwanda has actively pursued a bolder—and more economically transformative—educational agenda in recent years, focusing more purposefully on expanding its efforts in post-secondary instruction and advanced technical skills training.¹ This strategy lines up directly with the stated aims of the new Sustainable Development Goals (SDGs), the follow-on iteration of the Millennium Development Goals (MDGs). Drafted collaboratively by the United Nations in 2000 with aspirations for realization by 2015, the second goal of the MDGs focused almost exclusively on *access* to education; in turn, the SDGs specifically highlight several targets relevant to *achievement* in education as part of the fourth goal.² Governing these targets is the common understanding that an education is a foundation for students upon which they will build socio-economic skills that allow them to contribute to their societies. Key

elements that differentiate the SDGs from the MDGs include placing a focus on affordable tertiary education and highlighting the importance of teacher training and preparation.³ Few dispute that improvements to a nation’s educational system can transform that country’s ability to compete on the international stage in a way that few other social interventions are able to match.

However, although it may be tempting on the part of developing nations to push forward into an ambitious “goals first, methods later” approach towards socio-economic development, several concerns that may impact the pursuit of these advanced proposals must be addressed so as to prevent them from undermining these ambitious efforts.

The successes that Rwanda has already benefited from are great and could be leveraged to create sound domestic and

¹ “Education Sector Strategic Plan 2010 – 2015,” Republic of Rwanda, Ministry of Education, accessed 03 October 2018.

² “United Nations Millennium Development Goals,” United Nations, accessed 16 October 2018;

“Education – United Nations Sustainable Development Goals,” United Nations, accessed 01 November 2018.

³ “Education – United Nations Sustainable Development Goals.”

international support as aspirational objectives are pursued. But a recent meta-analysis of several important studies of the Rwandan educational system suggests that policy is potentially “being created on a contingent basis in response to challenges and pressures, without a clear guiding vision,” leaving the system’s stakeholders less prepared to move the country forward.⁴ Ultimately, whatever hindrances to progress exist within its educational system, it may be possible for the Rwandan government and its people to navigate and overcome those hurdles—provided that the essential needs of society and all citizens are considered, and appropriate critical lenses are applied to the policy-making process. To this end, the purpose of this paper is to discuss three of the continuing challenges plaguing Rwanda’s educational system and present concrete recommendations to address these difficulties in line with the country’s goal of becoming a middle-income, more technologically advanced nation in the years to come.

Context: A Situationally Appropriate Analytical Lens

A Post-Colonial Approach

For the purposes of this paper, a specific theoretical lens was applied to the review of existing scholarship as well as available primary-source data in evaluating the many facets of this complex post-conflict, developing environment. When analyzing the educational and social policies that have taken root in Rwanda since the genocide, of particular use for researchers and scholars is

post-colonial theory, which places great value on the ways in which external forces have helped to shape Rwanda throughout the country’s periods of European colonial rule, differentiating outcomes from what they likely may have been had Rwanda never been subject to such control. Applying this lens to each of the current problems allows one to better ground potential solutions within an appropriately stakeholder-centric context.

First, there is a lack of consensus where the history curriculum is concerned. The government relies on an official narrative of events surrounding the genocide, from its likely roots in colonial occupation to the Eurocentric promulgation of many competing myths about the origins of the ethnic groups in Rwanda. There is no explicit discussion of ethnicity in Rwanda, nor is there an opportunity for those affected to openly talk about the family members that they lost—particularly if the dead are Hutu.⁵ The government’s decision to move forward without looking back has in many ways hamstrung the Rwandan people into continuing cycles of emotional and psychological trauma, and prevents the creation of an objective history curriculum.⁶

Second, there is a tension between a focus on access and a focus on achievement within the Rwandan educational system. The German and Belgian colonial governments used the educational system in what were their occupied African territories to subjugate indigenous peoples and create or further cement hierarchical structures in the

⁴ Beth Lewis Samuelson, *Rwanda Switches to English: Conflict, Identity and Language-in-Education Policy* (London, England: Routledge, 2013): 26.

⁵ Zoe Flood, “Teaching Difficult Histories: Rwanda’s Post-Genocide Experience,” *National Geographic Online*, 01 May 2014.

⁶ Phuong N. Pham, Harvey M. Weinstein, and Timothy Longman, “Trauma and PTSD Symptoms in Rwanda: Implications for Attitudes Toward Justice and Reconciliation,” *Journal of the American Medical Association* 292, no. 5 (2004): 602-612.

area that centered on ethnicity. Given that many Hutus before and during the genocide viewed schools as instruments of their oppression, whether by those long-departed colonial powers or by the more contemporary leadership of Rwanda post-independence in 1961, it makes sense that schools would be targeted amid the genocide. The idea that equitable access could be established in such a context merely through legislation ignores the fundamental socio-economic differences in which different groups of Rwandans live, and the extant circumstances in which the quality of one's education in Rwanda is often governed by the ability of families to "supplement" the funds appropriated to their local schools.

Third, Francophone supremacy wielded by the ruling elite played an emotional and cultural role in later determinations of official language policy. The complicated nature of France's involvement in Rwanda's affairs before and during the genocide must also be examined, as new literature has brought to light troubling allegations of French complicity in the atrocities, particularly where the *Zones Turquoises* (Turquoise Zones, the areas under French humanitarian control) are concerned; a recent controversial report commissioned by the government of Rwanda states that French peacekeeping forces actively supported combatants against the RPF (Rwandan Patriotic Front) using these zones of influence, despite their protective mandate.⁷ These factors complicate this

paper's later discussion of the switch of language of instruction (LOI) from French to English.

Rebuilding: "Education Has Become Our Way Forward"⁸

Following the cessation of hostilities, the Rwandan government quickly and decisively moved into a reconstruction phase, particularly with respect to the educational system, aware that the country's economic security was in peril should their efforts fail. The educational system was viewed as one of the primary drivers of restoration as well as reconciliation; through universal access, it was thought that the nation could enact the very coming together to which it aspired as it attempted to transition out of a period of instability and terror.⁹ Since the beginning of Rwanda's rebuilding, education has become increasingly recognized amongst mainstream humanitarian aid providers as a key "fourth pillar" of early recovery, alongside food and water, shelter, and health.¹⁰ As one researcher put it, "education is therefore seen as part of a broader pattern in international humanitarian and developmental thinking that supports the need for comprehensive and integrated approaches to crises that work through governmental agencies, and in partnership with non-governmental actors at the international, national and local levels."¹¹ Just as education is argued to have played a major role in the developments leading up to the Rwandan genocide, Rwandan schools

⁷ Robert F. Muse, Joshua A. Levy, Daren H. Firestone, Margaret E. Whitney, and Yannick B. Morgan, *Report and Recommendation to the Government of Rwanda on the Role of French Officials in the Genocide Against the Tutsi* (Washington, DC: Cunningham Levy Muse LLP, 11 December 2017): 40 – 45.

⁸ Elisabeth King, "Schooling Builds Peace, Right? The Complicated Answer from Rwanda," *The Washington Post*, 16 April 2014.

⁹ Anna P. Obura, *Never Again: Educational Reconstruction in Rwanda*, International Institute for Educational Planning, 2003, 29-30.

¹⁰ Graça Machel as quoted in Barakat, 124.

¹¹ Barakat, 127.

today continue to play a significant role in mediating social conflict. Many scholars portray education as having been a panacea, a universally positive force for the mitigation of differences in the post-genocide milieu, but others suggest that the educational system in Rwanda today may be just as guilty of fomenting social and political unrest as it was in the years before the killings.¹²

As the RPF-led government forged ahead in late 1994 with plans to rapidly build educational capacity throughout Rwanda, foremost in their minds was their own determination that schools would no longer be places that perpetuated ethnic conflict, fomented racial hatred, or inculcated divisive myths aimed at stratifying Rwandan society. Recent qualitative research shows that “in both the colonial period and in the years leading up to the genocide” there were complicating factors that exacerbated ethnic conflict in the country, including “who had best access to schools (first Tutsi, then Hutu), what was taught (especially in history class), as well as pedagogy and classroom practices.”¹³ These issues “contributed to collectivizing and stigmatizing groups, and promoting inequality between Hutu[s] and Tutsi[s].”¹⁴ The overarching and all-consuming goal after the end of the genocide was clear: to establish the “One Rwanda” doctrine fully throughout the educational system by throwing open doors to new and refurbished spaces and making universal access the top priority.¹⁵ Aside from ensuring that Rwandan students returned to classrooms—whatever their state—there was little else on the minds of

ministers within the government of Rwanda as school began in the fall of that year.

A Complicated Past: A History Curriculum Lacking Consistency and Consensus

When it came to the teaching of history, the consensus was that there was to be no focus on the past until there was a clear future ahead, an idea that has survived challenge throughout the ensuing twenty-five years. To avoid or ignore what had happened seemed like the best course to many—the most effective way to put the past behind a nation desperate to find a path forward. Unification became a central theme, “since the social conflict in Rwanda is based on the categories of Hutu and Tutsi”; the greatest goal for the government at this point was unification: “to overcome the dichotomous relationship [between the two ethnic groups] and create one nation”—“One Rwanda.”¹⁶ After all, part of the problem had been the educational system, and many seem to have thought that to invite the teaching of history was to invite the perceived sins of the past to re-enter a fragile state of traumatized people. Even without the entanglement of schools in what happened, the truth is that, “following violent conflicts, a key objective of a new government is to narrate a history that will unify the war-torn society.”¹⁷ In the absence of a better option, Rwanda’s leadership seemingly moved directly into the unification phase without dealing with some of the harder questions posed by the fallout from the conflict, narrating themselves into a mirage.¹⁸ Rather than actual history, students were expected to internalize the

¹² King.

¹³ Fegley, 89-116.

¹⁴ Ibid.

¹⁵ Obura, 93.

¹⁶ Susanne Buckley-Zistel, “Nation, Narration, Unification? The Politics of History Teaching After

the Rwandan Genocide,” *Journal of Genocide Research* 11, no. 1 (2009), 33.

¹⁷ Buckley-Zistel, 32.

¹⁸ Ibid.

government's vision of its populace as an ethnicity-free unified constituent group.

Eventually, there began to be a government-backed collective understanding of history, “an ‘official narrative’ of the past, a broadly accepted account that roots the causes of the genocide in the colonial period.”¹⁹ This version of history is frequently cited at the annual commemoration, which includes a re-enactment of some of the killings and serves as a support to the leadership of President Kagame.²⁰ There are current, salient allegations that this has been a process of historical revisionism, the creation of a pseudo-fictional “master narrative” that serves a clear political purpose and ignores some victims while fixating on others—privileging the power of Tutsi experiences over traumas endured by Hutus.²¹ After first taking root in the popular tributes to the fallen Rwandans memorialized each spring, this government-approved, univocal account then began to seed itself in what passes for a history curriculum. Many have decried this version of events; “despite being ostensibly ethnicity-blind, the way that history is being reintroduced to schools by the minority Tutsi-led government marginalizes much of the majority Hutu population.”²² Paul Rusesabagina, well-known for sheltering hundreds of displaced persons during the atrocities (as depicted in the film *Hotel Rwanda*), has described the current state of affairs as “a complete rewriting of history”; “They [the current government] are writing it the way they want it to be taught.”²³ This unfortunate turn must be corrected as quickly as possible, as history is not

propaganda and propaganda cannot serve as history.

Beyond this, there lies the issue of how even speaking of ethnicity has been in some cases criminalized in Rwanda today, a backlash against all prior manifestation of ethnic identity. What does this policy teach the rising generations of Rwandans—that the peace they currently possess is founded on silence and such a tenuous sense of unity so as to preclude even the mention of the words Hutu, Tutsi, or Twa? This seems like a worthy consideration for the current administration to mull. Instead, the government argues, “what matters is to live together peacefully,” for the various people of Rwanda to “work together for the development of their country, so that Banyarwanda can tackle and solve their common problems.”²⁴ And this hasn't been a passive pursuit: re-education camps were established to instruct citizens potentially resistant to the idea of all Rwandans being labeled homogeneously as Banyarwanda, to ensure that they understand the importance of unification. As one former combatant put it to *The New York Times*, “There is no ethnicity here. We are all Rwandan.”²⁵ Moreover, “divisionism,” the crime of speaking about ethnic differences, can land one in prison. The government of Rwanda, through new laws and old intimidation strategies, has a tight grip on what people can say or think, a characteristic not of a post-conflict, democratic, free society but more so a repressive, autocratic régime.

A Contradictory Present: Competing Aims of the Educational System

¹⁹ Flood.

²⁰ Ibid.

²¹ Ibid.

²² King.

²³ Flood.

²⁴ *The Unity of Rwandans*.

²⁵ Mark Lacey, “A Decade After Massacres, Rwanda Outlaws Ethnicity,” *The New York Times*, 09 April 2004.

Six years before the Millennium Development Goals were set, universal primary education served as a cornerstone of the plan to rebuild Rwanda.²⁶ The focus throughout the remainder of the 1990s was on access: ensuring that all Rwandan children had access to primary education would, it was argued, translate to improved national human capital resources.²⁷ Given that the way forward as envisioned by the nascent Rwandan government was heavily reliant on economic means to achieve economic goals, and that the quantity of workers in the predominantly agricultural workforce would translate to greater gross domestic product (GDP), it made sense that the Ministry of Education (MINEDUC) began by prioritizing access to a minimum of primary and secondary education for all Rwandans. The government's approach was based upon the prevailing wisdom at the time. Since 2010, the government has shifted to put an ever-increasing emphasis on the need for advanced tertiary or university-level educational opportunities, prioritizing quality over quantity, chiefly in the area of information and communication technology (ICT).²⁸ The government sees this sector as being one of the nation's primary paths forward in its development.²⁹ In fact, most minister-level officials tout Kagame's "ambitious plans to transform Rwanda into a regional high-tech hub—or 'Singapore of Africa.'"³⁰ With recent connectivity having been established to the fiber-optic cable that runs along the east

African coastline, it seems more feasible that the revolutionary nature of daily high-speed internet access might very well generate the kind of seismic cultural shift that some have predicted for the economic sector, but financial outcomes related to this advancement are harder to predict.

On one hand, then, is universal access and a focus on quantity. On the other is quality, the provision of more advanced subjects and technologically-focused opportunities. A peril, however, of two priorities or needs being in competition with each other is the risk that neither can be met when one tries to serve both. If one looks solely at the enrollment numbers published by MINEDUC then expanding free and compulsory access to the educational system in Rwanda appears to be a resounding success. But on closer examination, such as those undertaken by a number of non-governmental organizations (NGOs) or independent scholars, one sees that there are systemic issues related to how universal primary education is provided in a free and compulsory manner across Rwanda. Studies speak of ill-prepared teachers who are paid a sum on top of their governmentally-furnished salary by their school's parent-teacher association to make up for the latter's shortcomings as a living wage. Often this extra income for teachers proves to be an obstacle to access for parents and students who simply cannot afford to contribute to the fund and are consequently excluded from the school community either

²⁶ The World Bank, "Reshaping the Future: Education and Post-Conflict Reconstruction," (2005), <http://documents.worldbank.org/curated/en/860731468138857154/pdf/344190PAPER0Re101Official0use0only1.pdf>

²⁷ The World Bank, "Education in Rwanda: Rebalancing Resources to Accelerate Post-Conflict Development and Poverty Reduction," (2003), http://siteresources.worldbank.org/INTAFRICA/Resources/Rwanda_ED_CSR.pdf

²⁸ "Education Sector Strategic Plan 2010 – 2015," Republic of Rwanda, Ministry of Education, accessed 03 October 2018.

²⁹ Masimba Tafirenyika, "Information Technology Super-Charging Rwanda's Economy," *UN Africa Renewal Magazine*, April 2011; "Basic Education Sector Analysis Report: Rwanda," Japan International Cooperation Agency, accessed 17 January 2019, 7.

³⁰ Tafirenyika.

in part or in full.³¹ In the case of schools operating under this model, the letter of the policy is adhered to while its spirit is ignored. If every Rwandan child is not able to access educational resources without being required to pay anything whatsoever out of pocket, the system is not free, nor could it be argued to be compulsory.

Whether technically free or practically free, the quality of these classrooms, both in infrastructure and in pedagogical acumen, is far too widely varied. Development in Rwanda has been largely at the community level, so great variance exists between school facilities.³² In the absence of some higher level of oversight or coordination, there is little parity between more socio-economically rich areas such as the capital, Kigali, and a small, rural village—even when the respective school population numbers are even.³³ Only in *word* is each student considered equal for the purposes of funding; in *deed*, students' levels of family contribution are critical determining factors when it comes to their educational outcomes. Teachers, too, know that they are more likely to earn more if they work in richer areas, precisely because of the fact that a Rwandan education is not fully financed by the state, but will in practice be amended through payments from parent to teacher.³⁴ These realities have created a system that is rooted in inequality and difficult to navigate if one is not well-connected or well-off.³⁵ The objective condition of bricks and mortar—or books, or furniture, or the complete lack thereof—need not be hindrances to progress, though,

so long as a classroom has a motivated and well-trained teacher.

A Challenging Future: English as the Language of Instruction

The recruitment and retention of quality instructors is a must if schools are to work towards the larger goal of a middle-income, internationally-competitive Rwandan labor force. One of the key concerns affecting teacher effectiveness at present is LOI, as well as the process that led to the overarching language policy of which one sees the fruits in Rwandan classrooms today. Following the genocide, Rwanda became a society inclusive of English; prior to 1994, Kinyarwanda and French had been the only two official languages.³⁶ This change allowed for previously exiled Rwandans who had been living in neighboring Anglophone contexts to return, an important pillar in the “one Rwanda” ideal, and to have access to education for themselves as well as their children.³⁷ During the ensuing decade, as English was determined by the ruling party to be an essential tool for regional partnership as well as international economic competitiveness, other interests—such as the United Kingdom’s Department for International Development (DFID)—whose contributions to Rwanda’s progress were seen as integral, likely reinforced this view.³⁸ DFID secured £250,000 for allocation from 2009 through 2011 to support an English-language assessment and remedial coaching program for Rwandan teachers; funding came only after officials responsible for policy planning at

³¹ Timothy P. Williams, Pamela Abbott, and Alfred Mupenzi, “‘Education at Our School is Not Free’: The Hidden Costs of Fee-Free Schooling in Rwanda,” *Compare: A Journal of Comparative and International Education* 45, no. 6 (2015): 933.

³² Hilker, 9.

³³ *Ibid.*

³⁴ Williams et al., 948.

³⁵ Hilker, 10-12; Williams et al., 947.

³⁶ Samuelson, 9-10.

³⁷ Michele Schweisfurth, “Global and Cross-National Influences on Education in Post-Genocide Rwanda,” *Oxford Review of Education* 32, no. 5 (2006): 698.

³⁸ *Ibid.*, 702.

MINEDUC had noted that Rwanda was choosing English for its own sake, as “English is now a world language, especially in trade and commerce.”³⁹ Fraying relations with France over that nation’s role in the genocide may have helped symbolically push Rwanda into the arms of English, but it clearly wanted to be there anyway, for a variety of reasons.

It was more an inevitable conclusion, then, rather than a surprise, when in 2008 the government announced that English would become the new primary language of instruction for students in Rwandan schools. What was astonishing, however, was MINEDUC’s insistence, at the government’s direction, to make that shift immediately.⁴⁰ Within one year, schools were expected to have new textbooks, teachers were expected to have mastered English well enough to provide all students above primary grades with lessons in that language only, and those students were expected to have attained the level of fluency necessary to process those lessons.⁴¹ The reality was and is much more complicated: as it became clear that there were hurdles that would not be easy to overcome, MINEDUC acknowledged that the transition was imperiled by a lack of pre-planning.⁴² This lack of willingness to fully scope the LOI issue prior to pushing forward with policy changes has continued to be a foundational misstep that has resulted in a confused morass of varied needs in an environment of limited means.

Given the developing nature of the Rwandan context, it makes sense when one reads study after study that finds that some of the country’s teachers are forced even today to continue using outdated textbooks and other supporting curricular materials (though to be fair, one need not be in a rising economic power to observe this, the U.S. suffers from this same problem).⁴³ This has gotten better over time, but in the first few years following the shift to English, the lack of course materials was pronounced and injurious.⁴⁴ While this may be a surmountable barrier for teachers whose native language is the language of instruction, or perhaps even for teachers whose first secondary language is such, the impediment has been intractable for teachers in Rwanda whose facility in English was arguably little exercised prior to the language swap.⁴⁵ Teachers have long opined that their efforts to contribute to the advancement of Rwandan society have been hamstrung by ill-considered decisions to strengthen affiliations with English-speaking countries despite the fact that this linguistic alignment limits the degree to which graduates of the Rwandan education system can be viewed as competitive in the domestic or global labor markets.⁴⁶

Thus, the poorly strategized switch to English has undermined the overarching goal of a more advanced and technologically capable Rwanda, precisely because of the complicating factor that LOI plays in

³⁹ Chris McGreal, “Why Rwanda Said Adieu to French,” *The Guardian*, 16 January 2009.

⁴⁰ Beth Lewis Samuelson and Sarah Warshauer Freedman, “Language Policy, Multilingual Education, and Power in Rwanda,” *Language Policy* 9, no. 3 (2010): 192.

⁴¹ *Ibid.*

⁴² “Basic Education Sector Analysis Report: Rwanda,” 33-34.

⁴³ Obura, 128-129; Williams, 557; “Reshaping the Future: Education and Post-Conflict Reconstruction,” 18.

⁴⁴ *Ibid.*

⁴⁵ Samuelson, 21-25.

⁴⁶ *Ibid.*, 26.

knowledge- and skill-building.⁴⁷ Although some objection arose early on with respect to the idea of Kinyarwanda's likely subjugation in the face of the increasingly global *lingua franca* of English, these arguments against the shift were in many cases easily countered. Kinyarwanda had long survived in the face of the rise of French as a language primarily of law and state, a holdover from the colonial period. Since the switch to English, this native tongue of Great Lakes Bantu derivation has shown a remarkable resiliency and an increasing, rather than decreasing, level of influence.⁴⁸ Paradoxically, the addition of and later adjustment to English as the official secondary language of Rwanda has made Kinyarwanda more integral for day-to-day communications to accommodate the spectrum of fluencies present in the country.⁴⁹ while this certainly has been good news for this tonal dialect, what this truth reveals about the likely effectiveness of English as the LOI is disturbing—without even considering the 2017 adoption by the Rwandan parliament of Kiswahili as another official language of the state. If the switch to English within the educational system had been ideal for instruction, one would likely expect that English, rather than Kinyarwanda, would have become more entrenched as an everyday tongue. As it is now, anecdotal reportage of perpetually low levels of English literacy amongst both teachers and students supports the contention that part of the problem with the Rwandan educational system's quality, and the gap in quality between certain areas or schools, might be traced to the use of a

primary LOI that is not, in reality, a primary language for the people within the system in which it is required.

Reinvention: Recommendations for the Future

Rwanda today is a country at a crossroads. Four years after the end of the MDGs challenge and four years into the pursuit of the SDGs, Rwanda is seen as a nation with an ambitious economic agenda being somewhat held hostage by significant human capital deficiencies. In a December 2018 education sector-focused Rwanda Economic Update, The World Bank specifically discussed, in great detail, the need for improved resiliency within the Rwandan educational system. Moreover, the report addressed some of the labor market-centric issues that will become critical as Rwanda works towards a medium-term goal of achieving middle-income status by 2035—part of “Vision 2050,” the newly-crafted replacement for “Vision 2020”.⁵⁰ In its analysis, however, The World Bank has failed to recognize the difference between symptoms of the problems and the problems themselves; the recommendations to follow will squarely address the policy roots of the hurdles to continued economic growth that are—and in many cases, have been—present in the educational system.

Several of the difficulties that one could argue as being foundational to more symptomatic concerns are rooted in the historical framework from which Rwanda has emerged following the genocide in

⁴⁷ Joseph Assan and Lawrence Walker, “The Political Economy of Contemporary Education and the Challenges of Switching Formal Language to English in Rwanda,” in *Rwanda Fast Forward* (London, England: Palgrave Macmillan, 2012): 184-187.

⁴⁸ Ibid.

⁴⁹ Samuelson and Freedman, 193.

⁵⁰ The World Bank, “Schooling for Learning: Strengthening Resilience of Education in Rwanda,” (December 2018), <http://documents.worldbank.org/curated/en/425181544476221575/pdf/132832-NWP-PUBLIC-dec12-12am-Rwanda-Economic-Update-13.pdf>, 26-45.

1994. Economic hindrances such as a lack of skilled workers, a dearth of Rwandans pursuing higher education, and a scarcity of technological expertise in an increasingly developed culture underpin many more superficial problems. These three opportunities for continued evolution can be directly addressed within a Rwandan educational system where innovation and iteration are encouraged and celebrated, provided the status quo is abandoned in favor of policies more closely aligned with on-the-ground in practice. Specifically, the following recommendations will aim to explain why Rwanda should take the time now to address the need for a history curriculum that can reinforce the idea that “We Are All Rwandan” while still permitting a trauma-informed critical assessment of the intricate history of a complex society, bring about a solution to the issues of whether Rwanda is prepared to focus on achievement over access, and discuss ideas for how Rwanda should handle the unfortunate results of its switch to English from French as the LOI for all students after grade four.

Reconciling the Past: Creating a History Curriculum

Understanding what it means to be Rwandan is not just an important personal consideration, or a goal to foster greater instructional buy-in on the part of students, but also a key element of a gaping hole in the curriculum on offer to Rwandan students today - open, critical engagement with their own nation’s history. The lack of an effective and holistic history curriculum is in some ways preventing the “One Rwanda”

ideal that the government has worked so hard to promulgate since the end of the 1994 atrocities.⁵¹ Throughout the past twenty-five years, there has been a push against any discussion of ethnicity, to the point where criminal penalties have been put into place for even the merest mention of Hutu, Tutsi, or Twa heritage.⁵² The atmosphere of fear and uncertainty that this sort of policy breeds is injurious to the notion of a sincerely united people. And the generations of today, as well as those of tomorrow, will suffer for the loss of engagement with their past.

The development of a trauma-informed history curriculum is not entirely novel; several post-conflict societies have been forced by circumstances to reckon with the synthesis of a complicated mix of historical narratives. An overview of post-conflict approaches to education conducted by The World Bank some ten years after the genocide in Rwanda cites numerous examples within the African context alone, including Angola and the Central African Republic.⁵³ But one can find excellent examples that speak directly to the question of the history curriculum as taught in post-conflict contexts outside this milieu. In the case of Northern Ireland (also a domestic conflict situation involving two groups at odds with one another within a context of years of oppression and violence on both sides), a way forward was found through the open embrace of competing narratives. As one scholar noted, the success of the history curriculum in Northern Ireland after the ceasefire in 1997, concluding decades of conflict known as “The Troubles,” was found through the explicit acknowledgment

⁵¹ Marian Hodgkin, “Reconciliation in Rwanda: Education, History and the State,” *Journal of International Affairs* (2006): 199-210.

⁵² “Rwanda – Education Country Status Report,” 1; Wendy Zeldin, “Rwanda: Genocide Revisionism Law,” *Global Legal Monitor*, 02 April 2008.

⁵³ “Reshaping the Future: Education and Post-Conflict Reconstruction.”

of the validity of multiple viewpoints. “The increasing use of conflicting source materials results in coverage that includes different perspectives from the past and competing interpretations in the present,” and makes, the argument goes, for a stronger and more united society by virtue of the struggle shared in coming to grips with history.⁵⁴ In Asia, one can look to Sri Lanka as an example, where the Sri Lankan government’s work to incorporate an understanding of the conflict within their history show that “how past and current injustices are recognized and addressed in the formal and informal curriculum reflects the states commitment to those most heavily impacted by conflict.”⁵⁵ This concept is key for a Rwanda where many have begun to question whether the government continues to surreptitiously favor one group over another, all the while contending that such divisions no longer exist.

Some research suggests that the ideal path forward for the history curriculum will require the government of Rwanda to foster the exchange of ideas in general about what it means to be Rwandan, including an open discussion of anthropological and scientific evidence that clarify the lack of meaningful distinction between any of the Banyarwandan ethnic groups.⁵⁶ This type of progress will require the full elimination of criminal penalties, as they exist today, for such open discussion of ethnicity and ethnic concerns. Increasingly known globally as a

country where a “repressive peace” prevails, laws that have targeted those exhibiting “genocidal ideology” or criminalized defamation have been added to Rwanda’s penal code over the past twenty-five years do nothing to further the ambitious aims that characterized the government in the immediate aftermath of the conflict.⁵⁷ The foundation must be laid to permit the creation of a functional history curriculum.

Refocusing the Present: Prioritizing Equitable Access and an Education that is Truly Free

With respect to Rwanda’s ability to provide opportunities for its most advanced students, it seems clear from the research that the system, if not broken, is at least not functioning in an efficient way to boost the country’s labor market of highly-skilled workers, particularly within the information and communication technology (ICT) sphere wherein Rwanda sees its future taking shape.⁵⁸ With respect to Rwanda’s ability to provide opportunities for all of its students, several researchers have shown that which Rwanda aspires to and that of which its educational system is capable are two disparate things. Part of the manifestation of the problem is continued high rates of access: enrollment rates at the primary levels are touted by the government as being well over 100%, but these fail to result in a commensurate increase in grade completion, proficiency, and graduation rates.⁵⁹ Put

⁵⁴ Luke Terra, “New Histories for a New State: A Study of History Textbook Content in Northern Ireland,” *Journal of Curriculum Studies* 46, no. 2 (2014): 240.

⁵⁵ Thursica Kovinthan Levi, “Incremental Transformations: Education for Resiliency in Post-War Sri Lanka,” *Education Sciences* 9, no. 1 (2019), 5.

⁵⁶ Mahmood Mamdani, *When Victims Become Killers: Colonialism, Nativism, and the Genocide in*

Rwanda, Princeton, New Jersey: Princeton University Press, 2014, 52.

⁵⁷ Abdi Latif Dahir, “Rwanda Bans Cartoons That ‘Humiliate’ Government Officials,” *Quartz*, 02 October 2018; Zeldin.

⁵⁸ “Schooling for Learning.”

⁵⁹ “This ‘early-grade bulge’ stems from the presence of overage and underage children in grade one, inconsistent school attendance, frequent repetition, and high dropout rates between grades one and two. ... Rwanda’s Bulge Index, at -5.5, is the lowest

more plainly, “Every fifth child has to repeat a class.”⁶⁰ The momentum built towards universal primary education, which was then expanded further to succeeding nine-year and twelve-year conceptions of compulsory basic education, must be shifted to a policy focus where the current system and curricula are aligned with these longer-term, SDG - related (Sustainable Development Goals) aims. A focus on quality is key. And achieving a globally-competitive level of quality will require an unprecedented commitment to equity. Somewhat paradoxically, Rwanda, in order to attain greater quality of instruction, first needs to step back and address the continuing issues inherent in its level of equity with respect to access.

Encouraging and mandating universal access is one thing, but funding every school with an objective of creating equity, rather than equality, will shift the government’s priorities in the necessary ways to more effectively pursue greater achievement in the future. Equity, in the Rwandan context, would entail ensuring through the appropriations process that all schools are able to pay the same wages for the same work to the same level of teaching professional, who has access to the same instructional development and specialty training required by their respective disciplines or subjects. The legal elimination of parental supplements for teacher wages should be undertaken in tandem, so that the Ministry of Education (MINEDUC) can thoroughly examine the existing infrastructure and corps of teachers to assess where funding may be vital for the leveling of the Rwandan educational playing field. Providing adequate resources in the form of comparable school buildings, furniture,

books, instructional tools, and technology is essential for Rwanda’s growth. This two-pronged approach—appropriations and regulations-based, respectively—will ensure that the publicized “free” education available to Rwandans is truly free, while also being truly equitable and capable of creating a future-ready workforce that does not merely consist of those students who have geographical, socio-economic, and other discriminatory advantages.

With the necessary human capital in place, every school should then be evaluated with respect to its infrastructure and resource needs, according to nationally-established guidelines. MINEDUC needs to take the lead in this area of transformation, to show all Rwandan parents that their children matter—no matter their demographics or circumstances. Building trust in this way is just as important as establishing norms for the tangible and visible elements of the educational system. Investing in the buildings, furniture, and materials needed by well-trained teachers is an investment in Rwanda’s economic growth as surely as per-pupil fees paid to the schools by the government.

Through partnerships with various entities like the UK Department of International Development (DFID), the U.S. Agency for International Development (USAID), the U.S. Peace Corps, and a swath of other bilateral, inter-governmental, and non-governmental allies, building capacity amongst those currently teaching as well as those who may join the ranks as future instructors could be an easier lift than what it might appear. There are incentives for the international community, particularly amongst the nations of the East African

among the 103 countries, reflecting a significant lack of progression in children’s schooling beyond grade one.” “Schooling for Learning,” 26-27.

⁶⁰ Tarneden.

region as well as other Anglophone countries around the world, to assist with MINEDUC training interventions and provide resources for what will be a complex but essential process. As Rwanda's economy continues to develop, they will continue to grow as a potential trading partner; the shared grounding in English will likely work to create affinities between representatives of Rwanda and other Anglophone nations, possibly resulting in favorable trade terms and considerations. Reinforcing the commitment of key partners' involvement, particularly that of the UK, will go a long way to correcting the missteps of the LOI switch.

Revisioning the Future: Tweaking the Implementation of English as the Language of Instruction After-the-Fact

The ill-considered alteration of Rwanda's LOI from French to English, originally mandated in 2008 and the source of many amendments, adjustments, and alterations since that time, has continued to constrain the perceived level of success of the Rwandan educational system.⁶¹ Teachers are ill-prepared to instruct students exclusively in English beginning at grade four, but more importantly, students are ill-served by a system wherein their educational progress is dependent upon a sudden and poorly executed transition to English at a grade level at which many students have yet to show mastery of their native tongue, Kinyarwanda. The consequences are dire, and the solution may be simple: alter the policy to delay the point in the educational process when students are expected to move into English-only instruction while incorporating more bridging curriculum in primary grades. This will boost literacy and writing skills in Kinyarwanda while building a foundation in English for more advanced,

STEM- and ICT-centric coursework. The means of information exchange and learning should privilege the needs of the child *in situ*, rather than the desires for the child's future self that are imposed by the state.

A one- or two-grade level delay in moving from Kinyarwanda to English would serve several important purposes. As noted in the recent World Bank report, "beyond acquiring basic literacy and numeracy skills, children also need to gain sufficient mastery of their own language to study more complex topics, including another language—a process that typically requires six years of schooling," referencing work done by a number of scholars specifically within developing contexts.⁶² Ensuring that students are instructed in English throughout their preparatory years is likely key to result insignificant positive changes in student outcomes. Students should be afforded access to a proven curriculum designed to build the basic level of fluency necessary for a secondary language to serve as the primary language. Without such a basis, students will continue to experience their own inability to fully comprehend advanced studies in English as a barrier between themselves and their own success.

Teachers must not be forgotten in these alterations to the existing system. The fact that many instructors self-report a lack of fluency in English necessary to teach their subject-specific essentials is a crisis; relying on an LOI that does not have traction amongst teachers or students means that either the LOI is not actually being used and learning is still taking place, or that the LOI is being used to the detriment of learning. Neither of these options is positive, given Rwanda's ambitions towards having a more globalized workforce that can take a leading

⁶¹ "Rwanda – Education Country Status Report"; Assan and Walker.

⁶² "Schooling for Learning," 30.

role in bringing the economy into a middle-income status under “Vision 2050.” Putting the required funding into meaningful and proven professional development opportunities for teachers to reach the threshold of English competency needed for their success as instructors might be the most important investment that the government could make to drive the greatest gains in the educational system in Rwanda.

Some linguistic experts argue that learning a secondary tongue is made easier when the methods of learning are tailored to the context of one’s native language. Making the English curriculum in Rwanda more culturally-sensitive with respect to this issue might be a great way to create a stronger bond between the two languages. Interesting research conducted in Rwanda has shown that using “culturally relevant texts,” which may comprise texts that involve media outside what a Western conception of educational literature might include, add value for both learners and their communities. The government of Rwanda wants its citizens to be able to function in an increasingly globalized, increasingly English-centric world; they want their citizenry to internalize English so as to be able to engage with a level of professional fluency in the economic sector. To internalize something that is wholly foreign, in that not only is the language unfamiliar but also the content seems divorced from one’s own lived experience, certainly affects the buy-in on the part of students (as well as teachers). Sharing knowledge in English shouldn’t necessitate that the knowledge shared is also Anglo-centric and heavily influenced (or overtly governed) by the problematically homogeneous Western literary canon.

Approaching the issues surfaced by the abrupt 2008 change to the LOI from these varied perspectives, and looking at the situation in a holistic way, will likely permit the ministers concerned to make substantial improvements in an incremental and trauma-informed fashion. Correcting some of the unintended consequences of the switch will take time, but making these “tweaks” to the timing of students’ immersion, the process that precedes that shift, the training and support provided to teachers, as well as the artifacts used for the purposes of instruction will enable all community stakeholders to better collaborate on behalf of student learning. Creating an exigency amongst the Rwandan people surrounding the issue of English is essential for future progress, and will be an easier lift for the government if English is adequately supported and messaged not as an external imposition but rather as a distinctly Rwandan means of bridging gaps between the country and the rest of the world.

Future: “Never Again”⁶³

In 1994, Rwandans experienced a catastrophic and traumatic one hundred days of terror. Since that time, the country and its people have taken great strides towards a future that acknowledges history while focusing on making the present work for the goals of tomorrow. But there is still work to do. Twenty-five years on, the educational system continues to struggle with civic education and the question of how to teach the country’s complex history without again inflaming ethnic conflict. The switch to English as primary LOI is a choice that the nation’s educational infrastructure continues to reel from. And while the government of

⁶³ Paul Kagame, “Reflecting on Rwanda’s Past—While Looking Ahead,” *Wall Street Journal*, 07 April 2014.

Rwanda sees the future in the form of a highly-skilled, information technology-focused workforce, there is a tension: between unfulfilled goals with respect to access and the inability to build towards quality improvements without a more solid foundation that would be provided by the former. That tension is taking its toll. But just as was the case immediately following the genocide, it is possible to look forward and see progress, to have hope in what comes next. As the country is ramping up to commemorate the quarter-century anniversary of the events of April 1994, new calls for greater research into both the genocide as well as its causes have begun, including an announcement by the President of France, Emmanuel Macron, that a formal inquiry into the role that French troops may have played in the conduct of the atrocities will shortly be undertaken.

Despite the fact that, at the time, the world declared that “never again” would such a thing happen while the international order stood by and watched, numerous incidents

since those fraught months have proven those assertions to have been aspirational rather than factual. But just as Rwanda can move forward through acknowledging the past, creating a more equitable present and envisioning a future where citizens’ needs drive policy, the world too, can engage in the same practices on a global scale.

Working with other nations to preserve the key international and multilateral institutions that work towards a brighter future for all while ensuring that action can be taken when such situations might arise requires a citizenry capable of handling the challenge. President Kagame himself has frequently reinforced the fact that “never again” is the prevailing mantra concerning the genocide; with these recommendations, it seems more likely that a populace fully engaged with its own complicated past, that provides truly equal opportunities for all of its members with respect to education, and moves forward into a more globalized society without leaving any of its members behind, has the greatest possible chance to make that aspiration a continuing reality.

A Transitional Justice Approach: The Rohingya Crisis in Myanmar

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The Rohingya crisis entails the persecution of the Rohingya Muslim minority in Myanmar by the Buddhist majority government and military of Myanmar. The crisis has worsened since August 2017, when nearly one million Rohingya fled repression from Myanmar by taking refuge in camps in Bangladesh.¹ The following paper examines the identity of the Rohingya people and offers a historical and socioeconomic background of Myanmar. Next, it provides an analysis of the Rohingya conflict and assesses the role that various foreign actors have played in fueling the conflict. It also puts forth a variety of policy recommendations rooted in the transitional justice approach. The recommendations underscore utilizing transitional justice mechanisms in Myanmar, along with highlighting ways international actors could help end the persecution of the Rohingya people. These recommendations include (1) an official apology by the government and military leaders of Myanmar; (2) reparations for the Rohingya, including granting citizenship rights, economic, educational & healthcare services; and (3) the construction of memorials to foster social cohesion between the Buddhist majority and the Muslim minority, among other ethnic groups. Proposed recommendations for the international community include exerting pressure on Myanmar to halt the genocide of the Rohingya. These multipronged recommendations aim to promote and protect the rights of the Rohingya people in Myanmar.

Introduction



Figure 1: Map of Myanmar in the context of its neighboring countries, Wikimedia.²

The State of Myanmar has a complex history of migrations, exchanges of power, and the redrawing of borders, that contribute to its current ethnic tensions. The country's diverse ethnic makeup and the selected policies of the Buddhist nationalist government, particularly

around the identity of its minority groups, created undercurrents of ethnic tension that contributed to the persecution and genocide of the Rohingya people. The conflict itself is rooted in a legacy of colonialism and has been sustained through officially sanctioned ethnic discrimination and scapegoating of the Rohingya, as well as the use of fear-mongering rhetoric and groupthink.

Several international actors exacerbated ethnic divisions and laid the groundwork that prevented the Rohingya people from having any form of formal identity. This deprivation of a legal status is a key component of the overarching policies that systematically restrict the Rohingya from having access to the same rights and opportunities as their Buddhist neighbors. The question of identity is additionally strained by the current migration crisis. The major refugee-

¹ Knie, Curtis T., and Travis E. Pride. Ending the Cycle: A History of Rohingya Persecution, Analysis of their Potential for Radicalization, and a Method for Attaining a Peaceful Resolution. Report. Calhoun: The NPS Institutional Archive, Naval Postgraduate School. Monterey, CA: Dudley Knox Library, 2018.

² Atlas of Myanmar. (2011, June 1). Retrieved from https://commons.wikimedia.org/wiki/Atlas_of_Myanmar#/media/File:Myanmar_in_its_region.svg.

receiving countries are not providing the Rohingya a clear path to educational or employment opportunities, both of which are tied to having official identification.

Identity of the Rohingya

The Rohingya lack citizenship rights or nationality status, making them the largest group of stateless people in the world. This statelessness systematically deprives them of access to an identity, legal rights, education, and employment opportunities.³

As of December 2018, there are an estimated 3.5 million Rohingya worldwide, practicing the Sunni sect of Islam. Before the mass exodus of the Rohingya in August 2017, the majority of the world's Rohingya people lived in the Rakhine state of Myanmar and comprised a third of the country's population. Due to historical migration patterns related to Myanmar's British colonization, shifting borders, and regional neighbors, the Rohingya people's ethnicity, language, and physical features differ from their Buddhist countrymen.⁴ Ever since the country's independence in 1948, Myanmar's successive governments have continuously denied the Rohingya's citizenship as one of 135 official ethnic groups, even though their origins in the region can be traced back to the 15th century. The name "Rohingya," itself, identifies their origin in the Arakan Kingdom of Myanmar.⁵

The Rohingya have long been a particularly vulnerable target because they look different, speak another language, and practice a different religion, Islam, from the Buddhist majority. Leaning on its partnership with Buddhist

nationalists, the military regime propagated a campaign of religiosity, the rhetoric tying Buddhism to their national identity, and excluded the Rohingya.⁶ General Ne Win's military rule actively sought to dismantle political and social establishments of the Rohingya people. Poor economic policy by the military worsened Myanmar's economy, breeding political unrest and rural insurgencies in 1975, which further fueled the conflict between the Buddhist majority and the Rohingya Muslim minority in Myanmar.

Historical Background

In 800 A.D., Arab farmers migrated to the region of what is now known as Myanmar to establish trade routes. Myanmar was the land bridge of the silk road between China and India, proving easier to navigate than northern mountainous passages. In 1057, King Anawrahta established the first state of Myanmar as a Buddhist nation in Pagan.⁷ Until later times of colonial expansion, no forces counteracted the ethnic diversity that existed in the region.

Myanmar was colonized by the British in the early 1800s, which eventually led to major migration patterns and three Anglo-Burmese wars.⁸ The colonial presence of the British and foreign presence of the Dutch shifted the national borders that played divisive roles in national identity. The societal harmony that had flourished over centuries was interrupted and

³ "World's 3 Million Stateless Deserve Nationality -UNHCR." Reuters. Thomson Reuters, November 3, 2017. <https://www.reuters.com/article/un-stateless-idAFL8N1N82LU>.

⁴ Albert, Eleanor, and Andrew Chatzky. "What Forces Are Fueling Myanmar's Rohingya Crisis?" Council on Foreign Relations. December 5, 2018. Accessed February 26, 2019. <https://www.cfr.org/backgrounder/rohingya-crisis>.

⁵ Ibid.

⁶ Calamur, Krishnadev. "The Misunderstood Roots of Burma's Rohingya Crisis." The Atlantic. September 30, 2017. Accessed December 03, 2018. <https://www.theatlantic.com/international/archive/2017/09/rohingyas-burma/540513/>.

⁷ "Myanmar Profile - Timeline." BBC News. September 03, 2018. Accessed November 13, 2018. <https://www.bbc.com/news/world-asia-pacific-12992883>.

⁸ Ibid

reshaped for the financial interests of Western governments.⁹

In the first Anglo-Burmese war in 1824, the British annexed the Arakan Peninsula as part of British India, where the Rakhine state is located. The British encouraged migration of the Rohingya people in Burma to the neighboring Bengali region in modern Bangladesh as labor for British rubber farms. This historical overlap of culture, language, and experience between the Bengali and the Rohingya provides context for Bangladeshi sympathy towards recent Rohingya refugees.¹⁰

In the second Anglo-Burmese war in 1852, the British annexed lower Burma, including the port of Rangoon, which was one of the largest ports in the world. The 19th century also saw the expansion of opium poppy production, at which point it became a staple commodity of the British East India Company.¹¹

By 1937, Britain established Burma as a separate colony from India in order to separate it from trade restrictions and economic trouble in the Indian colony. British rule fostered resentment among the native people of Myanmar towards their European invaders.¹² Contributing to this sense of resentment was the consistent dismay of Burmese laws by British traders ignoring opium bans at various points over the preceding two hundred years.¹³

During World War II (WWII), a proxy war took place in Myanmar, now called The Forgotten

War.¹⁴ British forces occupied Burma as an Allied force. To bolster support, the British promised Muslims in the Arakan peninsula a Muslim National Area. Ultimately, this promise was never followed through.¹⁵ Due to Myanmar's strategic location, Japanese Axis forces invaded the country in 1942 to block trade between China and India, with the help of Japanese-trained Burma Independence Army. Buddhists enrolled in the Burma Independence Army to support the Axis forces in the prospect of finally removing British colonizers from their country.¹⁶

In 1945, however, Britain successfully liberated Burma from Japanese rule with help of defecting Burma Independence Army members, who in turn founded the Anti-Fascist People's Freedom League (AFPFL), led by Aung San. In the aftermath of these events, the Rohingya Muslim people received some Buddhist resentment for their cooperation with the British in the Forgotten War.¹⁷ Furthermore, an attempt to join East Pakistan by some Rohingya leaders after WWII further exacerbated the strained relations between Buddhist nationalists and the Rohingya in Myanmar.

At the same time, a variety of groups operating in the Shan State bordering China were expanding their role in the opium trade. This would usher Myanmar into becoming part of the Golden Triangle (a region of poppy production around the intersection of Myanmar, Laos, and Thailand), which supplied upwards of 70% of

⁹ Vox. YouTube. September 25, 2017. Accessed November 15, 2018. https://www.youtube.com/watch?v=04axDDRy_o.

¹⁰ Ibid

¹¹ Hliang, Aye Aye. Opium in Myanmar (1885-1948). Report. Department of History, University of Mandalay.

¹² Acast, "Update on the Rohingya Crisis with Jayita Sarkar | Dan Snow's History Hit on Acast," Acast, February 11, 2018, accessed November 13, 2018, <https://www.acast.com/dansnowshistoryhit/updateontherohingyacrisis-jayitasarkar>.

¹³ Hliang, Aye Aye. Opium in Myanmar (1885-1948). Report. Department of History, University of Mandalay.

¹⁴ Saiga, Jonny. YouTube. February 07, 2012. Accessed March 01, 2019. <https://www.youtube.com/watch?v=42jVEqV6qUc>.

¹⁵ "Myanmar Country Profile." BBC News. September 03, 2018. Accessed November 15, 2018. <https://www.bbc.com/news/world-asia-pacific-12990563>.

¹⁶ "Myanmar Profile - Timeline." BBC News. September 03, 2018. Accessed November 13, 2018. <https://www.bbc.com/news/world-asia-pacific-12992883>.

¹⁷ Kent, George. "When Burma and India Went Their Separate Ways." Frontier Myanmar. September 5, 2017. Accessed November 15, 2018. <https://frontiermyanmar.net/en/when-burma-and-india-went-their-separate-ways>.

the world's opium around the time of the Vietnam War.¹⁸

In 1947, Aung San was assassinated and replaced by U Nu, the foreign minister during the Japanese occupation. Soon thereafter, Burma gained independence in 1948 with U Nu as its prime minister.¹⁹ Over the next ten years, PM U Nu included a constitutional provision allowing ethnic minorities to break from Burma if they were predominantly of a single ethnic minority. This angered Buddhist nationalists and national military powers. In 1962, Prime Minister Nu was overturned by a military coup that established military General Ne Win as the new leader of Burma.

General Ne Win and his military government established The Burmese Way to Socialism, nationalized the economy, created a single-party Socialist political state, and banned independent journalists. Ne Win's poor macroeconomic policies led to dramatic economic decline in the 1960s. This created an ideal opportunity for government leaders to redirect blame for the country's financial woes on the already unpopular Rohingya Muslim minority. Without the accountability of independent journalism, this hateful tactic of groupthink went unexamined, perpetuating norms of ethnic discrimination against the Rohingya.

Operation Dragon King: A Template for Forced Migration

Decades of separatist efforts by the Rohingya, in part due to the past promise of a national Muslim area by the British, rose tensions and countermeasures with the Buddhist leaders of Burma. It culminated in Operation Dragon King, conducted by Burmese immigration and military forces in 1977.²⁰ Operation Dragon King was a campaign of murder, rape, and brutality directed primarily towards the Muslim Rohingya minority in the Rakhine State. The result of this was the registration of Rohingya citizens as foreigners prior to a national census.²¹ Over 200,000 Rohingya fled to Bangladesh. This migration was then used by the Buddhist military government to label the Rohingya Muslims as illegal immigrants from Bangladesh.²²

The forced exodus of the Rohingya from the Rakhine state at the hands of the Burmese military in 1977 would repeat in 1988, 1991, 2012, and 2016. These waves resulted in over one million displaced Rohingya in surrounding regions. This migration has caused overcrowded refugee camps in Bangladesh, leading to foreign aid from international actors, such as the United Nations and the United States.²³

The social exclusion of the Rohingya was reinforced with the 1982 Citizenship Law designating people of non-indigenous background as "associate citizens", barring such people from public office. The act, along with other discriminatory civil policies, propagated the image of Rohingya as outcasts.²⁴ This hostile sentiment essentially dehumanized the Rohingya Muslim minority group, which is one of the ways

¹⁸ Brown, Catherine. *Burma: The Political Economy of Violence*. Report. London School of Economics and Political Science. 3rd ed. Vol. 23. London, 1999. 234-56.

¹⁹ "Myanmar Country Profile." BBC News. September 03, 2018. Accessed November 15, 2018. <https://www.bbc.com/news/world-asia-pacific-12990563>.

²⁰ "Burma." Human Rights Watch. Accessed December 1, 2018. <https://www.hrw.org/asia/burma>.

²¹ "Myanmar Country Profile." BBC News. September 03, 2018. Accessed November 15, 2018. <https://www.bbc.com/news/world-asia-pacific-12990563>.

²² "Burma." Human Rights Watch. Accessed December 1, 2018. <https://www.hrw.org/asia/burma>.

²³ Ibid.

²⁴ Knie, Curtis T., and Travis E. Pride. "Ending the Cycle: A History of Rohingya Persecution, Analysis of their Potential for Radicalization, and a Method for Attaining a Peaceful Resolution." Calhoun. September 13, 2018. Accessed November 15, 2018. <http://hdl.handle.net/10945/60419>.

in which the genocide taking place today became justified through an ongoing campaign of fear-mongering and scapegoating.²⁵

In 1987, a wave of currency devaluation and economic decline wiped out Burma's middle class, which led to more riots. On August 8, 1988, a massive Democratic uprising took place known as "8888" organized by the National League for Democracy (NLD) led by Aung San Suu Kyi, the daughter of the previous Democratic leader Aung San. During the 8888 uprising, the military state established martial law, a violent police State Law and Order Restoration Council (SLORC), and countered the uprising by killing and arresting thousands of human rights and democratic activists. Burma's name was changed to Myanmar, and Yangon established as the new capital.²⁶ One year later, Aung San Suu Kyi was placed under house arrest, from where she continued to lead the democratic movement and would eventually win a Nobel Peace Prize for promoting peaceful democratic change in 1991.

Although the 1988 uprising was violently dampened, the NLD went on to win a landslide electoral victory in 1990. These results were ignored by the military power. Nevertheless, the rise of the NLD symbolized a hope for democracy that many international members hung to for the young, volatile country. In 1996, Suu Kyi planned to attend congress for the first time, which is when SLORC arrested more than 200 delegates on their way to congress. Despite its record of domestic human rights violations,

Myanmar was admitted into the Association of Southeast Asian Nations (ASEAN) in 1997, an organization that aims to promote stability and economic growth in the region.²⁷

In 2009, senior U.S. State Department officials met with Foreign Minister Ne Win. International recognition legitimized the Myanmar government's actions, contributed to economic growth, international trade, and allowed for Myanmar to withdraw from its international pariah status. Although democracy showed signs of expansion in Myanmar in the 1990s and 2000s, the persecution of the Rohingya people continued. International legitimacy only sewed in new systems that continued oppression of the Rohingya. The lack of accountability pertaining to the treatment of the Rohingya set the stage for Aung San Suu Kyi's denial and inaction towards the military's ethnic cleansing of the Rohingya Muslim minority in 2017.

Socioeconomics

The following socioeconomic statistics may be skewed, due to the Rohingya's exclusion from the 2014 census.²⁸ Myanmar is inhabited by 54 million people and consists of over 100 different ethnic groups, one of which include the Rohingya.²⁹ Of those, 70% live in rural areas, and 1.5 million are Rohingya.³⁰

While the country greatly reduced poverty from 48% in 2005 to 32% in 2015, the exclusion of minorities remains a pressing issue in the country. Conditions are especially bleak in the

²⁵ Kurlantzick, Joshua, and Alyssa Ayres. "Global Conflict Tracker." Council on Foreign Relations. Accessed November 15, 2018. <https://www.cfr.org/interactives/global-conflict-tracker#!/conflict/rohingya-crisis-in-myanmar>.

²⁶ James. "The History of Burma & Why It's Called Myanmar Today." Rickshaw Travel. February 21, 2018. Accessed November 13, 2018. <https://www.rickshawtravel.co.uk/blog/a-brief-history-of-burma-why-it-became-myanmar/>.

²⁷ "China's Role in Myanmar's Internal Conflicts." United States Institute of Peace. September 18, 2018. Accessed December 03, 2018. <https://www.usip.org/publications/2018/09/chinas-role-myanmars-internal-conflicts>.

²⁸ "Myanmar Country Profile." BBC News. September 03, 2018. Accessed November 15, 2018. <https://www.bbc.com/news/world-asia-pacific-12990563>.

²⁹ "About Myanmar." UNDP in Myanmar. Accessed November 15, 2018. <http://www.mm.undp.org/content/myanmar/en/home/countryinfo.html>.

³⁰ Kurlantzick, Joshua, and Alyssa Ayres. "Global Conflict Tracker." Council on Foreign Relations. Accessed November 15, 2018. <https://www.cfr.org/interactives/global-conflict-tracker#!/conflict/rohingya-crisis-in-myanmar>.

Rakhine state where the Rohingya Muslim minority predominantly reside, with a poverty rate of 78%.³¹ Myanmar is also rated as a highly corrupt nation; it scored 130th out of 180 countries, in terms of level of corruption and lack of transparency. With high levels of poverty and corruption prevalent, it becomes more challenging to hold the Myanmar government accountable for its mistreatment of the Rohingya minority.³²

Economy

Myanmar experienced nearly 5% growth in its economy from 2015 to 2016. The economy experienced rapid currency depreciation from April to August in 2017 and a related spike in inflation, in part due to international sanctions for the violent treatment of its Rohingya people. It failed to perform the prior year's growth in 2017 to 2018.³³

Opium has played a significant role in Myanmar's modern economy. An Asia Society Task Force Report from 2010 discussed how the profits of the opium trade capitalized many of Myanmar's largest private companies. This in turn provided laundering opportunities for drug lords. The government and military have also been involved, with corrupt officials providing tolerance and protection. Some speculate the government may have strategically decided to support the opium trade as part of their overall policies in the Shan State.³⁴ Myanmar remains

the second largest producer of opium poppies, albeit the vast majority now comes from Afghanistan.³⁵ Despite the decrease in overall opium production, there have been increases in amphetamine production and trafficking. Some Rohingya people have been caught dealing amphetamines in refugee camps as they are devoid of other economic opportunities.³⁶ The persistent presence of large scale drug operations within Myanmar has contributed to undermining the government's ability to unify the country, while strengthening the role of the military in the government.³⁷



Figure 2: Map highlighting the Rakhine State, where the majority of Rohingya live, Wikimedia.³⁸

³¹ Elmer. "Poverty in Myanmar." Asian Development Bank. October 24, 2018. Accessed November 15, 2018. <https://www.adb.org/countries/myanmar/poverty>.

³² "Myanmar." Transparency International. Accessed November 15, 2018. <https://www.transparency.org/country/MMR>.

³³ Elmer. "Poverty in Myanmar." Asian Development Bank. October 24, 2018. Accessed November 15, 2018. <https://www.adb.org/countries/myanmar/poverty>.

³⁴ Paoli, Letizia, Victoria A. Greenfield, and Peter Reuter. *The World Heroin Market: Can Supply Be Cut?*, Page 18. Oxford: Oxford University Press, 2009.

³⁵ Clark, Wesley K., Henrietta H. Fore, and Suzanne DiMaggio.

Current Realities and Future Possibilities in Burma/Myanmar: Options For U.S. Policy. Report. Asia Society Task Force Report. 2010.

³⁶ Roy, Siddhartha. "Yaba: The Red Pills and the Rohingya." *The Diplomat*. June 04, 2018. <https://thediplomat.com/2018/06/yaba-the-red-pills-and-the-rohingya/>.

³⁷ Gibson, Richard M., and John B. Haseman. "Prospects for Controlling Narcotics Production and Trafficking in Myanmar." *Contemporary Southeast Asia*. Institute of Southeast Asian Studies (ISEAS), April 1, 2003. https://go-gale-com.proxy.library.cmu.edu/ps/i.do?id=GALE|A102909257&v=2.1&u=cmu_main&it=r&p=AONE&sw=w.

³⁸ Burma Rakhine locator map. (2010, September 26). Retrieved from https://en.wikipedia.org/wiki/File:Burma_Rakhine_locator_map.png.

Conflict Analysis

The Rohingya population has lived in a state of heightened tension since the country's independence. As the only Muslim group within the country, they were treated differently to the point where many started fleeing to East Pakistan.³⁹ Discrimination related to identity began in the 1970s, when National Registration Cards were revoked. By 1982, they had lost their rights as citizens of Myanmar. Restrictions arose prohibiting the Rohingya Muslims from marrying Buddhists. Their mobility was restricted within the country, with checkpoints set up throughout the Rakhine State.⁴⁰ Additional elements of structural discrimination included family planning, employment, education, and religious choice.⁴¹

The main form of discrimination at the root of the current conflict in Myanmar centers around the question of identity. In 2014, there was a UN-backed national census where the Rohingya were supposed to be included. However, after boycotting from Buddhist nationalists, the Rohingya Muslims could register only if they identified themselves as Bengali.⁴² This would mean that they would not be recognized as citizens of Myanmar yet again.

The cancellation of temporary ID cards to the Rohingya in February 2015 by President Thein Sein added to the mounting systematic

discrimination that had been building for decades. Tensions escalated to a point where a small group of 90 armed individuals, calling themselves the Arakan Rohingya Salvation Army (ARSA), attacked three police stations on October 9, 2016, killing nine officers.⁴³ This group, previously known as Harakah al-Yaqin (HaY), or "Faith Movement," vowed to fight for the human rights of the Rohingya. This coordinated attack led to an aggressive response on the part of the Myanmarese armed forces, killing 90 Rohingya Muslims, and subsequently leading to thousands of Rohingya fleeing to Bangladesh.⁴⁴

However, ARSA was not swayed by the reaction to the previous attack. On the contrary, these actions fueled further anger, which culminated in another attack on 30 police stations on August 25, 2017, killing 12 police officers and 80 ARSA members.⁴⁵ Thousands of Rohingya fled immediately following the attack and over 300,000 had fled to Bangladesh by September 13, 2017.⁴⁶ The response on the side of the army and police force was clear based on the number of killed and displaced individuals. The government did not take any accountability for its actions and denies that these events even occurred. This is despite the fact that 6,700 Rohingya were killed in those first few weeks, including the army opening fire on fleeing

³⁹ Sarkar, J. (2018, January 16). Rohingyas and the Unfinished Business of Partition. Retrieved from <https://thediplomat.com/2018/01/rohingyas-and-the-unfinished-business-of-partition/>.

⁴⁰ Ullah, A. A., & Chatteraj, D. (2018). Roots of discrimination against rohingya minorities: Society, ethnicity and international relations. *Intellectual Discourse*, 26(2), 541. Retrieved from <https://search-proquest-com.proxy.library.cmu.edu/docview/2164442454?accountid=9902>

⁴¹ Albert, Eleanor. "What Forces Are Fueling Myanmar's Rohingya Crisis?" Council on Foreign Relations. April 20, 2018. <https://www.cfr.org/backgrounder/rohingya-crisis>.

⁴² Ibid.

⁴³ Hla Tun, Aung. "Myanmar Says Nine Police Killed by Insurgents on Bangladesh Border." Reuters. October 9, 2016. <https://www.reuters.com/article/us-myanmar-border-idUSKCN1290SP>.

⁴⁴ Qadir, Serajul, and Wa Lone. "Hundreds of Rohingya Flee Myanmar Army Crackdown to Bangladesh-sources." Reuters. November 18, 2016. <https://www.reuters.com/article/us-myanmar-rohingya-idUSKBN13B110>.

⁴⁵ Paul, Ruma, and Wa Lone. "Thousands of Rohingya Flee for Bangladesh as Fresh Violence Erupts in Myanmar." Reuters. August 25, 2017. <https://www.reuters.com/article/us-myanmar-rohingya-idUSKCN1B606Y?il=0>.

⁴⁶ Edroos, Faisal. "ARSA: Who Are the Arakan Rohingya Salvation Army?" Al Jazeera. September 13, 2017. <https://www.aljazeera.com/news/2017/09/myanmar-arakan-rohingya-salvation-army-170912060700394.html>.

civilians, and placing landmines to discourage the return of any Rohingya migrants.⁴⁷

One example of the state-sanctioned violence against the Rohingya Muslims includes the massacre that took place in the village of Inn Dinn on September 2, 2017. On that day, 10 men were bound together, each shot 2-3 times, and all of them were thrown into a mass grave together.⁴⁸ True to the nature of the response of the government, the two Myanmarese reporters working on investigating Inn Dinn were both detained on December 12, 2017.⁴⁹ This highlighted that the government was not only willing to commit large-scale massacres, but also they were planning to cover it up as much as possible.

Starting in October 2017, Myanmar's Buddhist nationalist armed forces started systematically burning down Rohingya Muslim villages across the Rakhine State. A total of 288 villages have been burned in the process of forcing the Rohingya out of their homes.⁵⁰ This has been reported, most notably by Amnesty International, which outlined the destruction with satellite imagery. The government promised economic development efforts in Rakhine State where the Rohingya reside; however, the initial signs are concerning. Some of the new roads and buildings that are being built as part of this economic development initiative are located on top of the Rohingya villages that were recently burned.⁵¹

⁴⁷ Albert, Eleanor. "What Forces Are Fueling Myanmar's Rohingya Crisis?" Council on Foreign Relations. April 20, 2018. <https://www.cfr.org/background/rohingya-crisis>.

⁴⁸ Lone, Wa, Kyaw Soe Oo, Simon Lewis, and Antoni Slodkowski. "Massacre in Myanmar: One Grave for 10 Rohingya Men." Reuters. February 08, 2018. <https://www.reuters.com/investigates/special-report/myanmar-rakhine-events/>.

⁴⁹ Lasseter, Tom. "Dangerous News: How Two Young Reporters Shook Myanmar." Reuters. August 08, 2018. <https://www.reuters.com/investigates/special-report/myanmar-reporters-democracy/>.

⁵⁰ Ratcliffe, Rebecca. "Who Are the Rohingya and What Is Happening in Myanmar?" The Guardian. September 06, 2017.

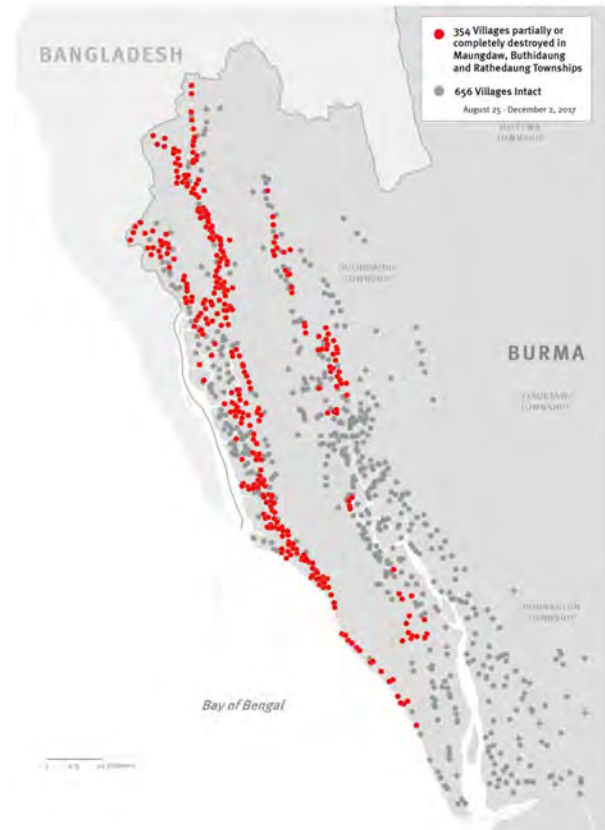


Figure 3: Map shows Rohingya villages that were destroyed in the Rakhine state, October - November 2017, Human Rights Watch⁵²

As alluded earlier, the ethnic cleansing of the Rohingya Muslims in the Rakhine State of Myanmar has led to a massive refugee crisis in the region. At least 671,000 Rohingya fled from Myanmar in 2017 alone. Bangladesh is now estimated to have over 900,000 (nearly one million) Rohingya spread across a number of refugee camps.⁵³ Many of these camps, such as Kutapalong, have grown to many times their

<https://www.theguardian.com/global-development/2017/sep/06/who-are-the-rohingya-and-what-is-happening-in-myanmar>.

⁵¹ "Remaking Rakhine State." Amnesty International. 2018. <https://www.amnesty.org/download/Documents/ASA1680182018ENGLISH.PDF>.

⁵² "Burma: 40 Rohingya Villages Burned Since October". (2017, December 18). Retrieved from <https://www.hrw.org/news/2017/12/17/burma-40-rohingya-villages-burned-october>.

⁵³ Knie, Curtis T., and Travis E. Pride. Ending the Cycle: A History of Rohingya Persecution, Analysis of Their Potential for Radicalization, and a Method for Attaining a Peaceful Resolution. Report. Calhoun: The NPS Institutional Archive, Naval Postgraduate School. Monterey, CA: Dudley Knox Library, 2018.

originally intended size.⁵⁴ This means that the already poor infrastructure of these camps is strained well-beyond what they are capable of supporting. Pressures within Bangladesh are rising given the large number of refugees that have entered the country. Plans have been announced to relocate roughly 100,000 refugees to a newly formed Bhashan Char, or floating island, in the Bay of Bengal. This is despite concern from the international community regarding the island's ability to withstand a single monsoon.⁵⁵

Health issues have been rampant – with a large portion of the water in many camps being contaminated with a variety of diseases. These harsh living conditions, along with not being welcomed back home, has increased the risk of people finding illegal means of transport out of Myanmar and the refugee camps, which leads to an increase in human trafficking. Though data on human trafficking is limited, it is a concern that children in these camps are left vulnerable to.⁵⁶

The amalgamation of these factors sets the stage for an increased risk of radicalization for those living in the refugee camps.⁵⁷ The persecution of marginalized groups, such as the Rohingya Muslims, could lead to extremism. If the grievances of the Rohingya people are ignored, then they could become more susceptible to recruitment by Islamist extremist groups to find alternative ways to seek justice. The most recent wave of forced migration placed the Rohingya at an escalating risk of radicalization and this risk

ought to be mitigated by addressing the root causes, which is the continued persecution of the Rohingya, and the lack of citizenship status offered by Myanmar. According to a RAND report outlining the refugee radicalization framework, the likelihood of radicalization is influenced by how the refugee host country and the international community manage the following six categories: host country administrative & legal policies; pre-existing militant groups; the level of security; the amount of shelter; local economic conditions; and conditions for youth.⁵⁸ Additionally, given the poor economic conditions, there has been evidence that some Rohingya refugees are turning to the drug trade, specifically selling amphetamines such as yaba, in order to try and find a source of income.⁵⁹

Starting in October 2018, plans were put together to start repatriation of Rohingya from Cox's Bazaar in Bangladesh back to Myanmar. The refugees living in Cox Bazaar feared this idea, as there were no indications that conditions in the Rakhine State were any better than when the refugees had left. The initial plans were drawn to start on November 15, 2018, with 15 Rohingya to be sent back per day.⁶⁰ Due to the fears of the refugees and the lack of volunteers, the plans to start repatriating the Rohingya refugees were pushed to 2019. This also has political implications, given that Bangladesh

⁵⁴ "Myanmar Rohingya: What You Need to Know about the Crisis." BBC News. April 24, 2018. <https://www.bbc.com/news/world-asia-41566561>.

⁵⁵ Sumonb, Shehab. "Bangladesh to Relocate 100,000 Rohingya Refugees despite HRW Warning." Arab News. November 18, 2018. <http://www.arabnews.com/node/1406956/world>.

⁵⁶ Kane-Hartnett, Liza. "Human Trafficking and the Rohingya Refugee Crisis • Human Trafficking Search." Human Trafficking Search. October 17, 2018. <http://humantraffickingsearch.org/human-trafficking-rohingya-refugee-crisis/>.

⁵⁷ Knie, Curtis T., and Travis E. Pride. Ending the Cycle: A History of Rohingya Persecution, Analysis of Their Potential for Radicalization, and a Method for Attaining a Peaceful Resolution. Report. Calhoun:

The NPS Institutional Archive, Naval Postgraduate School. Monterey, CA: Dudley Knox Library, 2018.

⁵⁸ Ibid.

⁵⁹ Khan, Aaquib. "Destitute Rohingya Refugees Turn to Drug Trade; Fuel Influx of Illegal Substances into Bangladesh." Firstpost. April 24, 2018. <https://www.firstpost.com/world/destitute-rohingya-refugees-turn-to-drug-trade-fuel-influx-of-illegal-substances-into-bangladesh-4437765.html>.

⁶⁰ Rahman, Shaikh Azizur, and Hannah Ellis-Petersen. "Rohingya Fears Grow as Refugees Face Forcible Return to Myanmar." The Guardian. November 11, 2018. <https://www.theguardian.com/world/2018/nov/11/rohingya-myanmar-bangladesh-genocide-repatriation-un-warning>.

was having a presidential election at the end of 2018.⁶¹

Foreign Actors

The Rohingya conflict in Myanmar is by no means isolated to the country itself. International politics, regional dynamics, and the global expansion of technology companies without concern for local sociopolitical implications have all culminated in the country and have each impacted the Rohingya people. This section explores the influence of foreign actors on the Rohingya crisis.



Figure 4: Map showing Myanmar in the context of its neighboring countries, Wikimedia.⁶²

⁶¹ Siddiqui, Zeba. "Exclusive: Rohingya Repatriation, Relocation Plans Set to Be Pushed..." Reuters. November 19, 2018. <https://www.reuters.com/article/us-myanmar-rohingya-bangladesh-exclusive/exclusive-rohingya-repatriation-relocation-plans-set-to-be-pushed-back-to-2019-government-official-idUSKCN1NNOFC>.

⁶² Un-myanmar. (2008, May 13). Retrieved from <https://commons.wikimedia.org/wiki/File:Un-myanmar.png>.

⁶³ Michaels, Samantha, Mac McClelland, Becca Andrews, Kanyakrit Vongkiatjorn, and Dan Friedman. "No, Hillary. You Did Not Bring Democracy to Burma." Mother Jones. June 24, 2017.

United

States

The United States (U.S.) developed stronger ties to Myanmar starting in 2008; and in 2011, the military junta allowed for a change to a parliamentary and quasi-civilian government. By the following year, Aung Sun Suu Kyi, who was under house arrest for almost 15 years, was released and elected to head parliament. The U.S. government gave \$375 million between 2012 and 2014 in foreign aid to Myanmar.⁶³ When the Myanmar government's ethnic cleansing efforts forced over 700,000 Rohingya people to seek refugee status elsewhere, the U.S. did not comment on what was taking place. It was not until August 2018 that the U.S. government both announced sanctions against Myanmar and recognized what was happening in the Rakhine State as 'ethnic cleansing.' The sanctions included the freezing of U.S. assets of at least three military officials and a border police commander.⁶⁴ The U.S. has generally supported the government in Myanmar and is showing no serious signs of trying to influence the actions of Myanmar's government or to somehow influence the question of proof of identity for the Rohingya.

China

China has taken a slightly different approach in Myanmar, mainly focusing on economic development as it relates to the country being a trade route and partner for China. Since the 1990s, the Chinese government has provided both development and humanitarian aid. The approach can be summarized with the idea of

<https://www.motherjones.com/politics/2015/10/hillary-clinton-burma-myanmar-general-election/>.

⁶⁴ Spetalnick, Matt. "U.S. Imposes Sanctions on Myanmar Military over Rohingya Crackdown." Reuters. August 17, 2018. <https://www.reuters.com/article/us-myanmar-rohingya-usa/us-imposes-sanctions-on-myanmar-military-over-rohingya-crackdown-idUSKBN1L21KL>.

“mulin, anlin, fulin (be friendly, make them feel secure, and help their economies prosper).”

China has also played a role in trying to garner diplomatic discussions, though they have similarly not applied much pressure to the current administration in Myanmar for their human rights violations.⁶⁵ Despite the dark light being shed by the UN Report on the actions of the armed forces of Myanmar, there seems to be no indication that the Chinese government will use the report as an opportunity to criticize. Quite to the contrary, the Chinese government will most likely use this as a chance to shield the actions of the Myanmar government.⁶⁶

Bangladesh

Many of the bordering countries of Myanmar have played an important role in the crisis. The country most impacted thus far is Bangladesh, which received over 700,000 refugees in just over six months. The country of 160 million is struggling to house all of the refugees and is feeling the strain of the growing size of refugee camps.⁶⁷ It is also caught in the middle of pressures around repatriation, with pressure from Myanmar to start bringing the Rohingya back to the Rakhine State, and calls from international agencies and the refugees themselves to not force them to leave.

⁶⁵ Chau, Thompson. "Factors and Actors behind Beijing's Engagement with Myanmar." *The Myanmar Times*. February 19, 2018. <https://www.mmtimes.com/news/factors-and-actors-behind-beijings-engagement-myanmar.html>.

⁶⁶ Chin, Josh. "Call for Rohingya Genocide Prosecution to Deepen China's Support of Myanmar." *The Wall Street Journal*. August 29, 2018. <https://www.wsj.com/articles/call-for-rohingya-genocide-prosecution-lets-china-rush-to-myanmars-rescue-1535536804>.

⁶⁷ Richardson, Bill. "Accountability Alone Will Not Solve Myanmar Rohingya Crisis." *Time*. November 05, 2018. <http://time.com/5442807/myanmar-bangladesh-rohingya-accountability-bill-richardson/>.

⁶⁸ "India: 7 Rohingya Deported to Myanmar." *Human Rights Watch*. October 05, 2018. <https://www.hrw.org/news/2018/10/04/india-7-rohingya-deported-myanmar>.

India

India also shares a border with the Western part of Myanmar, close to the Rakhine state. As of August 2017, there were roughly 40,000 Rohingya in India. The Indian government's official position is that the Rohingya are illegal immigrants and consequently do not have any rights. As of October 2018, seven Rohingya Muslims had been deported back to the Rakhine state despite concerns for their well-being.⁶⁸ The discovery of the illegal sale of various forms of identity to Rohingya refugees in Hyderabad has added to mounting pressures and hatred towards the Rohingya people within India.⁶⁹

Other Actors

Thailand, which shares a border with eastern Myanmar, has also had a complicated history with those fleeing the country. Though a small proportion of Rohingya refugees fled to Thailand in recent years, a few thousand had escaped there during the violence in 2012. Thailand's position has been to deem the Rohingya illegal migrants, leaving them without the right to work and build a life in Thailand.⁷⁰ Regardless, the Rohingya in Thailand have found support in the International Organization for Migration (IOM), a joint project with the European Union that provides refugees access to basic services.⁷¹

⁶⁹ "Rohingya Buy Citizenship for Rs 1000 in Hyderabad." *India Today*. November 15, 2018. <https://www.indiatoday.in/programme/5ive-live/video/rohingya-buy-citizenship-for-rs-1000-in-hyderabad-1389329-2018-11-15>.

⁷⁰ Ganjanakhundee, Supalak. "Thailand's Refusal to Recognise Rohingya as Refugees Leaves Them in Illegal Limbo." *The Nation*. March 05, 2018. <http://www.nationmultimedia.com/detail/asean-plus/30340157>.

⁷¹ Sattar, Maher. "Rohingya Camps in Bangladesh and Thailand, Worlds Apart." *Al Jazeera*. January 28, 2017. <https://www.aljazeera.com/blogs/asia/2017/01/rohingya-camps-bangladesh-thailand-worlds-170127113046730.html>.

Over 100,000 refugees have also sought asylum in Malaysia. As of November 2018, three boats carrying migrants have been stopped since the monsoon season ended. The Malaysian government has already sent 180 of the recent refugees back to Sittwe, the capital of Rakhine where they were living in the Thae Chaung camp before setting sail.⁷² Though the Malaysian government has been publicly critical of Aung Sun Suu Kyi, they have not gone as far as to provide refugees from Myanmar any rights within the country. This means that Rohingya children have no access to mainstream education and the adults do not have the legal right to work.⁷³

In order to fully understand the current conflict, it is important to understand the role of social media companies such as Facebook in addition to the role of governments. Since Myanmar opened up its economy to Western companies in 2013, the price of SIM cards for cell phones greatly fell within a few years. This led to a large proportion of citizens acquiring cell phones at a quick rate. Many people in the country would begin to see Facebook as synonymous with the Internet, given that it helped roll out Internet connections, albeit ones that connected to Facebook's site. Facebook became an important part of public, private, and civic life, with the government using the platform to spread information.⁷⁴

At the same time, Facebook had only a few employees who spoke the relevant languages when it came to those filtering inappropriate content. In turn, a lot of hate speech, including some propagated by prominent Buddhist monks

against the Rohingya Muslims, was being spread without being taken down. Even Facebook itself has claimed that it had not done enough to stop the problem and was planning on hiring dozens of people to try to ensure this does not happen again.⁷⁵ This has added pressure on countries to potentially regulate social media platforms.⁷⁶

Between the presence of Facebook, international political interests, and regional political pressures, the landscape of foreign involvement in the Rohingya conflict has been a complicated one. The growth of mobile phones and the synonymous nature of Facebook and the Internet in Myanmar created a perfect way to perpetuate hatred, groupthink, and discrimination against the Rohingya people. Foreign governments have taken limited action to influence the behavior of Myanmar's government. Additionally, countries are generally supporting repatriation despite the lack of safe conditions in Myanmar.

Recommendations

The following section provides a brief overview of how the Rohingya crisis is currently being addressed. It further offers recommendations on ways to transform the conflict to promote and protect the human rights of the Rohingya people. The way forward in Myanmar is to utilize a transitional justice approach, including mechanisms such as an official apology, reparations, and memorialization efforts. In addition, international actors ought to take measures in responding to the Rohingya crisis, including holding trials, and exerting pressure on the Buddhist majority State of Myanmar to

⁷² "Myanmar Seizes Boat with 93 Rohingya Fleeing to Malaysia." Al Jazeera. November 27, 2018.

<https://www.aljazeera.com/news/2018/11/myanmar-seizes-boat-93-fleeing-rohingya-camps-malaysia-18112705559149.html>.

⁷³ Hui, Kok Xing. "Rohingya Refugees Find Uneasy Solace in Malaysia." CNN. February 25, 2018.

<https://www.cnn.com/2018/02/24/asia/malaysia-rohingya-refugee-school-intl/index.html>.

⁷⁴ Heijmans, Philip. "The Unprecedented Explosion of Smartphones in Myanmar." Bloomberg Business Week. June 10, 2017.

<https://www.bloomberg.com/news/features/2017-07-10/the-unprecedented-explosion-of-smartphones-in-myanmar>.

⁷⁵ Reports, Special. "Why Facebook Is Losing the War on Hate Speech in Myanmar." Reuters. August 15, 2018.

<https://www.reuters.com/investigates/special-report/myanmar-facebook-hate/>.

⁷⁶ Sanders, James, and Dan Patterson. "Facebook Data Privacy Scandal: A Cheat Sheet." TechRepublic. October 25, 2018.

<https://www.techrepublic.com/article/facebook-data-privacy-scandal-a-cheat-sheet/>.

consider the Rohingya Muslim people as legal citizens of the country.

Myanmar

Currently, the government of Myanmar does not recognize the Rohingya people as its legal citizens. Although the State Counselor of Myanmar, Aung Sang Su Kyi, played a role in establishing the Commission that published the 2017 UN Advisory Report on the Rakhine State, there remains a lack of political will in carrying out the recommendations that this Commission put forth. These UN recommendations include the following: a path to citizenship for the Rohingya people; socioeconomic development; freedom of movement; a calibrated approach to human rights and security; access to humanitarian aid, education, health care, and justice; communal participation and representation; cultural development; and dialogue between communities to enhance inter-communal cohesion.

The UN Report also recommends trust-building activities, including joint vocational training, cultural events, and building communal youth centers.⁷⁷ The government claims to be implementing these, though the level of progress achieved has been very slow. Due to the government's lack of transparency, it is challenging to assess which of the recommendations are enacted.⁷⁸

Ideally, the UN recommendations would be implemented, while also rolling out a host of transitional justice policies to address the Rohingya crisis in Myanmar. The State of Myanmar should offer an official apology to the Rohingya for committing human rights abuses against them, provide reparations such as a pathway to citizenship as well as economic &

healthcare services, and build memorials to foster social cohesion.

1. Official Apology:

Myanmar's government ought to officially end its systematic discrimination and ethnic cleansing of the Rohingya Muslim population of the country. The first action that should be taken on behalf of the government is the issuance of an official apology. This apology should come from Aung Sun Suu Kyi, as well as military leaders. Given the sustained persecution the Rohingya have faced throughout the years, it is imperative for the government to provide the official apology in a public format, and to thoroughly consider its tone and message. With a sincere apology as the foundation, the country can prepare to move forward by providing more thorough forms of serving justice for the Rohingya.

2. Reparations:

The government of Myanmar ought to offer reparations, including granting a path to citizenship for the Rohingya people. Recognizing the Rohingya as legal citizens of the country would address the issue of state sanctioned ethnic and religious discrimination directed towards them, since their citizenship rights were historically revoked. As the largest community of stateless people in the world, ensuring citizenship would provide the Rohingya with a state to belong to. Providing citizenship rights would also help build safe, secure, and dignified living conditions for the Rohingya to return from refugee camps in neighboring countries such as Bangladesh, among others.

Additional monetary and in-kind reparations should be provided. These include economic redevelopment plans focused on supporting the

⁷⁷ "Towards a Peaceful, Fair and Prosperous Future for the People of Rakhine." The United Nations Final Report of the Advisory Commission on Rakhine State. August 2017. Accessed November 30, 2018. <http://www.rakhinecommission.org/the-final-report/>.

⁷⁸ Kean, Thomas. "Two Months after MOU Signing, UN Urges 'tangible Progress' in Rakhine." *Frontier Myanmar*. August 8, 2018. Accessed November 30, 2018. <https://frontiermyanmar.net/en/two-months-after-mou-signing-un-urges-tangible-progress-in-rakhine>.

needs of the Rohingya, job training opportunities, and general healthcare and mental health services. These reparations would help create conditions conducive to uplifting the Rohingya communities out of poverty, earning livable wages, and thus having greater economic freedom.

In order to provide collective reparations that are aligned with the needs of the Rohingya, there must be mechanisms put into place for the Rohingya to fill out a needs-assessment report, which details items they need the most. This would help the government to allocate its resources in an effective manner.

3. Memorials:

The Myanmar government ought to construct memorials to implement policies that can build trust between communities and improve inter-communal cohesion. This would address the historical grievances directed towards the Rohingya as a legacy of British colonization. Myanmar should take the following measures: construct museums and memorials; convert places of torture into sites of memory, such as the north-western Rakhine State Rohingya village that was burnt down; and establish important days of commemoration annually, such as August 25 to mark the 2017 mass persecution of the Rohingya. This would help provide opportunities for dialogue, reconciliation, and re-integration. As part of the transitional justice framework, memorials serve an important role in helping a nation cope with its collective trauma and healing process.

The transitional justice policies outlined above, which include an official apology, reparations,

and memorials, would help achieve justice for the Rohingya people, while fostering social cohesion in Myanmar.

International Actors

In addition to domestic action taken by the State of Myanmar, there are several international actors that can help advance justice for the Rohingya. There should be trials held at the international level to hold the Myanmar government and military officials accountable for the officially sanctioned ethnic cleansing of the Rohingya. Furthermore, countries such as the U.S. and China should exert international pressure on Myanmar's leaders to uphold the rights of the Rohingya people.

United Nations:

The international community has taken some steps to address the Rohingya crisis. In September 2018, the UN released a report by the Independent International Fact-Finding Mission on Myanmar, which calls on the UN to refer Myanmar to the International Criminal Court (ICC).⁷⁹ In response, the UN Human Rights Council set up a body to collect evidence of the human rights violations that took place in Myanmar since 2011.⁸⁰ This includes an investigation of a possible genocide against the Rohingya people and would be the basis for future prosecution. The ICC also opened an investigation about the forced displacement of Rohingya from Myanmar.⁸¹ As of November 2019, a Myanmar Genocide lawsuit has been filed at the International Court of Justice (ICJ), in an effort to condemn Myanmar for violating the Genocide Convention with its ethnic cleansing of the Rohingya.⁸²

⁷⁹ "Myanmar: UN Fact-Finding Mission Releases Its Full Account of Massive Violations by Military in Rakhine, Kachin and Shan States." September 18, 2018. Accessed November 30, 2018. <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23575&LangID=E>.

⁸⁰ Al Jazeera. "UN Sets up Body to Prepare Myanmar Atrocity Evidence." GCC News | Al Jazeera. September 27, 2018. Accessed November 30, 2018. <https://www.aljazeera.com/news/2018/09/sets-body-prepare-myanmar-atrocity-evidence-180927195401864.html>.

⁸¹ Corder, Mike. "International Criminal Court Launches Preliminary Probe into Rohingya Crisis." Thestar.com. September 18, 2018. Accessed December 30, 2018. <https://www.thestar.com/news/world/2018/09/18/un-receives-criticism-over-response-to-myanmar-crisis.html>.

⁸² Simons, Marlise. "Myanmar Genocide Lawsuit Is Filed at United Nations Court." The New York Times. The New York Times, November 11, 2019. <https://www.nytimes.com/2019/11/11/world/asia/myanmar-rohingya-genocide.html>.

Through trials and prosecution, the ICJ ought to take decisive and timely action to hold the government and military leaders of Myanmar accountable for the human rights abuses, war crimes, and genocide committed against the Rohingya.

United States:

In the U.S. Congress, there is a resolution titled, "The Burma Human Rights and Freedom Act of 2018." This bill seeks to impose additional sanctions on almost all the leaders of Myanmar's military.⁸³ The bill also calls for no repatriation of the Rohingya without security and a path to citizenship; additional humanitarian assistance to the affected people; and implementation of the recommendations of the UN Advisory Commission on Rakhine State Report.⁸⁴ The bill was not passed or enacted, as of 2019.⁸⁵

The U.S. should take a stronger stance on the Rohingya crisis in Myanmar by exerting sustained pressure on Myanmar. The U.S. should demand that Myanmar's leaders halt the genocide and improve the human rights condition on the ground for the Rohingya, otherwise it will restrict the amount of aid the country receives.

China:

As part of its revival "Silk Road Initiative," China is investing in infrastructure projects throughout the world, including in Myanmar.⁸⁶ China is using its pro-government position on the Rohingya crisis to attract support for its political and economic interests in Myanmar, including the development of a Special

Economic Zone (SEZ) in the Rakhine State. These efforts are fueling the Rohingya conflict in complex ways.

China should consider modifying its approach to protect and stabilize one of its major Silk Road corridor investments. China ought to minimize its potential to fuel the conflict; be transparent about its peace strategy; and develop a framework for responsible investment in Myanmar's conflict areas that takes into account the concerns of local communities.⁸⁷ China should halt its investments in Myanmar until the State grants legal status to the Rohingya. By putting pressure on Myanmar to provide citizenship rights to the Rohingya people, China would help build peace, economic stability, and prosperity for the region at large.

Conclusion

The roots of the Rohingya conflict in Myanmar pertain to its history of colonialism and its national identity issues between the Buddhist majority and the Rohingya Muslim minority. The historical grievances against the Rohingya, due to their support of the British colonial power, combined with officially sanctioned ethnic and religious discrimination from the State of Myanmar, enabled the exclusion of the Rohingya people. The scapegoating rhetoric and policies, stemming from economic and political reasons, continue to internally displace and force out the Rohingya from the Rakhine State.

The recommendations highlight that Myanmar ought to implement transitional justice policies that advance a broader vision of its national identity – one that finds strength in its diversity.

⁸³ Engel, and Eliot. "H.R.5819 - 115th Congress (2017-2018): BURMA Act of 2018." Congress.gov. May 17, 2018. Accessed November 30, 2018. <https://www.congress.gov/bill/115th-congress/house-bill/5819>.

⁸⁴ "Congressional Campaign." Burma Task Force. Accessed November 30, 2018. <https://www.burmataskforce.org/congressional-campaign>.

⁸⁵ Engel, and Eliot. "H.R.5819 - 115th Congress (2017-2018): BURMA Act of 2018." Congress.gov. May 17, 2018. Accessed November 30, 2018. <https://www.congress.gov/bill/115th-congress/house-bill/5819>.

⁸⁶ Korybko, Andrew. "The Rohingya Crisis: Conflict Scenarios And Reconciliation Proposals." July 09, 2017. Accessed November 30, 2018. <https://orientalreview.org/2017/09/07/rohingya-crisis-conflict-scenarios-reconciliation-proposals/>.

⁸⁷ *Ibid.*

The country must strategically respond to its developmental, security, and radicalization crises. By enhancing its socioeconomic development and human rights situation on the ground, these crises can be addressed.⁸⁸ The recommendations offered seek to address the Rohingya conflict through a transitional justice approach, which includes offering an official apology, granting reparations, and constructing memorials in Myanmar. Recommendations for the international community include exerting pressure on the State of Myanmar to end the persecution of the Rohingya Muslims and grant them legal, political, socioeconomic, and cultural rights.

In the long-term, Myanmar will be peaceful and prosperous through inclusion and integration, not through exclusion and segregation among its various ethnic and religious groups. Re-integration is the path to stability for the Rohingya Muslims in Myanmar; however, re-integration and repatriation will only be feasible when the human rights situation is conducive for the safe, secure, and dignified return of the Rohingya. In closing, through the implementation of the recommendations set forth above, Myanmar has the potential to preserve the rights of the Rohingya people and help foster lasting justice and peace.

⁸⁸ "Towards a Peaceful, Fair and Prosperous Future for the People of Rakhine." The United Nations Final Report of the Advisory Commission

on Rakhine State. August 2017. Accessed November 30, 2018. <http://www.rakhinecommission.org/the-final-report/>.

IMF Loans & China's Debt Trap: The Pakistani Economy

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The last decade saw an approximately 110% fall in Pakistani rupee's exchange rate¹ along with rising inflation and worsening current and fiscal deficits. This continuous depreciation in rupee's value has (a) created severe economic challenges for the new government, and (b) confirmed that following the actions of previous governments and trying to solve these challenges by receiving loans from the International Monetary Fund (IMF) – or friendly countries like China – will only provide arbitrary relief to the country's shattering economy, if not make matters worse. Therefore, now more than ever, it has become necessary for Pakistan to begin resolving these issues by forging a political consensus – an economic agenda that is trained on building an investment-friendly environment, broadening the tax base, and diversifying country's export portfolio.

Introduction

In its short history of 72 years, Pakistan's management of its macroeconomic issues can, at best, be described as 'inadequate'. While the country's domestic and foreign public debt has grown in the face of internal and external shocks, it has somehow managed to avoid hyperinflation and exchange rate volatility. Nevertheless, it is worth noting that in the past 50 years, it has developed a tendency to let fiscal pressures transform into macroeconomic crises², resorting to orthodox stabilization tools such as loans from International Monetary Fund (IMF) and imbalanced economic partnerships with allies like China.

According to experts, one of the key reasons behind this recurring failure is the country's reliance on short-term plans and inability to follow through on structural reforms.³ The

focus on short-term vulnerabilities has diverted the policymakers' attention from more important and fundamental issues of social and economic development, trapping the nation in a vicious cycle of persistent underdevelopment.⁴

Since Pakistan is now inching towards its 13th IMF bailout – in part due to its multi-billion dollar partnership with China⁵ - this paper will discuss the key macroeconomic problems faced by the country, evaluate the two approaches outlined above, and make recommendations for an independent way forward. Essentially, it will answer the following set of questions:

1. What is the fundamental cause behind these recurrent episodes of macroeconomic distress?
2. Why have the numerous IMF-sponsored programs failed to achieve the desired impact?

¹ "Pakistani Rupee". Trading Economics, 2019. Retrieved from: <https://tradingeconomics.com/pakistan/currency>

² Runde, D. F. "An Economic Crisis in Pakistan Again: What's Different This Time?" Center for Strategic & International Studies, 2018.

³ Haque, N. "Pakistan's IMF Problem." The Strategist. August, 2018.

⁴ Acemoglu, D. "Why Nations Fail?" March, 2012.

⁵ Afzal, A. "Chinese Infrastructure Project Drives Pakistan Further Into Debt." November, 2018.

3. Is the mere availability of external financing itself an obstruction to the country's ability to overcome its socio-economic shortcomings?

The central assumption that this paper makes is that of *ceteris paribus* i.e. factors, such as changing governments, ruling political parties, and military regimes, have not had an impact on the economy. While this is not entirely true the paper attempts to explain how Pakistan's ailing economy or dependence on external institutions is unaffected by the difference in political opinions of governing parties, making it acceptable to overlook their effect for now.

Pakistan's Macroeconomic Instability

As in many developing nations around the world, Pakistan's core macroeconomic problems lie in its underdeveloped export base, inefficient resource allocation, and chronic imbalance between public sector expenditures and revenues.⁶ These structural weaknesses are why every new government in the country soon finds itself turning to external lenders like the IMF, the US, and China after being appointed. This section will explore two of these issues: the fiscal deficit and the balance of payments. The fiscal deficit averaged 5.2% of the country's nominal GDP from June 2000 to June 2018,⁷

reflecting chronic shortfalls in government revenues. The current account deficit in the balance of payments, meanwhile, increased from 1.5 billion USD in 2010 to a record high of 6.3 billion USD in June 2018.⁸

The Fiscal Imbalance

The persistent difference between revenue generation and government spending is driven by poor administration and enforcement. Income generated through taxes and other sources in Pakistan is strikingly low in comparison to other nations.⁹ Continuous misallocation of these limited resources has compounded the problem. Notable examples of this misallocation are the government's continual lending to low-productivity manufacturing firms and subsidization of inputs to agriculture that promote excessive use of resources. A study conducted by Khwaja and Mian in 2005 indicated that politically connected firms in Pakistan borrowed 45% more from the government than other firms. These firms also had a 50% greater loan default rate.¹⁰ The Pakistani government also offers substantial subsidies for agricultural inputs, such as fertilizers and energy, that are both costly and ineffective at producing required structural change, such as improving the country's crop mix. Annual subsidies, for example, amount to 1.25 billion USD in

⁶Malik, S. "Pakistan's Economic Woes: The Way Forward." April, 2019.

⁷ Pakistan's Consolidated Fiscal Balance. CEIC Data, 2019. Retrieved from: <https://www.ceicdata.com/en/indicator/pakistan/consolidated-fiscal-balance--of-nominal-gdp>

⁸ Pakistan Current Account Balance. CEIC Data, 2019. Retrieved from: <https://www.ceicdata.com/en/indicator/pakistan/current-account->

[balance#targetText=Pakistan's%20Current%20Account%20Balance%3A%20USD,USD%20bn%20in%20Jun%202018.&targetText=The%20country's%20Nominal%20GDP%20was,USD%20bn%20in%20Jun%202019.](#)

⁹ Khan, M. Z. "Nearly half of corporate taxpayers paid no tax in 2016". August, 2017.

¹⁰ "Pakistan @100 Structural Transformation". Policy Note. World Bank Group, 2019.

Punjab alone. While this may be seen as a boon to small farmers, a report by the World Bank pointed out that around 25% of Punjab's once highly fertile land has been downgraded due to over-irrigation.¹¹ These examples suggest a pervasive political element to the government's questionable allocative decisions.

Misallocations are costly because Pakistan is among the weakest performing nations regarding tax collection and administration. Not only is the tax-to-GDP ratio far lower than in other middle-income countries (MICs)¹², but the system itself is complex, corrupt, and indirectly regressive. There are two reasons for calling it "indirectly regressive." Firstly, the majority of taxes collected (60 percent of total tax revenue¹³) comes from indirect taxes; direct taxes like the income tax contribute only a small proportion of total revenues. Secondly, the indirect taxes that are collected come mostly via sales taxes and import duties, which are generally more regressive than direct taxes as these disproportionately burden the poorest households.

Research on current and capital spending by both the federal and provincial governments has revealed that significant changes need to be made to generate full returns on

government investments.¹⁴ In 2015, inefficiencies in the power sector like poor plant infrastructure, faulty metering and theft cost Pakistan 18 billion USD, or 16.5% of its GDP.¹⁵ Further losses across other public enterprises provide additional room for improvement.¹⁶

Misallocation and revenue shortfalls have economic and social consequences. Social development is lagging due to low education and health spending. Indeed, Pakistan is worryingly behind on most – if not all – global indicators of social development.¹⁷ Lastly, the lack of sustainable, domestically-sourced investment in trade and industrial infrastructure hampers the potential for sustained progress.

The Balance of Payments Deficit

The second most significant source of macroeconomic turmoil for Pakistan has been its balance of payments deficit.¹⁸ Almost every successful emerging economy in the past few decades has followed the strategy of improving both the quantity and quality of its exports.¹⁹ From China to the "East Asian tigers," including Hong Kong, Vietnam, and Singapore, these countries have not only expanded the volume of their

¹¹ Ibid.

¹² "Tax Revenue (% of GDP)". World Bank.

¹³ Rana, S. "Over 40% of Companies Did Not Pay Any Tax in 2016". Express Tribune. November, 2017.

¹⁴ Ahmed, M. "Why Does Pakistan Have Repeated Macroeconomic Distress?" Centre for Global Development, 2018.

¹⁵ "Pakistan's Power Sector Causes \$18bn Loss A Year: Report." Dawn News, 2018. Retrieved from: <https://www.dawn.com/news/1451138>

¹⁶ Ibid.

¹⁷ Aslam, Monazza, and Geeta Gandhi Kingdon. "Gender and household education expenditure in Pakistan." *Applied Economics* 40, no. 20 (2008): 2573-2591.

¹⁸ Ibid.

¹⁹ Wee, Rolando Y., "15 Countries with The Most Export-Driven Economies." WorldAtlas, Apr. 25, 2017. Retrieved from: <https://www.worldatlas.com/articles/15-countries-with-the-most-export-driven-economies.html>

exports but also progressed up the value

Figure 1: Chart of exports by country in the region. Source: IMF

chain by shifting from unprocessed commodities to manufactured or semi-manufactured goods.

Pakistan's exports, in contrast, have remained a much smaller share of its GDP since its inception. In the past decade, factors like security issues, low domestic supply of energy (Pakistan is a net energy importer²⁰), inflation, and an increase in imports to meet domestic needs have only made matters worse. The table below indicates that Pakistan's level of exports as a percentage of GDP must increase by about three times to match the average of middle-income countries.²¹

What few products Pakistan does export also tend to be of low quality. Cotton, rice, and leather continue to account for more

than three-fourths of Pakistani exports (by value), and the majority of products in each of these categories are in primary or unprocessed forms.²²

Furthermore, service exports, which have gained immense global popularity as a source of high value-added export revenue, remain a small fraction of Pakistan's exports. In 2014, India, Pakistan's closest neighbor, contributed around 3.2% to global service exports, whereas Pakistan's share was just 0.11%.²³

Given the weak export sector, Pakistan has largely relied on remittances - made by Pakistani emigrants overseas - and private financing to pay for its imports. This strategy, however, is neither stable nor sustainable.

The

Exports by Country or Group (in billions USD)		
Country or Group	USD billion	% of GDP
Pakistan	23.1	7.62
India	304.1	11.65
Bangladesh	35.3	13.51
Thailand	235.1	51.63
Malaysia	188	59.76
Turkey	166.1	19.56
Middle-Income Countries Average	76.7	24.47

²⁰ Pakistan. International Analysis. EIA Gov. Retrieved from: <https://www.eia.gov/beta/international/analysis.php?iso=PAK>

²¹ Cevik, C. "Unlocking Pakistan's Revenue Potential." IMF Working Paper, 2017.

²² Ibid.

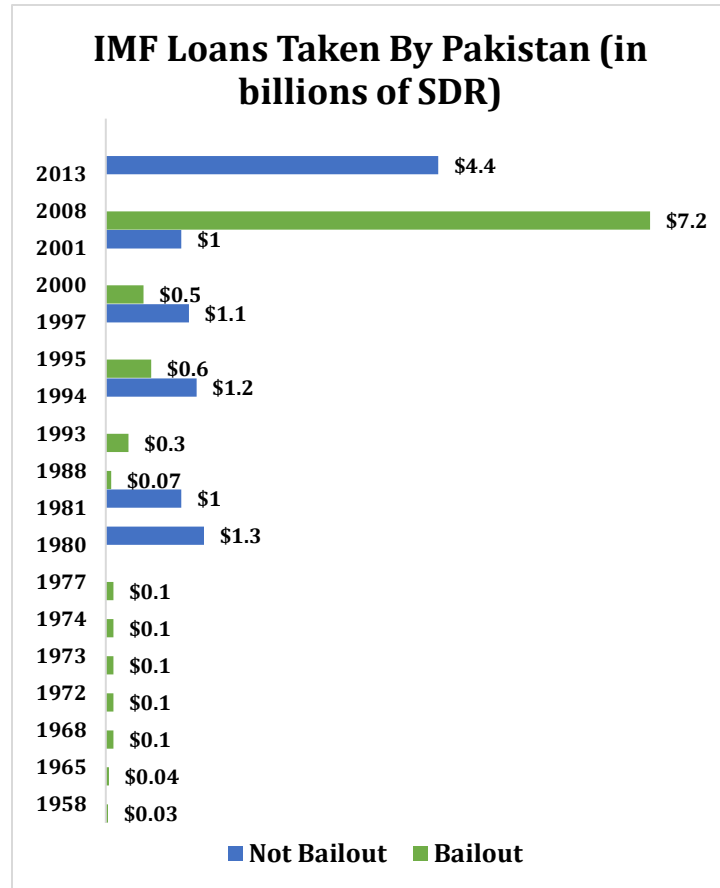
²³ Zuberi, M.A. "A Case of Service Exports." Business Recorder, 2017.

international inflow of cash, especially remittances, is extremely volatile since it is often subject to external and internal shocks. For example, the remittances from the Gulf countries of Saudi Arabia, Bahrain, Kuwait, Qatar and UAE, which account for a large share of the total, can rise and fall with changes in oil prices.²⁴

Pakistan’s security problems, lack of proper digital and physical infrastructure, and reliance on external transfers are especially problematic, given that the government has also consistently neglected investment in new technologies along with research and development (R&D) that could improve the value added of exports. For the fiscal year 2018-2019, just 17 million USD were allocated to research and development. This level of funding is inadequate to finish twenty ongoing, small- and large-scale projects across the nation with high impact potential, such as the Science Talent Farming Scheme for students in Islamabad and the Precision Mechanics program. Similarly, the budget allotted to postsecondary education to generate trained or skilled workers, technicians, and managers has also decreased in the past few decades.²⁵

Pakistan’s IMF Dependence

The two fundamental weaknesses of Pakistan’s economy – sheer fiscal imbalance and weak export ability – have persisted for decades and the role these weaknesses play in frequently generating macroeconomic



turmoil is well established. It makes sense then, to ask one question: why have these issues not been resolved by the number of programs supported by the International Monetary Fund (IMF) implemented in Pakistan? The question is more directly relevant for the IMF’s interventions as compared to any other international or external support program(s) available to Pakistan because of the agency’s focus on creating macroeconomic stability in the countries it offers assistance. This is especially relevant for Pakistan, where the IMF has been implementing structural adjustment reforms for over 3 decades now.²⁶

²⁴ Nakhoda, A. “Over-reliance on remittances may hit ability of industries, commercial entities”. Tribune, 2018.

²⁵ Shahid, J. “Is R&D still not a priority for the government?” Dawn, 2018.

²⁶ “Pakistan faces an economic crisis. Who will help?” The Economist, June 2018.

61-Year History of IMF Programs

To provide context, the IMF is a global organization consisting of 189 countries with the goal of fostering global financial cooperation, promoting monetary stability, and facilitating international trade. It achieves this goal by lending funds to economies facing balance of payments (BoP) difficulties. The organization provides its member countries with financial assistance through 10 different programs operated by the General Resource Account (GRA) and the Poverty Reduction Growth Trust (PRGT). Pakistan has taken 21 loans under four of these programs in the past 61 years, totaling up to 27 billion USD in present value. Out of all of these agreements, 12 are Stand-by Agreements (SBAs), which are what economists refer to as “bailouts”.²⁷

Figure 3 provides a breakdown of these loans by year and amount.²⁸ As seen in the graph, over the years, the IMF programs taken by Pakistan have become larger (in monetary terms). The primary reason for this is the country's inability to pay back its current loan balance before it takes on additional loan to salvage the financial damage caused by the previous one.

Impact of Structural Adjustment Reforms

Even though Pakistan's relationship with the IMF dates back to 1958, this association deepened in 1988 with the addition of structural adjustment reforms to the terms and conditions of IMF loans given to Pakistan.²⁹

Figure 2: Pakistan's IMF Bailouts (1958-2013)

Structural adjustment policies (SAP), are a sequence of reforms inspired by the neo-liberal school of economic thought that works to deregulate and privatize the economy. SAPs were initially implemented in industrialized economies during the 1970s to tighten monetary and fiscal balances, liberalize trade and check inflation after a period of oil crisis.³⁰ After the success of SAPs in the developed countries, they were applied to the developing nations in the late 1980s as a possible solution for their severe macroeconomic problems, discussed previously. They aimed to replace the control of government with market forces as a way to reduce fiscal deficits.³¹ However, without fully understanding the strengths and weaknesses of each country's government, these reforms harmed the borrowing countries more than helping them. For instance, in the 1980s and 1990s when many structural adjustment procedures were created, the macroeconomic experts at the Fund saw expenses related to primary education as mere costs instead of youth investment. Similarly, the impact of income and wealth inequality on economic growth was completely overlooked while drafting

²⁷ Sajid, H. “Pakistan's 60-year history with IMF in a chart.” *Samaa News*, 2018.

²⁸ *Ibid.*

²⁹ Nasir, J. *IMF Programs in Pakistan (1988-2008) – An Analysis*. *Criterion Quarterly*, November 2012.

³⁰ Khan, F. S. “IMF Bailout and Structural Reforms in Pakistan.” *Daily Times*. February, 2019.

³¹ *Ibid.*

policies for these economies. This ill-informed micromanagement by the IMF is a major reason why it gets blamed for worsening the Ebola crisis in Liberia, Guinea and Sierra Leone.³²

Critics believe that Pakistan, like these African nations, has also suffered from the IMF's poorly drafted structural reforms. Khan et al., in their 2011 study, concluded that the largest policy instrument in a standard structural adjustment plan for Pakistan includes reduction in the budget deficit. This reduction in the deficit is achieved through a decrease in development expenditures, which not only led to an increase in unemployment but also caused income inequality and inflation to rise between 1981 and 2001.³³

One argument in favor of the IMF states that, while IMF SAPs can build on what domestic or home governments are already doing, they cannot sustain macroeconomic growth on their own. Furthermore, international organizations like the IMF are only effective in creating short-term solutions to mask the symptoms of underlying structural problems. In Pakistan, like most developing countries, assistance from the IMF is not sought until the crisis is imminent. At that point, both the IMF and the government agrees that the focus should be to deal with the immediate crisis. That partnership model has frequently been successful in achieving the set goal. In the past, every time the IMF came forward to pull

the ailing economy out of crisis, both fiscal and current account imbalances were corrected, confidence in the economy was strengthened, and both domestic and external financing spiked. However, soon these improvements come to a halt and the country returns to its previous state of deterioration. This is because in most of the cases, the reforms that are agreed on by the national authorities and the IMF are never fully implemented i.e. Pakistan abandons the assistance program before it is even completed.³⁴ For example, in 2011, Pakistan decided to discontinue its IMF program. This discontinuation was not brought about by any radical policy shift. Instead, it is widely believed that the reasons behind abandonment were political. Three main reforms imposed by the IMF included:

1. Decreasing the fiscal deficit
2. Imposing value-added taxation
3. Cutting down subsidies in the energy sector

Any government adhering to these reforms had little chance of maintaining popularity and winning the upcoming 2013 elections in Pakistan. Therefore, the programs were abandoned to allow the then-government to pursue more pro-people and politically popular goals like reducing electricity tariffs and keeping fuel prices low. These decisions, even though lacking any long-term relief, were welcomed by the public too. Pertinent to note that the previous government had also

³² Kaiser, J. "Interfering in National Sovereignty." Development and Cooperation. Aug 2018.

³³ Khan, R. E. A., Nawaz, M. A., & Hussain, A. (2011). Impact evaluation of structural adjustment program: a case

of Pakistan. *European Journal of Economics, Finance and Administrative Sciences*, (29).

³⁴ Tappe, A. "Here's why Pakistan faces an economic crisis, no matter who wins today's election." July, 2018.

given up the IMF program prematurely in order to win elections.³⁵

The reforms legislated by the IMF, if implemented, could have resolved several issues using the following set of policies:

- Increase in **tax revenues** by making structural changes to tax administration and bringing a greater number of people into the tax net
- Reduction in the losses to public enterprises and BoP deficit through the implementation of a strict **tariff policy**
- Privatization of big enterprises like the national airlines to encourage **foreign investment**
- Shift from an agriculture-based economy to a more industrialized one in order to fully leverage the **export potential** of the country

This implies that even though each episode or program is unique, there is a common pattern highlighting the root cause for Pakistan's inability to sustain change or achieve sustained improvement. In almost every case, the initial year of the programs went well – the government would be seen taking important monetary and fiscal measures. However, as the time progressed, the political will to tackle underlying macroeconomic challenges waned, leaving those programs to wither for far longer than expected.

IMF Support: A Disincentive for Reform

Those in favor of the IMF and its SAPs state that both economic theory and empirical evidence suggest fundamental economic reforms have been a result of a major crisis.³⁶ Hence, the IMF's support in the form of contractionary policies can act as an incentive for the borrowing countries to achieve great economic success.

While it is theoretically true that a crisis *can* lead to far-reaching and impactful reforms, it is important to remember that in practice this can be highly context dependent. For some countries, huge problems may lead to revolutions and progress, for others it might result in extended periods of stagnation and loss. With constant reliance on external borrowing and failure to follow through on structural adjustments, it is safe to assume that Pakistan falls under the latter category. Many have argued that since policymakers in Pakistan know that the IMF, among several other external organizations, will be there with a "bailout" if the country runs into a crisis, there is far less incentive for these governments to implement the necessary reforms. This is also the reason why Pakistan's dependence on the IMF is considered not only a disincentive but a curse bigger than any other problem.^{37, 38}

³⁵ Khaliq, A. "Why Pakistan says adieu to IMF Program?" Committee for the Abolition of Illegitimate Debt. September, 2011.

³⁶ Ahmed, M. "Why Does Pakistan Have Repeated Macroeconomic Distress?" Centre for Global Development, 2018.

³⁷ Umer, K., Latif, M., & Faheem, M. A Curse or Blessing for Pakistan Economy?.

³⁸ "Why Pakistan is on the road to another IMF bailout?" The Washington Post. 2018.

Dawn, a leading English newspaper in the country,³⁹ illustrates this dependence using the analogy of a doctor and a patient. The incentive for a doctor – IMF in this situation – is to maintain a relationship with the patient – Pakistan – leading to a treatment that fosters dependence instead of growth and independence. However, the article also argues that after being bedridden for decades, why is the patient still not seeking a treatment that would lead to permanent cure? The most probable answer to this is that the aunt in charge – the government in this metaphor – is often both self-serving and frequently changing. Therefore, allowing the doctor to exploit its position.⁴⁰

Economists call this problem a “moral hazard” linked to IMF lending. Moral hazard refers to the idea that the very provision of insurance increases the likelihood of the insured event taking place. Primarily, because insurance diminishes the incentive for the insured party to take precautionary measures.⁴¹

Therefore, it would not be wrong to assume that the insurance provided by IMF, combined with a series of self-serving governments, has considerably weakened Pakistan’s motivation to be self-sufficient.

Pakistan & China’s Debt Trap Diplomacy

³⁹ Wani, S. “Why Pakistan will go to the IMF again, and again and again” Dawn News. October, 2018.

⁴⁰ Amjad, R. “What are some of the challenges of ‘Naya Pakistan’?” Herald, 2018.

⁴¹ Lane, T. & Phillips, S. “Does IMF Financing Encourage Imprudence by Borrowers & Lenders?” Moral Hazard. International Monetary Fund, 2002. Retrieved from: <https://www.imf.org/external/pubs/ft/issues/issues28/>

Pakistan’s thirteenth IMF bailout is expected to be its largest yet. While this can be partially attributed to the underlying macroeconomic issues and serial IMF bailouts discussed previously, many also believe that the country’s economic partnership with China is to be blamed.

Pakistani-Chinese Relations

Since establishing diplomatic ties in 1951, China and Pakistan have enjoyed a close relationship. Pakistan considers China to be its “all-weather” ally,⁴² and was one of the first countries to recognize the People’s Republic of China (PRC) in 1950.⁴³ The two remained steadfast allies through the 1960s and early 1970s, even as Beijing experienced a period of intense international isolation.⁴⁴ In return, China has provided Pakistan with major technical, economic, and military assistance, including the provision of sensitive nuclear technology. This durable relationship persists despite their differing political ideologies, governmental systems, and cultures and the significant internal changes and shifting economic and geopolitical interests both countries have experienced over this time.⁴⁵

China-Pakistan Economic Corridor (CPEC)

⁴² Kabraji, R. (2012). *The China-Pakistan Alliance: Rhetoric and Limitations*. London: Chatham House.

⁴³ Ali, G. (2017). *China-Pakistan relations: A historical analysis*. Karachi: Oxford University Press.

⁴⁴ Mahdi, N. (1986). Sino-pakistan relations: historical background. *Pakistan Horizon*, 39(4), 60-68.

⁴⁵ Ibid.

More recently, the Chinese partnership with Pakistan has taken some interesting turns. Like many underdeveloped nations in Africa and Latin America,⁴⁶ Pakistan has become highly dependent on the billions of dollars lent by the Chinese government.⁴⁷ This borrowing is accompanied by increased imports, in the form of equipment and construction materials, needed to complete Chinese-sponsored infrastructure projects. One of these projects is the recently-inaugurated China–Pakistan Economic Corridor (CPEC).⁴⁸ Consisting of an estimated 62 billion USD of investment (including grants and soft loans), CPEC is the largest strategic-economic partnership between the two countries since 1947.⁴⁹ It includes the longest road to be constructed under China's Belt and Road Initiative (BRI). The road, which has taken decades of work, remains only partly operational.⁵⁰ The project is rooted in and branded around the theme of connectivity: many ports, dams, power stations, roads, transmission lines, and fiber optic cables linking Pakistan to the Chinese internet are in planning. Among the projects that will be completed in the next few years are a power plant in Karachi and a mass-transit light railway in Lahore, known as the "Orange train."⁵¹ The project's ultimate goal is to increase trade and investment in the region through the port of

Gwadar, which aims to leverage its strategic position on the Arabian Sea to become the bridge connecting the West and the East.⁵²

The Chinese Debt-Trap

While this ambitious plan appears foolproof on paper, the aggressive Chinese geopolitical strategy underlying the Belt and Road Initiative may turn out to be another classic example of Chinese neo-imperialism. In 2018, the growing debt of African countries sparked an international debate over the sustainability of debt-based financing in developing countries, largely due to China's emergence as a major sponsor of African infrastructure. International opinion coalesced around the belief that China wields its economic diplomacy to impose onerous debts – ensnaring poor countries in unsustainable loans – to secure geopolitical advantage.⁵³

This strategy became more obvious in 2017 when the Sri Lankan government, unable to finance its Chinese debt, agreed to convert that debt into equity. It gave up 80% of its stakes in the Sri Lankan port of Hambantota and 15,000 acres of surrounding land to a Chinese state-backed company.⁵⁴ This debt had accumulated during Sri Lanka's growing

⁴⁶ Lum, T. (2009, November). China's assistance and government-sponsored investment activities in Africa, Latin America, and Southeast Asia. LIBRARY OF CONGRESS WASHINGTON DC CONGRESSIONAL RESEARCH SERVICE.

⁴⁷ Chen, X., Joseph, S. K., & Tariq, H. (2018). Betting big on CPEC.

⁴⁸ Jamal, U. "Understanding China's Master Plan for Pakistan." May 2017.

⁴⁹ Chattha, M. K., & Sayed, M. (2019). China-Pakistan Economic Corridor: Where is the money going? *Journal of Infrastructure, Policy and Development*, 3(1), 100-114.

⁵⁰ Ibid.

⁵¹ Ibid.

⁵² Ijaz, A. "Significance of Gwadar Port." August 2015.

⁵³ Were, A. (2018). Debt trap? Chinese loans and Africa's development options.

⁵⁴ Behuria, A. K. (2018). How Sri Lanka Walked into a Debt Trap, and the Way Out. *Strategic Analysis*, 42(2), 168-178.

dependence on just one country over the preceding years: China.⁵⁵

In a situation similar to Sri Lanka's, Pakistan has reported a 3 billion USD increase in its debt over the past four and a half years.⁵⁶ According to various global experts, this increase can be attributed to Chinese loans that begin as money lent but soon transform into opportunities for the Chinese government to confiscate all of the meaningful assets held by the borrowing country.⁵⁷ Pakistan has taken a huge strategic bet with China, and while some in the country have challenged this gamble, the majority of the population believes that it is in the country's best interest to maintain this partnership. A majority of the military and civilian members are of the opinion that this is a Chinese century and that Pakistan is fortunate to be on China's side.⁵⁸

Muhammad Zubair, the governor of the second largest province, Sindh, and a close ally of ousted Prime Minister Nawaz Sharif, has acknowledged that the relationship with China extends beyond economics. In a press conference regarding CPEC, he stated that the partnership between the two countries provides China with security leverage that it desperately needs. He further explained that the ultimate Chinese goal is to compete with America and attain global supremacy.⁵⁹ With Pakistan facing the might of India, and that

country's close relationship with the US, China has a clear incentive to maneuver through Pakistan. According to Zubair, Pakistan has little to no choice in the matter. Without CPEC, the country will be faced with complete power blackouts, severe energy and transportation problems, and overall economic turmoil.⁶⁰

"When someone says CPEC favors China far more than Pakistan, of course that is the case, but that will always be the case between a lender and a borrower..."⁶¹

The former interior minister, Ahsan Iqbal, has similarly argued that Pakistan has no alternative to accepting Chinese loans. Saudi Arabia, to which Pakistan constantly provides military assistance, is the only other significant source of cash for the country. There are also benefits to working with China: approximately 1.2 million jobs could be created indirectly in support of the projects agreed upon under the CPEC,⁶² contributing to Pakistan's already growing middle class.

⁵⁵ Ibid.

⁵⁶ Khaliq, A. "Is Pakistan Falling into China's Debt Trap?" April 2018.

⁵⁷ Lindberg, K. & Lahiri, T. "From Asia to Africa, China's Debt Trap Diplomacy Was under Siege In 2018." December 2018.

⁵⁸ Wintour, P. "All Weather Friendship: But is Pakistan Relying Too Heavily on China?" The Guardian, 2018.

⁵⁹ Ibid.

⁶⁰ Ibid.

⁶¹ Wintour, P. "All Weather Friendship: But is Pakistan Relying Too Heavily on China?" The Guardian, 2018.

⁶² Weijia, H. "CPEC can play a key role in generating jobs in Pakistan." Global Times. 2019.

Similarly, Pakistan's underdeveloped agricultural sector is also ripe for foreign investment. However, despite these temptations, CPEC is still quite likely to leave the economy worse off. The country's internal issues, such as corruption, continuously push the costs of CPEC higher, making Pakistan more indebted to China than ever.⁶³ This increase in debt comes at a time when Pakistan is already dependent on external financing, like the IMF loans, and possesses an immense current account deficit. Additionally, Pakistan's international cash flows and remittances are falling, making Pakistan's need to restructure its debt to China increasingly likely. One way of doing so would be by swapping debt for equity, trading away Pakistan's ownership of CPEC infrastructure and important ports like Gwadar to China. This is the model China employed against Sri Lanka when the latter was unable to pay back its debt, converting the country's Hambantota port into Chinese property for the next 99 years.⁶⁴

To avoid being in this situation and losing these significant assets to China, Pakistan has once again reached out to the IMF – as mentioned in the beginning – trapping itself into a vicious cycle of debt and external dependence.

Recommendations & Conclusion

Under such circumstances, it has become even more important to come up with ways

in which the country can charter a growth-oriented course for itself and break out of this cycle eventually. One suggestion is for Pakistan to embark upon a journey where the country continuously develops a national economic agenda that has a consensus of most important political forces in the country, if not all.

A Political Consensus on the National Economic Agenda (NEA)

Research has indicated that the single most significant feature that differentiates successful economies around the world from those that are developing or are underdeveloped is that developed economies have a broad consensus around the country's core economic goals. Successful economies have political members of different parties, lead economists, leaders in the private sectors, key commentators and journalists all agreeing on the overarching theme and direction of the national economy.⁶⁵ While they may not all always agree on specific issues or policies, the majority of the content enjoys support from all corners.

Most European nations like Germany, France, Italy and Poland have practiced some explicit form of economic plan since the World War II as a preventative mechanism for events like the Great Depression of 1930s.⁶⁶ King and Sznajder, in their 2016 paper, highlight how Poland's economic

⁶³ Sala, I. M. "Pakistan's new government is trying to walk back from alarming Chinese debt." September 2018.

⁶⁴ Var, V., & Po, S. (2017, March). Cambodia, Sri Lanka and the China debt trap. In *East Asia Forum* (Vol. 18).

⁶⁵ Ahmed, M. "Why Does Pakistan Have Repeated Macroeconomic Distress?" Centre for Global Development, 2018.

⁶⁶ Hudson, R., Dunford, M., Hamilton, D., & Kotter, R. (1997). *Developing regional strategies for economic*

success is a direct outcome of a core economic agenda: efficiency-based, market-focused restructuring before ushering in the direction of beneficial foreign investment.⁶⁷

Experts state that building this type of consensus has two main advantages: Firstly, when a particular party in power – assuming the country in question has a democratic setup – is hoping to execute a difficult policy reform, much of the debate in the parliament or house will be focused on the way it is implemented or when it will be implemented instead of the basic objectives of the policy. Secondly, this general consensus is often viewed as a positive by both domestic and international investors as it provides them with a large deal of certainty regarding the environment in which their business would be taking place. This gives them more confidence should they choose to partake in any large investment projects(s).⁶⁸

In Pakistan, at present, the only two areas where majority of the country agrees are the direction of foreign policy and the national security agenda. Everything else, including national economics, suffers from a lack of consensus.⁶⁹ This means that the government or ruling party takes up responsibility of day-to-day matters in the economy and potentially resolves any looming crisis to ensure macroeconomic stability. However, when it comes to more fundamental reforms, the party finds itself at a loss. To sum it up,

there are plenty of ideas as to how the future of the country can be improved; however, there is a huge disconnect between these ideas and their implementation.

One way in which the country can begin making progress is that as soon as the ruling party comes into power, it should hold a panel discussion with representation from all concerned parties including members of the government, opposition, leading economists, market experts, key journalists etc. on what kind of economy it aims to be in the next decade. Then it can agree on the measures that need to be undertaken in order to get there.

Once a broader goal is established, a realistic plan can be drafted at a narrower macroeconomic level to generate ideal growth rates. Some of the questions that this discussion can include are as follows:

1. What is the desired level of income equality for Pakistan and what kind of measures can be undertaken to reach that level?
2. In the end, what should be the country's growth and resource allocation plan?
3. Are there any (context) specific methods that the country can adopt to generate adequate amount of tax revenue? If so, what would be the structure of these taxes, who will be affected by them and what type of tax

success: lessons from Europe's economically successful regions?. *European Urban and Regional Studies*, 4(4), 365-373.

⁶⁷ King, L. P., & Sznajder, A. (2006). The state-led transition to liberal capitalism: Neoliberal, organizational, world-systems, and social structural explanations of

Poland's economic success. *American Journal of Sociology*, 112(3), 751-801.

⁶⁸ Ahmed, M. "Why Does Pakistan Have Repeated Macroeconomic Distress?" Centre for Global Development, 2018.

⁶⁹ Ibid.

administration system will attain this target?

4. How may the country reduce its defense spending by shifting its focus from supporting military expeditions to drafting a new diplomatic strategy?
5. In what ways can the exports-to-imports ratio can be improved?
6. For public enterprises that have been losing money for long time, do policymakers intend to support them indefinitely for the public good? Or is there a better strategy that can be employed in the form of privatization?
7. At the core of most pressing macroeconomic issues are health and unemployment. How can funds be allocated to resolve these fundamental issues?

It is important to note that while there are a wide range of questions that the administration can begin with but given the current situation, these may be the most significant ones. The biggest counterargument to the proposition of having a nation-wide consensus is the lack of it in the past.⁷⁰ Many in the country believe that since an agreement has not been reached in the past, it is unlikely to happen now. But it must be kept in mind that in a setup like Pakistan where the biggest hindrances are posed by parties in opposition or religious fundamentalists, no structural reform can be brought about without a consensus. Furthermore, as far as just economy is

concerned, there is sufficient underlying agreement across political parties which means that with some adjustments, a consensus is not unimaginable.

A Guide to Implement the NEA

Once the aforementioned consensus has been achieved, a guide to implement the agreed-upon points can be drafted. For example, to reduce the current account deficit significantly, Pakistan needs to begin with developing an investment-friendly environment that helps the country shift its focus from foreign aid and high-interest loans to greater foreign direct investment (FDI).⁷¹ At present, Pakistan ranks 136th out of 190 countries in its ease-of-doing-business sector, according to the World Bank.⁷² To improve this ranking and draw more FDI, the country should rebrand its international image as a desirable destination both for industry and tourism – a goal that the current government is planning on pursuing as it eases visa restrictions and introduces e-visas.⁷³ When attracting investment, domestic investors play an equally important role as the foreign investors, if not more. Regulating strict tax policies and aiding private businesses, especially small and medium sized ones (SMEs),⁷⁴ will boost the economy and provide Pakistan with a greater negotiating power when partnering with external forces like China.

⁷⁰ Husain, I. "The Role of Politics in Pakistani Economy." *Journal of International Affairs*. 2009.

⁷¹ Malik, S. "Pakistan's Economic Woes: The Way Forward". April 2019.

⁷² "Doing Business 2019. Training for Reform." A World Bank Group Flagship Report. 2019.

⁷³ Ibid.

⁷⁴ Ibid.

In addition, Pakistan can bridge the gap between revenue and expenditure by broadening its tax base. Currently, the country provides huge tax breaks to its agricultural sector and large businesses.⁷⁵ This can be changed by increasing the tax on the agricultural produce of landlords and limiting tax amnesties to big companies. This is a better approach instead of overburdening the current taxpayers. One benefit of achieving a majority vote or consensus on core economic issues is that fiscal transparency and tax administration can become a priority. A similar guide can be developed for remaining issues of depreciating currency, declining external sector and accumulating foreign debt.

The new government in the country has once again resorted to loans from IMF to deal with

the rising Chinese debt, current account deficit, and a looming BoP crisis. This indicates another episode of short-term solutions and reduced growth. In circumstances like these, it is imperative for the country to pause, take a careful look at its objectives, and evaluate whether the policies in place are adequate to meet those objectives. It also needs to break through and achieve a level of equilibrium that not only avoids the need for stabilization but also establishes reforms using the talent of its emerging youth and the entrepreneurial abilities of its private sector. This way the country can finally begin to deliver the socio-economic performance its population not only demands but needs after 72 years of independence.

⁷⁵ Ibid.

Our Health Experience: Black Maternal Health in America

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Abstract

A consideration of healthcare in America and how it affects Black women.

By tracing historical influences dating back to colonial standards of care for Black slave women through the present, this paper seeks to explore the persistent hardships that face Black women's maternal health in America. Evidence shows that Black women are three to four times more likely to die either during the pre-partum or postpartum period than their Non-Hispanic white counterparts.¹ This is due to a combination of factors such as healthcare policy, poverty, environmental pollution, and unsuccessful health education initiatives. The limited impact of—or failure to pass—any significant legislation to improve these conditions by the United States government continues to both contribute to and is a result of systemic racism.

Introduction

Dr. Shalon Irving (1981- 2017) was a Lieutenant Commander in the United States Public Health Service Commissioned Corps and a Center for Disease Control epidemiologist. She earned a dual Doctorate in Sociology and Gerontology; she was an accomplished author and an eager mother-to-be.¹ She had a longstanding desire to “expose inequity wherever it exists, call it by name, and work to eliminate it.”² Dr. Irving's work status, education, accomplishments, and desires, however, were not enough to prevent something that

often befalls Black women in America: maternal death. Three weeks after giving birth to her first child, Dr. Irving lost her life.³

When a pregnant woman is not given adequate care, during and even after giving birth, loss of life can be the result. Dr. Irving knew her pregnancy was risky, she had a history of high blood pressure and a clotting disorder, and even though her career afforded her top-quality care and she had a strong support system of family and friends; all the care and support could not stop her death.⁴ After giving birth, she had expressed

¹ Health Resources & Services Administration “One Mother's Death: Shalon's Story” Accessed 11 December 2019 <https://www.hrsa.gov/enews/past-issues/2018/july-5/shalons-story.html>

² Any Roeder “America is Failing Its Black Mothers” Harvard Public Health Magazine of the Harvard T.H. Chan School of Public Health Winter 2019 Accessed 11 December 2019

https://www.hsph.harvard.edu/magazine/magazine_article/america-is-failing-its-black-mothers/

³ Health Resources & Services Administration “One Mother's Death: Shalon's Story” Accessed 11 December 2019 <https://www.hrsa.gov/enews/past-issues/2018/july-5/shalons-story.html>

⁴ Any Roeder “America is Failing Its Black Mothers” Harvard Public Health Magazine of the Harvard T.H. Chan School of Public Health Winter 2019 Accessed

to the hospital staff her symptoms: a painful hematoma, spiking blood pressure, headaches, blurred vision, and rapid weight gain. She was assured that these symptoms were normal-postpartum symptoms and told to wait it out. A few hours after her last medical appointment, she took the prescribed blood pressure medication, collapsed, and died soon after at the hospital when her family removed her from life support.⁵ Dr. Irving is not the face of Black maternal health, but she should be, as should all Black women who die due to pregnancy related issues every year across the United States.

Maternal deaths have increased in America, a significant departure from the world's other affluent countries. This is especially true for Black women, far more than their Non-Hispanic white counterparts. Black women are three to four times more likely to die pre-partum or postpartum.⁶ This disparity in maternal deaths is further exacerbated by lack of adequate care, unconscious biases in the medical system, and persistent devaluation and disrespect by medical providers. This theme is not unique to current health standards, as its roots date back to the colonial period.

11 December 2019

https://www.hsph.harvard.edu/magazine/magazine_article/america-is-failing-its-black-mothers/

⁵Any Roeder "America is Failing Its Black Mothers" Harvard Public Health Magazine of the Harvard T.H. Chan School of Public Health Winter 2019 Accessed 11 December 2019

https://www.hsph.harvard.edu/magazine/magazine_article/america-is-failing-its-black-mothers/

⁶Nina Martin and Renee Montagne "Black Mothers Keep Dying After Giving Birth. Shalon Irving's Story Explains Why" Accessed 11 December 2019 [https://www.npr.org/2017/12/07/568948782/black-](https://www.npr.org/2017/12/07/568948782/black-mothers-keep-dying-after-giving-birth-shalon-irvings-story-explains-why)

Historical Record of Slave Health

Slavery and Medicine

As far back as the American colonial period, doctors, philosophers, and scientists have generated and perpetuated racial inferiority mythology and stereotypes among the American population.⁷ The colonial United States did not provide adequate standards of care for slaves. They were readily transformed into a medical resource, an easily accessible population to serve as empirical test subjects. Slaves were "voiceless" and rendered "medically incompetent" through the combined power and authority of the enslaver and his employee, the white physician. Doctors were especially brutal as they used slaves as unwilling and unwitting subjects for amputations, electric shock, experimental surgeries, and permanent disfiguration.⁸ Often these experiments were executed without any pain relief, anesthesia, or sterile conditions. Slave patients played a central role in the education and the growth of successful practices by white southern doctors. Readily available, slaves presented

[mothers-keep-dying-after-giving-birth-shalon-irvings-story-explains-why](https://www.npr.org/2017/12/07/568948782/black-mothers-keep-dying-after-giving-birth-shalon-irvings-story-explains-why)

⁷Byrd, W M, and L A Clayton. "Race, medicine, and health care in the United States: a historical survey." *Journal of the National Medical Association* vol. 93,3 Suppl (2001)

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2593958/>

⁸ Stephen C. Kenny. (2019). *Power, opportunism, racism: Human experiments under American slavery*. Accessed 12 May 2019.

<https://www.sciencedirect.com/sdfe/pdf/download/eid/1-s2.0-S0160932714200202/first-page-pdf>

opportunities for developing medical research and serving as human capital or resource. Their exploitation contributed to knowledge production and medical advances in the United States.⁹

The exploitation of slave bodies was not limited to medical experimentation; slave women were abused, molested, raped, and forced to give birth. Slave owners' sexual abuse of slave women was one of the most significant factors differentiating the experience of slavery for males and females. Slave births were seen as an additional economic advantage for the master, helping to increase their labor force. The average slave woman, during the colonial period gave birth to her first child at nineteen years old and continued to bear a child every two and a half years.¹⁰ Those births were not without complications and in fact it is one of those complications that allowed for James Marion Sims (1813-83) to make his name as the "Father of Modern Gynecology."

Case Study: Enslaved women are the "Mothers of Modern Gynecology"

Sims created and pioneered tools and surgical techniques related to women's reproductive health that are still widely used

today, including the vaginal speculum, sigmoid catheter, and the surgical technique used to repair a condition called vesicovaginal fistula, or an abnormal opening. However, these innovations were advanced through his experimentation on enslaved women. Sims later reflected in his autobiography *The Story of My Life* on the benefits he was allowed by working on slaves: "There was never a time that I could not, at any day, have had a subject for operation." Sims, writes that this period, slavery, was the most "memorable time" of his life.¹¹

Sims was often under the express authority of local plantation masters to perform experimental surgeries on enslaved women. He worked extensively on a slave patient named Anarcha. At just 17 years of age, she endured labor for three days, suffered through a very traumatic delivery, and sustained a vesicovaginal fistula (VVF).¹² Vesicovaginal fistula is an abnormal opening between the vagina and the bladder or the rectum that results in continuous and unremitting urinary incontinence.¹³ VVFs are rare in developed countries, but arise mainly from malignant disease, radiotherapy (RT), or trauma. At least 3 million women worldwide, most of them in Africa and

⁹ Ibid

¹⁰ Jennifer Hallam "Slavery and the Making of America. The Slave Experience: Men, Women & Gender" PBS Thirteen.org Accessed 12 May 2019. <https://www.thirteen.org/wnet/slavery/experience/gender/history.html>

¹¹ The Father of Modern Gynecology' Performed Shocking Experiments on Slaves HISTORY Accessed 12 May 2019 [https://www.history.com/news/the-father-of-modern-](https://www.history.com/news/the-father-of-modern-gynecology-performed-shocking-experiments-on-slaves)

[gynecology-performed-shocking-experiments-on-slaves](https://www.history.com/news/the-father-of-modern-gynecology-performed-shocking-experiments-on-slaves)

¹² Deborah K. McGregor, University of Illinois at Springfield "J. Marion Sims" Accessed 12 May 2019 <http://www.encyclopediaofalabama.org/article/h-1099>

¹³Michael Stamatakos, et al. "Vesicovaginal fistula: Diagnosis and Management" The Indian Journal of Surgery vol. 76,2 (2012) Accessed 12 May 2019. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4039689/>

southern Asia, have untreated cases of VVF, while between 30,000 and 130,000 new VVFs develop annually in Africa alone.¹⁴ Over the course of four years, Sims subjected Anarcha to about 30 attempts to repair her vesicovaginal fistula, mostly operating without success.¹⁵ Anarcha, along with other slave women, became the model used to perfect Sims' methods for repairing vesicovaginal fistulas.

Like many doctors during this time, Sims believed that slave bodies did not feel pain, or they were able to endure pain at a higher level. Thus, all experimental surgeries were completed without anesthesia.¹⁶ It has been noted that Sims believed that these VVF surgeries "were not painful enough to justify the trouble [of anesthesia]."¹⁷ This persistent belief may have played a role in the lack of anesthesia or pain reducing medicine for the surgeries that were performed on enslaved women.

In addition to repairing VVFs, Sims made other lasting innovations to medicine. He pioneered tools like the vaginal speculum and surgical techniques related to women's reproductive health.^{18,19} Sims treated women during a time when it was considered distasteful to do so. After moving to New York, he founded a hospital for women and in Europe treated Empress Eugenie of France and other members of European royalty. Sims also was an early advocate of antiseptic practices in surgery, performed the first documented successful gallbladder surgery, and the first artificial insemination that produced a pregnancy.²⁰ Sims' medical advances are important, however, there is a belief among critics including medical ethicist and historian, Harriet A. Washington, that he was more enamored with experimenting than providing treatment, especially considering some of his views.²¹ Scholars and researchers now consider his methods unethical, but they are actually similar to other experiments that

¹⁴ El-Azab, Ahmed S., Hassan A. Abolella, and Mahmoud Farouk "Update on Vesicovaginal Fistula: A Systematic Review" Arab Journal of Urology 2019 March 17 Accessed 12 May 2019.

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6583748/>

¹⁵L. L. Wall "The medical ethics of Dr J Marion Sims: a fresh look at the historical record." *Journal of medical ethics* vol. 32,6 (2006): 346-50. doi:10.1136/jme.2005.012559 Accessed 12 May 2019.

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2563360/>

¹⁶ Black Pain: Slavery and the Traumatic Roots of Modern Gynecology Accessed 12 May 2019. <https://blackdoctor.org/490787/black-pain-slavery-the-traumatic-roots-of-modern-gynecology/>

¹⁷L.L. Wall. "The medical ethics of Dr. J Marion Sims: A Fresh look at the Historical Record Accessed 12 May 2019.

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2563360/>

¹⁸ Washington, Harriet A. *Medical apartheid: The dark history of medical experimentation on Black Americans from colonial times to the present*. Doubleday Books, 2006.

¹⁹ The Father of Modern Gynecology' Performed Shocking Experiments on Slaves HISTORY Accessed 12 May 2019.

<https://www.history.com/news/the-father-of-modern-gynecology-performed-shocking-experiments-on-slaves>

²⁰ Sarah Zhang "The Surgeon Who Experimented on Slaves-Fellow doctors have been some of the most prominent defenders of J. Marion Sims, the controversial "father of gynecology." The Atlantic. Accessed 12 May 2019

<https://www.theatlantic.com/health/archive/2018/04/j-marion-sims/558248/>

²¹ Washington, Harriet A. *Medical apartheid: The dark history of medical experimentation on Black Americans from colonial times to the present*. Doubleday Books, 2006.

continued throughout later periods of American history. Poor treatment of Black bodies did not end after slavery— Tuskegee Experiments and Henrietta Lacks—rather it shifted from experimentation to disparate conditions in administering health care to Black people, particularly concerning maternal health, in relation to their Non-Hispanic white counterparts.²² Black women continue to bear the brunt of treatments from the colonial period, especially as it concerns Black health in America.

Modern Health Disparities for Black People

Evidence shows that health disparities exist for Black people resulting from policy decisions, poverty, pollution, and lack of adequate health education.²³ These factors, which contribute to poor health outcomes for many groups, are ingrained in American society, but clear disparities exist across racial boundaries. Addressing these health disparities necessitates acknowledging these factors and why they exist. It has long been known that the health status of Blacks in the United States is far worse than the status of Non-Hispanic whites.²⁴ The following

section will expand on each of these disparities that exist.

Health Policy

Health policy refers to the plans, decisions, actions and conditions for service that are taken by the government, providers, established practices, to achieve specific health care goals within a society. By having researchers, legislators, decision-makers, and professionals concerned with developing, implementing, and analyzing health policy, there is a chance for policy success. American society saw new health policy implementation by the Patient Protection and Affordable Care Act (ACA) enacted in 2010. The Affordable Care Act initially saw a decrease in some racial health disparities, because it allowed for minorities who are disproportionately affected by unemployment in those regions to purchase their care independent of their employer. Under the ACA, Medicaid, a joint federal and state program that provides health coverage, was expanded to cover nearly all low-income Americans under age 65 with incomes up to 138 percent of the federal poverty level (FPL).²⁵ However, the success was not as enduring or widespread as

²² Sarah Zhang “The Surgeon Who Experimented on Slaves-Fellow doctors have been some of the most prominent defenders of J. Marion Sims, the controversial “father of gynecology.”” *The Atlantic* Accessed 12 May 2019
<https://www.theatlantic.com/health/archive/2018/04/j-marion-sims/558248/>

²³ Taylor, Erin Audrey, Katherine Grace Carman, Andrea Lopez, Ashley N. Muchow, Parisa Roshan, and Christine Eibner, *Consumer Decision making in the Health Care Marketplace*. Santa Monica, CA: RAND Corporation, 2016. Accessed 12 May 2019.

https://www.rand.org/pubs/research_reports/RR1567.html.

²⁴ Herbert W. Nickens “Heath Promotion and Disease Prevention Among Minorities” *The People-to-People Health Foundation, Inc.* Accessed 11 December 2019
<https://www.healthaffairs.org/doi/pdf/10.1377/hlthaff.9.2.133>

²⁵ *Medicaid.gov Keeping America Healthy “Eligibility”* Accessed 11 December 2019
<https://www.medicaid.gov/medicaid/eligibility/index.html>

anticipated since several states in the South or Southern U.S. refused to participate in expanding Medicaid--Alabama, Georgia, Mississippi, North Carolina, and others.²⁶ Therefore, millions of uninsured adults remain outside the reach of the ACA and have limited options for affordable health coverage.²⁷ This affects people of color, particularly Blacks, further exacerbating disparities.²⁸

Poverty

The United States federal poverty level is a measure of income that is used by the government to determine eligibility for subsidies, programs, and benefits. For a family of four that income level is less than \$25,750. The prevalence of poverty is an important public health issue, with the highest rates of poverty existing in Black communities, since poverty is both a cause

and a consequence of poor health, creating a cycle. Poverty increases the chances of poor health and poor health in turn, keeps people and communities in poverty, often a direct result of systemic inequity through racial discrimination.^{29 30} Blacks have a poverty rate of 23 percent with Non-Hispanic whites at 8.7 percent.³¹ Studies find that the farther below the poverty line an individual, family, or community falls, their risk of death and disease increases- impacting the Black population at a higher rate than the rest.³²

Environmental Pollution

Outdoor air pollution is one of the top ten causes of death in high-income nations, and those who are disproportionately affected will likely face issues relating to lung disease, heart disease, and premature death.^{33 34} The extreme effects of pollution are often found in impoverished areas and

²⁶Jeneen Interlandi “Why Doesn’t the United States have Universal Healthcare? The answer has everything to do with Race” Accessed 11 December 2019

<https://www.nytimes.com/interactive/2019/08/14/magazine/universal-health-care-racism.html>

²⁷Garfield, Rachel, Kendal Orgera, Anthony Damico “The Coverage Gap: Uninsured Poor Adults in States that Do Not Expand Medicaid” Kaiser Family Foundation Accessed 11 December 2019

<https://www.kff.org/medicaid/issue-brief/the-coverage-gap-uninsured-poor-adults-in-states-that-do-not-expand-medicaid/>

²⁸ Ibid

²⁹Office of Disease Prevention and Health Promotion “Poverty” Accessed 11 December 2019

<https://www.healthypeople.gov/2020/topics-objectives/topic/social-determinants-health/interventions-resources/poverty>

³⁰ Bread for the World “Hunger and Poverty in the African American Community” Accessed 11 December 2019

<https://www.bread.org/sites/default/files/hunger-poverty-Black-american-september-2018.pdf>

³¹Fontenot, Kayla, Jessica Semega, Melissa Kollar “Income and Poverty in the United States: 2017” The United States Census Bureau Accessed 11 December 2019

<https://census.gov/library/publications/2018/demo/p60-263.html>

³²Office of Disease Prevention and Health Promotion “Poverty” Accessed 11 December 2019

<https://www.healthypeople.gov/2020/topics-objectives/topic/social-determinants-health/interventions-resources/poverty>

³³United States Environmental Protection Agency “Air Pollution: Current and Future Challenges” Accessed 11 December 2019

<https://www.epa.gov/clean-air-act-overview/air-pollution-current-and-future-challenges>

³⁴ Mikati, Ihab, Adam F. Benson, Thomas J. Luben, Jason. Sacks, and Jennifer Richmond-Bryant, “Disparities in Distribution of Particulate Matter Emission Sources by Race and Poverty Status” American Journal of Public Health 108, 480_485, <https://doi.org/10.2105/AJPH.2017.304297>

affect people who are already vulnerable or susceptible to health disparities.³⁵ Polluting substances can originate from landfills, hazardous waste sites, polluting industries, vehicle traffic, agriculture, coal electric utilities, and residential wood combustion, to which Blacks are more exposed than Non-Hispanic whites.^{36 37}

Health Education

Community-based approaches and smaller, more focused interventions have been found to improve health behaviors concerning cardiovascular disease.³⁸ These interventions, however, focus predominantly on Non-Hispanic white, middle class, populations with advanced levels of formal education. Health interventions in Black communities have been found to be effective in reducing cardiovascular disease.³⁹ Having communities involved in improving health behaviors is integral to reducing health disparities, but often Black and other minority communities are overlooked.⁴⁰ Black women in particular face significant hardships regarding their maternal health

status, a severely under-developed area of intervention.

Maternal Mortality Rates in Black American Women

Maternal Health: Maternal health refers to the health of women during pregnancy, childbirth, and the post-partum period. It encompasses the health care dimensions of family planning, preconception, prenatal, and postnatal care in order to ensure a worthwhile and enjoyable life experience. This experience is often a meaningful and gratifying, but for too many women it is associated with suffering, ill health, and death.⁴¹

Maternal Mortality: Maternal mortality refers to the death of a woman while pregnant or within 1 year following the end of a pregnancy- regardless of the outcome, duration, or site of the pregnancy. Mortality considers any cause related to or aggravated

³⁵ Clark LP, Millet DB, Marshall JD (2014) National Patterns in Environmental Injustice and Inequality: Outdoor NO₂ Air Pollution in the United States. PLoS ONE 9(4): e94431. <https://doi.org/10.1371/journal.pone.0094431>

³⁶ Ibid

³⁷ Christopher W. Tessum, Joshua S. Apte, Andrew L. Goodkind, Nicholas Z. Muller, Kimberley A. Mullins, David A. Paoletta, Stephen Polasky, Nathaniel P. Springer, Sumil K. Thakrar, Julian D. Marshall, Jason D. Hill Proceedings of the National Academy of Sciences Mar 2019, 116 (13) 6001-6006; <https://doi.org/10.1073/pnas.1818859116>

³⁸ Centers for Disease Control and Prevention “Know Your Risk for Heart Disease” Accessed 11 December 2019 <https://www.cdc.gov/heartdisease/index.htm>

³⁹ Marcus Plescia, MD, MPH et al. “Improving Health Behaviors in an African American Community: The Charlotte Racial and Ethnic Approaches to Community Health Project” Accessed 12 May 2019 <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2509594/>.

⁴⁰ Ibid

⁴¹ World Health Organization “Maternal Health” Accessed December 11, 2019 https://www.who.int/health-topics/maternal-health#tab=tab_1

by the pregnancy or its management (this excludes accidental or incidental causes)⁴²

Maternal Mortality Ratio: Number of maternal deaths per 100,000 live births.⁴³

Maternal Mortality Rate (MMR): The ratio of maternal deaths to the women-years of exposure for women aged 15–49 years.⁴⁴

A Matter of Life and Death: Disparities and Maternal Health

Black women hold a unique place in American society. They are marginalized, stigmatized, and stereotyped as a result of the racism practiced against them.⁴⁵ For Black women, a combination of historically rooted prejudices, preconceived notions, and health system failures present unique obstacles to obtaining quality care. Instances of racial discrimination therefore contribute to higher rates of poor health outcomes and maternal mortality.

Maternal Health encompasses the health care dimensions of family planning,

preconception, prenatal, and postnatal care. However, for many Black women, maternal health care is associated with suffering and, in some cases, death. Black women die at rates that are three to four times the rate of their Non-Hispanic white counterparts.⁴⁶ According to the Center for Disease Control and Prevention, there are considerable racial disparities in pregnancy-related mortality rates. Per 100,000 live births there are 12.4 deaths for Non-Hispanic whites, 17.8 deaths for women of other races, and for Black women 40.0 deaths—more than double the deaths of Non-Hispanic white women and women of other races.

These statistics have largely remained unchanged for decades.⁴⁷ For Black women there is a persistent and unavoidable atmosphere of societal and systemic racism such as that which manifests when doctors resist legitimate concerns due to their own racial biases. This can create toxic physiological stress that can result in conditions such as preeclampsia and hypertension that lead directly to higher

⁴² World Health Organization “Health Statistics and Information Systems - Maternal Mortality Ratio” Accessed 11 December 2019 <https://www.who.int/healthinfo/statistics/indmaternalmortality/en/>

⁴³ World Health Organization, UNICEF, United Nations Population Fund and The World Bank, *Trends in Maternal Mortality: 1990 to 2015, 2000 to 2017*, WHO, Geneva, 2015-2019.” Accessed December 11, 2019 <https://data.unicef.org/topic/maternal-health/maternal-mortality/>

⁴⁴ Demographic and Health Surveys “Chapter 12- Maternal Mortality” Accessed 11 December 2019 <https://dhsprogram.com/pubs/pdf/FR183/12Chapter12.pdf>

⁴⁵ Abbyad, Christine and Trina Reed Robertson “African American Women’s Preparation for

Childbirth from the Perspective of African American Health-Care Providers” *The Journal of Perinatal Education* Accessed 11 December 2019 <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3209742/>

⁴⁶Center for Disease Control and Prevention “Pregnancy Mortality Surveillance System” Reproductive Health Accessed 12 May 2019 https://www.cdc.gov/reproductivehealth/maternalinfanthealth/pregnancy-mortality-surveillance-system.htm?CDC_AA_refVal=https%3A%2F%2Fwww.cdc.gov%2Freproductivehealth%2Fmaternalinfanthealth%2Fpmss.html

⁴⁷ Maternal Health Task Force at the Harvard Chan School “Maternal Health in the United States” Accessed 12 May 2019 <https://www.mhtf.org/topics/maternal-health-in-the-united-states/>

rates of infant and maternal deaths.⁴⁸ Pregnancy conditions that are associated with non-communicable diseases, mental conditions, endocrine or metabolic conditions or cardiovascular system can be managed and prevented if addressed or acknowledged by health professionals.^{49 50} Yet, the longstanding racial bias in health care toward Black women has led to a lack of adequate maternity care, and often includes the dismissal of legitimate concerns and symptoms when care is given.⁵¹ These factors together can help explain some of the depressing health outcomes, but another factor is access to prenatal care. Women who receive little to no prenatal care are three to four times more likely to have a pregnancy-related death than those who do.⁵² Among Black women, approximately 32 percent do not receive the recommended number of prenatal visits.⁵³

Infant Mortality and Contributing Factors

Black infants have 2.2 times the mortality rates of Non-Hispanic white infants and they are 3.2 times as likely to die from complications related to low birth weight.⁵⁴ One of the contributing factors of infant mortality is linked to prenatal care (PNC), crucial for healthy pregnancies and healthy children. Prenatal care presents an opportunity to detect, monitor and address risky health conditions and behaviors among expectant mothers that can impact birth outcomes, and has been viewed as a strategy to improve pregnancy outcomes for more than a century.^{55 56} Women without prenatal care are seven times more likely to give birth to premature babies, and five times more likely to have infants who die.⁵⁷ By incentivizing prevention, health care policy and providers may be able to decrease the disparity in prenatal care received by Black

⁴⁸ Linda Villarosa, “Why America’s Black Mothers and Babies Are in a Life-or-Death Crisis” *The New York Times* Accessed 12 May 2019
<https://www.nytimes.com/2018/04/11/magazine/black-mothers-babies-death-maternal-mortality.html>

⁴⁹ Ibid

⁵⁰ Julia Hussein, “Non-communicable diseases during pregnancy in low and middle income Countries” *Obstetric Medicine The Royal Society of Medicine Journals* Accessed 12 May 2019
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5405943/>

⁵¹ P.R.Lockhart “What Serena Williams’s Scary Childbirth Story says about Medical Treatment of Black Women” *Vox* Accessed December 11, 2019
<https://www.vox.com/identities/2018/1/11/16879984/serena-williams-childbirth-scare-black-women>

⁵² Maternal Health Task Force at the Harvard Chan School “Maternal Health in the United States” Accessed 11 December 2019
<https://www.mhtf.org/topics/maternal-health-in-the-united-states/>

⁵³ Ibid

⁵⁴ United States Department of Health and Human Services Office of Minority Health “Infant Mortality and African Americans” Accessed 11 December 2019

<https://minorityhealth.hhs.gov/omh/browse.aspx?lvl=4&lvlid=23>

⁵⁵ Osterman, Michelle J.K, Joyce A. Martin “Timing and Adequacy of Prenatal Care in the United States, 2016” *National Vital Statistics Reports* Accessed 11 December 2019

https://www.cdc.gov/nchs/data/nvsr/nvsr67/nvsr67_03.pdf

⁵⁶ Tiffany L. Green “Unpacking Racial/Ethnic Disparities in Prenatal Care Use: The Role of Individual-Household, and Area-Level Characteristics” *Journal of Women’s Health*. Accessed 11 December 2019
<https://doi.org/10.1089/jwh.2017.6807>

⁵⁷ Linda Villarosa “Why America’s Black Mothers and Babies Are in a Life-or-Death Crisis” *The New York Times Magazine* Accessed 11 December 2019
<https://www.nytimes.com/2018/04/11/magazine/black-mothers-babies-death-maternal-mortality.html>

women, effectively saving the lives of Black infants.⁵⁸

Deadly Delivery

From 2000 to 2014, reports of maternal deaths in the United States doubled. This is, in part, due to a pregnancy question being added to the US standard death certificate in 2003 to improve the ascertainment of maternal deaths.⁵⁹ The delayed adoption of this question among states led to data incompatibilities and impeded accurate data analysis. Following this change, the estimated rates of maternal mortality increased from 18.8 in 2000 to 23.8 in 2014. The new data suggests that the rates of maternal deaths in the 2000s may have been even higher than previously reported. According to these statistics, the United States was one of the only countries in the developed world that did not meet the United Nations Millennium Development Goals, which called for a 75 percent reduction in maternal mortality. One state in particular, California, has made efforts to reduce the incidence of maternal deaths in the United States.

Case Study: To Minimize Black Maternal Mortality Rates, Look at the California Maternal Quality Care Collaborative

In response to rising maternal mortality rates, the California Department of Public Health: Maternal, Child and Adolescent Health Division launched the California Pregnancy-Associated Mortality Review (CA-PAMR) project to identify rising pregnancy-related deaths, causation and contributing factors, and make recommendations for quality improvements to maternal care.⁶⁰ Due to the new policies informed by this review, California has seen an overall decline in general maternal mortality, especially as it compares to the national rates. In contrast, however, Black women still surpass the rest of the state's maternal mortality rate.⁶¹ Therefore, initiatives have been implemented by the California Birth Equity Collaborative.

The California Birth Equity Collaborative is an initiative meant to improve birth care, hospital experiences, and maternal outcomes for, by, and with Black mothers and birthing people in California. This is in conjunction with the California Maternal Quality Care Collaborative, community-based organizations, hospitals and state/local advisory groups.⁶² CMQCC's Birth Equity

⁵⁸ Ibid

⁵⁹ MacDorman, Marian F, Eugene Declercq, Howard Cabral, Christine Morton "Recent Increases in the U.S. Maternal Mortality Rate: Disentangling Trends From Measurement Issues." *Obstetrics and gynecology* vol. 128,3 (2016): 447-55. doi:10.1097/AOG.0000000000001556 <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5001799/>

⁶⁰ California Maternal Quality Care Collaborative "CA-PAMR (Maternal Mortality Review) Accessed 12 May 2019 <https://www.cmqcc.org/research/ca-pamr-maternal-mortality-review>.

⁶¹ Ibid

⁶² California Maternal Quality Care Collaborative "CA-PAMR California Birth Equity Collaborative Improving Care, Experiences and Outcomes for Black Mothers" Accessed 12 May 2019 <https://www.cmqcc.org/qi-initiatives/birth-equity>

Collaborative presents an opportunity to develop Quality Improvement Initiatives such as the development of evidence-based toolkits for the leading causes of preventable death and complications for mothers and infants, like preeclampsia, and to engage hospitals through quality improvement collaboratives to help them implement the evidence-based care. This will allow hospitals to promptly evaluate and transform birth care experiences, and outcomes through the integration of clinical and sociocultural interventions and community-hospital partnerships.⁶³ These initiatives in California also employs a racial lens which offers the potential to change the course of maternal mortality in the state by addressing the specific needs of the community they serve, and should provide an example for the federal government and other states to reduce maternal mortality rates.

Federal Policies Concerning Maternal Health

The Preventing Maternal Deaths Act, which became Public Law No:115-344 on December 21, 2018: Proposed by Representative Jaime Herrera Beutler (R-WA), directs the Department of Health and Human Services (HHS) to establish a program under which HHS may make grants to states for the purpose of:

- (1) Reviewing pregnancy-related and pregnancy-associated deaths (maternal deaths)
- (2) Establishing and sustaining a Maternal Mortality Review Committee to review relevant information
- (3) Ensuring that the state department of health develops a plan for ongoing health care provider education in order to improve the quality of maternal care, disseminate findings, and implement recommendations
- (4) Disseminating a case abstraction form to aid information collection for HHS review and preserve its uniformity
- (5) Providing for the public disclosure of information included in state reports

Section 2 of the bill amends the Public Health Service Act to direct HHS to take specified steps to eliminate disparities in maternal health outcomes. The CDC is required to support state and tribal maternal mortality review committees. Such committees must collect, analyze, and report specified data relating to pregnancy-associated deaths and pregnancy-related deaths.⁶⁴

This bill, in effect, should allow for states to start to eliminate disparities in maternal healthcare through research and gathering information. It directs the Department of Health and Human Services to provide

⁶³ Ibid

⁶⁴United States Congress “H.R.1318- Preventing Maternal Deaths Act of 2018” Accessed 11

December 2019 <https://www.congress.gov/bill/115th-congress/house-bill/1318/text>

grants and resources to combat this issue as it concerns all women in America. While this is seemingly an overarching bill, it is just a first step and not a solution or remedy for the issues that plague the most vulnerable of mothers. Consider that “establishing and sustaining a Maternal Mortality Review Committee (MMRCs) to review relevant information” does not guide consistency or the utility of the data that will be collected by the committees. Every state with a MMRC has their own methods of defining and capturing data and determining how to report information. Across the 50 states, not all gather data on race, ethnicity, income, and health insurance status, meaning that some information has the potential to be over or underrepresented. With no national standard for data collection, there is no consistent system to ensure accountability on the part of states for maternal mortality rates, much less the way certain communities may be disproportionately impacted by the issue.⁶⁵

The Maternal Care Access and Reducing Emergencies Act or the Maternal CARE Act was introduced to the Senate on August 22nd, 2018 by Senator Kamala Harris (D-CA). This bill requires the Department of Health and Human Services to award grants to health professional training programs for training that addresses implicit bias (e.g., racial bias) in the practice of obstetrics and gynecology. The Centers for Medicare &

Medicaid Services and the Health Resources and Services Administration must award grants to up to 10 states for pregnancy medical home programs that reduce adverse maternal health outcomes and racial disparities. Among other requirements, such programs must prioritize the care of Medicaid enrollees. The National Academy of Medicine must make recommendations for incorporating bias recognition in clinical skills tests at medical schools.⁶⁶

This proposed bill was read twice and then referred to the Committee on Finance, as of August 2018.

The Maximizing Outcomes for Moms through Medicaid Improvement and Enhancement of Services Act, or the “MOMMIES Act” was introduced to the Senate on May 7, 2019 by Senator Cory Booker (D-NJ). Its counterpart, the Healthy MOMMIES Act was introduced to the House on May 8, 2019 by Representative Ayana Pressley (D-MA). These legislation efforts differ from the Preventing Maternal Deaths Act law because this legislation includes a specific focus on race. The MOMMIES Act includes six Medicaid-related strategies to maximize maternal and infant health outcomes: enhance CHIP and Medicaid coverage, establish and evaluate maternity care home models, increase Medicaid coverage of doula care, expand Medicaid coverage to a full range of

⁶⁵ Gliklich RE, Dreyer NA, Leavy MB, editors. Registries for Evaluating Patient Outcomes: A User's Guide [Internet]. 3rd edition. Rockville (MD): Agency for Healthcare Research and Quality (US); 2014 Apr. 11, <https://www.ncbi.nlm.nih.gov/books/NBK208601/>

⁶⁶United States Congress “S.3363 – Maternal CARE Act” Accessed 11 December 2019 <https://www.congress.gov/bill/115th-congress/senate-bill/3363>

services rather than having coverage that can be limited to pregnancy-related services, and increase Medicaid minimum reimbursement rates for maternal and obstetric services using established Medicare rates as benchmarks.

This proposed bill was read twice and then referred to the Committee on Finance, as of May 2019.

Discussion: Implications of Recent Maternal Healthcare Legislation for Black Women

The Preventing Maternal Deaths Act

If we are to consider the implications of Preventing Maternal Deaths Act for social justice, then the funding opportunities to support the implementation of the bill should align with the intent of the legislation. A national standard should be set to accurately ensure the safety of mothers. The lack of adequate and national measures continues to force civil society advocates to address the unjust differences in preventable maternal mortality in the United States. This is an issue that affects everyone, and one that legislation should address. The legislation deserves razor sharp focus as it is implemented to justly make a difference with maternal mortality rates.

The lack-of focus on racial equity in this bill also ensures that it does not acknowledge any disparities facing Black women's maternal health. This bill applies no racial justice lens to address this crisis. Policy solutions that are created to address maternal and infant mortality crisis must be grounded in a social justice framework that is intentionally designed to address these imbalances. This bill is seemingly a band-aid to cover a gaping wound in our policies and failings of our healthcare system. By not considering the most vulnerable of populations and directing funds to target the most pressing issues, this legislation it barely accomplishes anything meaningful at all.

Maternal Care Access and Reducing Emergencies Act or the Maternal CARE Act

The Maternal CARE Act proposed by Senator Harris directs grants to hospitals, schools, and practices that sought to address issues relating to racial bias in obstetrics and gynecology care, since disparities in maternal and infant mortality are rooted in racism. Embedded structural racism in the healthcare and social service system assures that Black women receive poorer quality of care than Non-Hispanic white women.⁶⁷ Senator Harris described it saying, “Black mothers across the country are facing a health crisis that is driven in part by implicit bias in our healthcare system. We must take action to address this issue, and

⁶⁷ Taylor, Jamila, Cristina Novoa, Katie Hamm, Shilpa Phadke “Eliminating Racial Disparities in Maternal and Infant Mortality” Center for American Progress Accessed 11 December 2019

<https://www.americanprogress.org/issues/women/reports/2019/05/02/469186/eliminating-racial-disparities-maternal-infant-mortality/>

we must do it with the sense of urgency it deserves. My Maternal CARE Act will establish implicit bias training throughout the medical profession and help ensure that women—especially Black women—have access to comprehensive, culturally competent care.”⁶⁸

This act sought to create change by addressing issues of racial justice and equity, yet it remains in committees without action. This bill would have focused on addressing the actual disparities in maternal health instead of serving as another surface-level initiative like Preventing Maternal Deaths Act which does not include specific provisions for addressing maternal health disparities along lines of race or poverty.

Maximizing Outcomes for Moms through Medicaid Improvement and Enhancement of Services Act, or the “MOMMIES Act”

The MOMMIES Act proposed by Senator Booker and Representative Pressley, similar to the Maternal CARE Act, was put forth to highlight the disproportionate impact of maternal mortality on Black women.⁶⁹ Representative Pressley was quoted saying “The lived experiences of Black women demonstrate how racism and trauma directly impacts the health and wellbeing of marginalized communities for generations.”⁷⁰ The price on maternal death

goes far beyond race, but when one race bears most of the cost, efforts need to be made to change health outcomes. Currently, there have been no significant actions taken to address these bills. Since present conditions remain the status quo, far reaching efforts to address maternal health concerns of women of color, Black women, will yet again be left to civil society advocates.

Conclusion

Black women’s maternal health in America is in a crisis rooted in historical circumstances and flourishing in current conditions. From the legacy of slavery’s explicit dehumanization of Black people and colonial medical practices’ exploitation of Black bodies, systemically embedded racism has insidiously infiltrated medical discourse. Yet, the social justice lens required to begin repairing the harm it has done remains conspicuously absent from federal legislation designed to improve maternal health. As long as such provisions are omitted, prevented from passing into law, or measures to ensure their success excluded, the only accomplishment of any maternal health legislation will be to reproduce an environment of inequity. The factors contributing to particularly grim maternal mortality rates for Black women explored

⁶⁸ Kamala D. Harris U.S. Senator for California “Harris Reintroduces Legislation Addressing Black Maternal Mortality Crisis” Accessed 11 December 2019 <https://www.harris.senate.gov/news/press-releases/harris-reintroduces-legislation-addressing-black-maternal-mortality-crisis>

⁶⁹ United States Congress “S.1343 – MOMMIES Act” Accessed 11 December 2019

<https://www.congress.gov/bill/116th-congress/senate-bill/1343/text>

⁷⁰ Cory Booker U.S. Senator for New Jersey “Ahead of Mother’s Day, Booker, Pressley, Colleagues Introduce Bill to Improve Maternal Health Outcomes” Accessed 11 December 2019 https://www.booker.senate.gov/?p=press_release&id=921

above of healthcare policy, poverty, pollution, and health education must be addressed in connection with maternal health, and specifically the needs of Black mothers. Subsequent federal legislation ought to follow the example set by the California Birth Equity Collective of the California Maternal Quality Care Collaborative in order to avoid the shortcomings considered above regarding recent attempts by lawmakers to improve maternal health. Without express allowances for the specific needs of a portion of the population heretofore disregarded, Black women's vulnerability to disparate conditions, outcomes, and standards of care

endures. While there may be those reluctant to acknowledge the dire state of Black women's maternal health, the urgency of the matter cannot be overstated. Given the frighteningly disproportionate rates at which Black mothers die in prepartum and postpartum periods, it is imperative that future initiatives explicitly account for their needs with distinct, actionable strategies. In the words of Sudanese American author Kola Boof, "*The Black woman is the most unprotected, unloved woman on earth... She is the only flower on earth ... that grows unwatered.*"⁷¹ The time has come, however, to right these wrongs; to water that flower.

⁷¹ John Turner, "The Criminalization of Black Girlhood" The Ithacan Accessed 11 December 2019 <https://www.grantmakersforgirlsofcolor.org/resource-s-item/the-criminalization-of-black-girlhood/>

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