

# PI SIGMA ALPHA

UNDERGRADUATE JOURNAL OF POLITICS

ΠΣΑ



ELON UNIVERSITY | FALL 2024 | VOL. XXIV NO. 2

*The Pi Sigma Alpha Undergraduate Journal of Politics* (ISSN 1556-2034) is published biannually by the Sigma Upsilon Chapter of Pi Sigma Alpha, Elon University, Department of Political Science, 100 Campus Drive, Gray Pavilion, 2333 Campus Box, Elon, NC 27244. The Journal is funded by Pi Sigma Alpha, the National Political Science Honor Society, 1527 New Hampshire Avenue, NW, Washington, DC 20036, <http://www.pisigmaalpha.org/>

*The Pi Sigma Alpha Undergraduate Journal of Politics* was founded in the Spring of 2001 by the Delta Omega Chapter of Pi Sigma Alpha at Purdue University, under the name *The American Undergraduate Journal of Politics and Government*. With the sponsorship of Pi Sigma Alpha, the National Political Science Honor Society, the name of the publication was changed to *The Pi Sigma Alpha Undergraduate Journal of Politics* as of the Fall 2004 edition.

Electronic editions of the Journal are available online at <https://pisigmaalpha.org/past-journal-issues/>. For further information, please contact Dr. Baris Kesgin at Elon University ([bkesgin@elon.edu](mailto:bkesgin@elon.edu)).

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# The Pi Sigma Alpha Undergraduate Journal of Politics

Fall 2024

**Volume XXIV**

**Number 2**

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# Editor's Preface to the Fall Edition

Here at Elon University, we are extremely grateful to host *The Pi Sigma Alpha Undergraduate Journal of Politics*. We are proud to present the Fall 2024 issue and congratulate all authors published in this issue for their high achievement.

This publication seeks to highlight the intellectual curiosity that leads to innovative scholarship in all subfields of political science, scholarship that addresses timely questions, is carefully crafted, and utilizes diverse methodologies. We are committed to intellectual integrity, a fair and objective review process, and a high standard of scholarship as we showcase the work of undergraduate scholars, most of whom pursue questions that have been traditionally ignored in scholarship but that drive our discipline forward.

Following the lead of the American Political Science Review (APSR) Editorial Board, we are excited to publish research in the areas of “American politics, comparative politics, international relations, political theory, public law and policy, racial and ethnic politics, the politics of gender and sexuality and qualitative and quantitative research methods.” This publication also values the relationships formed through student-faculty collaboration and aims to build a culture of scholarship that expands beyond the college campus. We hope to encourage and empower students to seek out knowledge and pursue their potential, contributing to scholarship in a variety of disciplines.

This year, we thank our advisors Dr. Baris Kesgin and Dr. Aaron Sparks for their support, without which the issue would not have been possible. We would also like to thank the entirety of the Political Science and Policy Studies Department at Elon University; our Faculty Advisory Board; and all the students who shared their exceptional work with us this semester.

We are excited to present the Fall 2024 edition of the *Journal*. Thank you for your continued support and readership of our publication; we hope you enjoy the edition.

Sincerely,

The Editorial Board at Elon University

# Submission of Manuscripts

The *Journal* accepts manuscripts from undergraduates of any class and major. Members of Pi Sigma Alpha are especially encouraged to submit their work. We strive to publish papers of the highest quality in all areas of political science.

Generally, selected manuscripts have been well-written works with a fully developed thesis and strong argumentation stemming from original analysis. Authors may be asked to revise their work before being accepted for publication.

Submission deadlines are September 15th for the Fall edition and February 15th for the Spring edition. Manuscripts are accepted on a rolling basis; therefore, early submissions are strongly encouraged.

Students may submit their work through Elon University's submission portal, found here: <https://www.elon.edu/u/academics/arts-and-sciences/political-science/psa-journal/>. Alternatively, students may email [psajournalelon@gmail.com](mailto:psajournalelon@gmail.com) with an attached Word document of the manuscript. In the body of the email, students are asked to include their name and university, the title of the manuscript, and the closest subfield of political science to which their manuscript pertains (American politics, comparative politics, international relations, political theory, or policy studies). Due to the time committed to the manuscript review process, we ask students to submit only one manuscript per submission cycle.

Submitted manuscripts must include a short abstract (approximately 150 words) and citations/references that follow the APSA Style Manual for Political Science. Please do not exceed the maximum page length of 35 double-spaced pages, which includes references, tables, figures, and appendices.

The *Journal* is a student-run enterprise with editors and an Editorial Board that are undergraduate students and Pi Sigma Alpha members at Elon University. The Editorial Board relies heavily on the help of our Faculty Advisory Board, which consists of political science faculty from across the nation, including members of the Pi Sigma Alpha Executive Council.

Please direct any questions about submissions or the *Journal's* upcoming editions to the editors at Elon University: [psajournalelon@gmail.com](mailto:psajournalelon@gmail.com).

# Contents

How Limits on Individual Contributions Impact the Competitiveness of State Legislative Elections ..... 7  
*Ishaan Thakker, Yale University*

The Effect of Economic Sanctions on Trade Cooperation between U.S. Sanctions Targets ..... 15  
*Charlotte Thomson, St. Olaf College*

From Coast to Coast and Back Again: Understanding the Lives of Moroccan and Tunisian Returnees..... 25  
*Joseph Zimbler, Gettysburg College*

Movement and Sovereignty: The Separation Wall and the Denial of Palestinian Statehood..... 37  
*Ryan Cudworth, Union College*

# How Limits on Individual Contributions Impact the Competitiveness of State Legislative Elections

Ishaan Thakker, Yale University

*Legislative elections have become progressively less competitive since the turn of the 21st century. Among the many reasons for this shift, campaign finance regulations emerge as a key candidate to explain the electoral advantage of incumbents and resulting reduction in electoral competition. In the wake of the deregulation of federal campaign finance, state campaign finance restrictions present a unique opportunity to study the relationship between campaign finance reforms and the performance of incumbents. In this essay, I utilize Carl Klarner's State Legislative Election Returns dataset (containing data from over 22,000 state legislative races over 25 years) to examine the relationship between state limits on individual campaign contributions and the margin of victory in elections. I use a two-way fixed effects model including state, district, and time fixed effects along with other controls to find that, on average, an increase in individual contribution limits increases margin of victory and therefore decreases electoral competitiveness.*

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## INTRODUCTION

The 21st century has seen significant deregulation in campaign finance law. In the wake of the Bipartisan Campaign Reform Act (BCRA) of 2002, the Citizens United, Speech NOW, and Wisconsin Right to Life decisions all increased the presence of money in national politics, with year-on-year increases in election spending (Buchholz and Richter 2020). In a similar vein, money has flown into state elections at an escalating rate. Contributions to state legislative and gubernatorial candidates in the 2020 cycle reached nearly \$1.9 billion (OpenSecrets 2020), an increase of ~19% from \$1.6 billion in 2016. Moreover, several recent gubernatorial candidates raised record amounts in 2021. Glenn Youngkin and Terry McAuliffe raised \$65 million and \$54 million respectively in Virginia, while New Jersey candidates Phil Murphy and Jack Ciattarelli raised around \$23 million each. Contribution records were also broken in Georgia, Wisconsin, and Michigan.

Among the various methods of financing state elections, prior research has shown that individual and PAC contributions far outweigh those of party organizations and unions (Barber 2015). Prior work also suggests that state campaign finance regulations have concrete influences on political behavior and elections (Witko 2005). Thus, it seems necessary to study the influence of individual contributions on state elections. Moreover, state elections offer a unique opportunity to examine variation in campaign finance regulation, as state restrictions on individual contributions naturally vary more than federal limits, which have largely remained the same apart from being indexed for inflation after the BCRA in 2002.

Recent state elections have seen steady declines in overall competitiveness since the mid 2000's (Ballotpedia 2016). Incumbents are more likely to not face a primary or major party opposition now than ever before. Research suggests several diverse reasons for this trend, and campaign finance reforms are central to explanations for the incumbency advantage. Given the importance of individual contributions to campaigns, I decided to empirically explore the idea that campaign finance reforms, measured as individual contribution limits, have an impact on the competitiveness of elections. A prominent example of the measure of election outcomes and electoral competitiveness is the margin of victory, defined as the difference in share of votes cast for the winning candidate and the second-place candidate (Ballotpedia 2017). Not only is the margin of victory an indicator for the competitiveness of a district, analysis of the margin of victory for larger races (e.g. Senate) often determines the potential competitiveness of a state. The margin of victory for certain races also has broader reaching implications, such as measuring party or candidate strength or the popularity of a policy/policy platform. A better understanding of this relationship can transform how we view electoral competition and fundraising and can guide policymakers' legislative decisions.

In this paper, I investigate the effect of state restrictions on individual campaign contributions on the electoral margin of victory. My study employs a 2-way fixed effects model to investigate changing state contribution limits and considers 22,720 state house races across 44 states from 1990 to 2016. This approach is distinct from previous studies as it uses a continuous measure of contribution limits and margin of

victory and considers state, time, and implicit district fixed effects together. Along with the fixed effects, I also include other control variables such as incumbency party, redistricting, tenure and incumbent victory. My findings demonstrate that higher contribution limits overall make state legislative races less competitive by increasing the margin of victory by a measure of 0.05% for every \$1000 increase in the individual contribution limit.

## LITERATURE REVIEW

The recent trend of decreasing competitiveness is a worrisome one. In a democracy, elected representatives need to represent the interests of their constituents, and such representatives going unchallenged should only occur when they are sufficiently advocating for their constituents. However, we have seen that this is not always the case. Elected officials at all levels are influenced by interest groups and donors, supporting legislation averse to the people's interests, and yet retaining power. Given the role campaign finance reforms play in the strength of a campaign and the electoral outcome, studying this relationship would broaden our understanding of our elections and political system.

The existing literature on the relationship between campaign finance reforms and electoral outcomes presents conflicting findings. While some scholars argue that contribution limits promote competitiveness, others posit that they reduce it, and some argue that they don't impact elections at all. Stratmann and Aparicio-Castillo (2006), examining state legislative assemblies, find that contribution limits narrowed victory margins, leading to closer elections for incumbents. Similarly, Hamm and Hogan (2008) observe that low contribution limits encouraged challenger emergence in general elections. Primo and Milyo (2006), studying gubernatorial races, also conclude that limits on individual contributions significantly lowered winning candidates' electoral margins.

Conversely, some authors suggest that campaign finance regulations can hinder competitiveness. Lott (2006), using state senate data, finds that regulations reduced competitiveness, leading to increased win margins and a higher probability of single-candidate or incumbent-won elections. More recently, Butcher and Milyo (2020) examine the impact of state campaign finance reforms on the electoral success of incumbents and find that while campaign contribution limits have little impact on incumbent reelection, full public financing and limits on corporate independent expenditures increase the chance of incumbent reelection.

While the exact reasoning behind why similar studies find starkly different results is yet to be understood, there are several methodological differences between them that may play a factor. While the Stratmann and Lott study both control for state and district fixed effects, they do not consider partisan tides across election years. Moreover, Lott considers the effect of redistricting while Stratmann does not, and both studies

utilize data prior to the Citizens United and SpeechNOW decisions that drastically altered the nature of funds available to candidates.

## THEORETICAL FRAMEWORK AND CONTEXT

Existing frameworks present different conclusions on how state campaign finance reforms like contribution limits impact electoral competition. One theory argues that campaign finance regulations reduce the competitiveness of elections by bolstering the inherent advantage of incumbents in fundraising, campaigning, and communicating. This advantage is well noted in literature, specifically the substantial fundraising advantage that often deters competition, (Ashworth 2006), and improves the chances of incumbent reelection (Klingensmith 2019). Incumbents also seem to benefit from media exposure and 'pork-barrel spending' abilities (Purwaningsih and Widodo 2020). Thus, the theory indicates regulations that reduce the spending ability of challengers and incumbents ultimately benefit incumbents due to their incumbency advantage in various aspects of policymaking and campaigning, leading to reduced competition.

Conversely, other theories contend that limits increase competitiveness by limiting the spending of incumbents and increasing challenger viability. Prior research finds that lower contribution limits increase the possibility of challenger emergence in general elections (Hamm and Hogan 2007), and that equalizing spending levels could increase incumbent defeat rates and improve the chances of challengers (Gerber 1998). The strongest theories supporting increased contribution limits, however, maintain that contribution limits harm incumbents more than they benefit challengers, therefore leading to closer elections. Specifically, limits reduce incumbents' fundraising abilities and impair their capacity to maintain reputation/name recognition (Stratmann and Aparicio-Castillo 2006). This is supported by the fact that lower limits reduce the contribution gap between incumbents and challengers not due to higher donations to challengers but rather lower donations to incumbents (Stratmann). Lower limits also reduce incumbent's inherent advantage by reducing their ability to maintain or increase their name recognition, a factor that hinges on past and current fundraising and differentiates incumbents from challengers.

This essay contends that an increase in contribution limits increases the competitiveness of elections. This is presumed to be the result of contribution limits reducing the competitive advantage of incumbents, therefore allowing challengers to be more viable candidates leading to closer elections. The analysis, therefore, uses a continuous measure of state limits and margin of victory and hypothesizes that an increase in individual contribution limits (i.e., a larger maximum amount) reduces the competitiveness of elections, and thus increases the margin of victory.



This study is significant as it investigates the impact of contribution limits using a continuous measure of state campaign finance restrictions, an approach that has been lacking in recent literature. Among other methodological changes relative to the literature, it also measures the change in margin of victory, instead of just a binary variable noting the incidence of close elections. Thus, the method enables a more precise and theoretically grounded analysis of the relationship between competitiveness and reform.

The relevance of this study is further underscored by recent shifts in donation patterns across races. Spending on elections has seen large increases in the 21st century, going from \$3 billion spent on congressional races in 2000 to \$10.3 billion in 2024 (OpenSecrets 2022). Notably, individual donors have emerged as large sources of funds for candidates across the political spectrum, with large and small individual contributions ( $>/< \$200$ ) consistently making up over 65% of funding for congressional races 2018 onwards (OpenSecrets 2018). Given that state level campaign finance reforms (specifically contribution limits) are more frequent and impactful to races than those at the federal level, they provide a unique opportunity to study how changes to the quantity of a large funding source impact electoral outcomes.

## DATA AND METHODOLOGY

### Data and Variables

As a reminder, this essay investigates the relationship between state limits on individual contributions to campaigns and the margin of victory for state legislative elections. I measure limits on individual contributions per \$1000, so a limit of ‘25’ represents \$25,000. The margin of victory is the difference in share of votes cast for winning vs second place candidate and is measured in percentage points. These variables of focus were obtained from the most recent and public version of the state election returns dataset by Klarner (2018) and data on state campaign finance laws from Barber (2015), respectively. The dataset by Klarner contains state legislative general election returns from 1967 to 2016 for all 50 states. I reduce the period to match my campaign finance data (1990 to 2016) and eliminate contests with multiple incumbents running for the same seat or those races with no major party incumbent.

I also select house races only (in line with my campaign finance data) and further restrict my data to only include general elections of 2 candidates (no 3-way races or unopposed candidates) with an incumbent. This restricts states to 44 out of 50. I generate the result for my dependent variable, margin of victory, using the provided Democratic and Republican vote shares. The mean is 27.27 % and the median is 25%. Literature considers competitive races to be “those with an MOV of less than 10%”, and less competitive districts to be those with an MOV between 10% and 15%. Per the results of state legislative elections in November 2022, the average MOV across 6278 seats was 27.7% (Ballotpedia 2022). Considering

these facts, I exclude all races from the dataset with a margin of victory above the 70%. This is done to streamline the data and reduce the effect of heavily uncompetitive races on the regression coefficient. I also generate a unique race id that groups state and other variables that uniquely identify a district and, and other indicator variables for term limits and tenure. After cleaning, the dataset contains 22,720 *unique observations*, or races.

For limits on contributions, I utilize data from Barber (2015) and extend it to match the last year of the state elections (2016). Additional data on state campaign finance laws from 2012-2016 was compiled using information from the National Council of State Legislatures (2023; hereafter NCSL). Given the disparity between states in limits applying to year, election, or election cycle, I equalized each limit to represent that over a two-year period, standard for legislative election cycles. For example, a \$400 limit on contributions per year or election was multiplied by 2 while a \$400 limit per election cycle stayed the same. I also adjusted recent limits to account for inflation by displaying the limit in 2010 dollars.

Table 1: 2016 Contribution limits across states, adjusted for election cycle and inflation

State	Contribution Limit in 2016 (2010 \$)
Alaska, Florida, Kansas, Massachusetts, Michigan, Minnesota	908
Arkansas, Illinois, Oklahoma	4906
Arizona	9085
California	7632
Colorado	363
Connecticut, Wisconsin	454
Delaware	545
Georgia	5723
Hawaii, Idaho, Kentucky, New Hampshire, Rhode Island, South Carolina, Vermont, West Virginia	1817
Louisiana, New Mexico	4542
Maryland, Tennessee, Wyoming	2725
Maine	681
Montana	299
North Carolina, Nevada	9085
New Jersey	4724
New York	7450
Ohio	22771
Washington	1726
Alabama, Iowa, Indiana, Missouri, Mississippi, North Dakota, Nebraska, Oregon, Pennsylvania, Texas, Utah, Virginia	Unlimited

For the states that did not have limits on campaign contributions (12 states, or 27%), I set their limit to \$25,000. The convention followed by Barber (2015) represents unlimited contributions with a limit of \$99,000. However, this skews the limits data towards a higher side as ~27% of limits are unlimited, which could impact the regression coefficient. For example, the mean of all limit values using is \$ 32319 while the mean ignoring the unlimited values is \$3528. I thus set the maximum limit to 10% greater than the previous highest limit (\$22790), ~ \$25,000 for ease of use. Also, given the low expected effect of a single dollar contribution to margin of victory, I instead represent the limit in 1000's of dollars for ease of use.

The study also utilized other control variables that were present in Klarner's dataset. These include indicator variables for a Democratic incumbent, the redistricting status of the district, whether the incumbent won the race, the tenure of the incumbent and the redistricting regime, along with year dummies to control for time-specific effects, seasonal variation, and unobserved time-invariant heterogeneity within the data.

## Methodology

The methodology used for this paper adapts the methods employed by Butcher and Milyo (2020) and Stratmann and Aparicio-Castillo (2006) and uses a two-way fixed effects model to measure the effect of contribution limits on margin of victory. Given that I have multiple observations (districts/races) for different entities (states) observed over multiple time periods, a two-way fixed effects model would allow me to suitably observe the change in two continuous variables (limits and margins) while controlling for fixed effects. In this case, the two sets of fixed effects include state fixed effects and time fixed effects. State fixed effects include unobserved, time-invariant differences among states that may impact election outcomes, such as state-specific political leanings, demographics, or differences in institutional structures. Time fixed effects are used to account for common time-specific factors that may impact all elections simultaneously. These include changes in national politics and shifts in voter preferences or economic conditions. The use of time fixed effects is essential given the duration of this dataset, 1990-2016. This period saw 2 major economic crises (Early 2000's Recession, Global Financial Crisis and Great Recession) and a major event (the 9/11 terrorist attacks) with deep political consequences that could affect reelection for incumbents from a either party. The fixed effects model may also help reduce possible endogeneity concerns as state limits could be influenced by election outcomes, for example.

To set up the fixed effects model, I use a unique race id and year as panel data. The unique race id is our cross-sectional dimension and is generated through a combination of two separate identifiers. The first is a district indicator, that combines 3 separate results that uniquely identify a district, and the second is a state identifier. Taken together, the unique race id identifies a race within a particular state and year. This implicitly incorporates district fixed effects into the model.

The year is our cross-series dimension and allows us to measure changes in the outcome variables over time.

We can estimate the regression as follows:

$$MOV_{it} = \beta_0 + \beta_1 INDLIMIT_{it} + \beta_2 dinc_{it} + \beta_3 redist_{it} + \beta_4 Iwin_{it} + \beta_5 tenure_{it} + \beta_6 winparty_{it} + \beta_7 regime_{it} + \sum_{t=1}^{T-1} \delta_t Year_{it} + \alpha_i + \varepsilon_{it}$$

Here,  $MOV_{it}$  is the dependent variable, the margin of victory for race  $i$  in year  $t$ .  $INDLIMIT_{it}$  is the primary independent variable representing the individual contribution limit for race  $i$  in year  $t$ .  $dinc_{it}$ ,  $redist_{it}$ ,  $Iwin_{it}$ ,  $tenure_{it}$ ,  $winparty_{it}$  and  $regime_{it}$  are control variables I include in my model.  $Year_{it}$  are the year dummies I include to represent time specific fixed effects, and  $\alpha_i$  are the state fixed effects that capture unobserved state-specific factors. As each race corresponds to a unique district *within* a state, district fixed effects don't need to be explicitly included into the model.

## RESULTS

Overall, the results show a significant positive relationship between individual limits and the margin of victory, meaning that higher contribution limits make state legislative races less competitive. The strength and significant of the relationship changes, however, as we conduct sub-analyses of the data. For example, the relationship is stronger (so higher contribution limits make races even less competitive) for recent data (years after the median, 2003) or for Democratic incumbents.

### Primary Analysis

This subsection tests the hypothesis that there exists a positive relationship between individual limits and margin of victory. I run the two-way fixed effects model including state, time and implicit district fixed effects as well as the control variables mentioned above for all the observations over the period. The results are shown in Table 2.

The results show a statistically significant, positive relationship between individual limits and margin of victory when other factors are kept constant. On average, an increase of \$1000 in the individual contribution limit leads to a corresponding increase of 0.052 % in the margin of victory, significant at the 5% level. This supports the original hypothesis, that there is a positive relationship between limits and margin of victory and that an increase in limits reduces electoral competitiveness. The coefficient for  $Iwin$  is 14.97 significant at the 1% level, meaning that if the incumbent wins, the margin of victory is ~ 15% higher if all else is equal. Similarly, the coefficient for  $tenure$  is also statistically significant at the 1% level, meaning that an increase in the level of tenure (from 0 to 1 to 2) increases margin of victory by 1.37% each level if all else is equal. The coefficients for  $dinc$ ,  $redist$  are negative while those for  $win\_party$  and  $regime$  are positive. However, neither of these results are statistically

Table 2: Regression for all observations for the effect of Individual Limits on Margin of Victory.

Margin of Victory	Coefficient	Std. Error	t	P >  t
Individual Limits/\$1000	.052**	.021	2.450	0.014
Dinc	-.414	.328	-1.260	0.207
redist	-.485	.502	-0.970	0.334
Iwin	14.972***	.330	45.340	0.000
Tenure	1.368***	.123	11.160	0.000
Win_party	.108	.334	0.320	0.747
Regime	.110	.086	1.290	0.198

Notes: Note that Tenure is an indicator; tenure = 1 means 4-7 years of service, and tenure = 2 is 8 or more years  
\*\*\* = P<0.01, \*\*=P<0.05, \*=P<0.1

significant. Overall, the primary analysis shows a positive relationship between limits and margin of victory significant at the 5% level, with 2 other control variables (Iwin and tenure) showing similar positive relationships and statistical significance.

### Time Segmented Analysis

In addition to the model above, I segment the data by time to test additional hypotheses regarding the relationship between limits and margin of victory. This involves running the model for state elections post 2010 — the year the Supreme Court decided on the landmark cases of *Citizens United* and *SpeechNOW*. The rulings permitted unlimited independent expenditures by corporations, unions, and other outside groups. This led to the creation of SuperPACs, organizations that can raise and spend unlimited amounts without having to disclose their donors, vastly increasing the amount of money in politics. I hypothesize this could have a significant effect on the relationship between individual limits and margin of victory.

Given that legal, unlimited independent expenditures offer a new avenue for campaigns and organizations to raise funds and partake politically, it makes sense that such decisions would reduce the impact of individual limits on close elections. Candidates have alternate funding sources and ultimately a legal manner to work around contribution limits, so limits should reduce in relevance, particularly the strength of their relationship with close elections.

The results in Table 3 contradict the proposed hypothesis. Not only is the coefficient of individual limits statistically significant, but it is also much larger than previous results (0.54 in Table 3 compared to 0.052 in Table 2). Thus, in the recent years, limits have had an outsize effect on margin of victory as a \$1000 increase in the contribution limit increases the margin of victory by 0.5%.

Table 3: Regression for observations after 2010

Margin of Victory	Coefficient	Std. Error	t	P >  t
Individual Limits/\$1000	.5464956 ***	.1839871	2.97	0.003
Dinc	-1.300*	.731	-1.780	0.076
redist	.262	.825	0.320	0.751
Iwin	8.610 ***	.747	11.520	0.000
Tenure	1.766 ***	.346	5.110	0.000
Win_party	.118	.764	0.150	0.877
Regime	.178	.139	1.290	0.198

Notes: \*\*\* = P<0.01, \*\*=P<0.05, \*=P<0.1

### Party Segmented Analysis

Lastly, I segment my data by the party of the incumbent (Democrat or Republican) to check whether there are differences in the effect of individual limits on margin of victory according to the political leaning of the incumbent. There is a significant fundraising disparity between both parties with respect to all statewide elections. In 2010, Republicans raised \$195 million more than Democrats (OpenSecrets News 2022). During the 2014 cycle, the funding gap widened to \$340 million. While this includes state-level candidates, party committees and ballot measure committees, there is a clear indication that Republican candidates have continually outspent Democratic candidates. However, Democratic candidates have had a historical advantage in capturing individual donations, be it through small donors or other groups. Therefore, we can test the hypothesis that individual limits are more strongly associated with the margin of victory when the incumbent is a Democrats. Using the regression model segmented by incumbent party:

Table 4: Regression results for a Democratic incumbent.

Margin of Victory	Coefficient	Std. Error	t	P >  t
Individual Limits/\$1000	.091 ***	.032	2.860	0.004
redist	.877	.690	1.270	0.204
Iwin	11.585***	.480	24.130	0.000
Tenure	1.185 ***	.174	6.800	0.000
Regime	-.022	.119	-0.190	0.850

Notes: Note that dinc is removed as a control variable as it identifies a Democratic incumbent and win\_party is omitted due to collinearity.  
\*\*\* = P<0.01, \*\*=P<0.05, \*=P<0.1

Table 5: Regression results for a Republican incumbent

Margin of Victory	Coefficient	Std. Error	t	P >  t
Individual Limits/\$1000	.006	.028	0.220	0.825
redist	-.977	.701	-1.390	0.163
lwin	12.742***	.529	24.080	0.000
Tenure	1.830***	.171	10.710	0.000
Regime	.218	.120	1.820	0.069
Notes: *** = P<0.01, **=P<0.05, *=P<0.1				

The regression results are statistically significant at the 1% level for the Democratic incumbent (Table 4) and indicate that a \$1000 increase in contribution limit increases margin of victory by ~ 0.91%. For the Republican incumbent (Table 5), however, the results are not statistically significant at any level and the coefficient is an order of magnitude lower than that in Table 2. Thus, there is strong support for the hypothesis that individual limits are more strongly correlated with margin of victory when the incumbent is a Democrat. I explore possible explanations for this result and others in the section below.

## DISCUSSION

The results described above show support for the hypothesis that higher individual contribution limits increase the margin of victory for state legislative elections and therefore make them less competitive. My findings also strengthen the broader argument that campaign finance restrictions increase the competitiveness of elections, primarily through limiting the incumbent's competitive advantage. The findings are in line with certain literature but contradict the findings of other authors. I believe this dichotomy arises due to differences in the empirical approach, where the specifications in this model may capture more nuanced effects due to the use of continuous measures, leading to a more accurate estimate of the relationship between limits and margin. The use of a continuous measure of limits is closer to practical applications of campaign finance reform as states often alter their limits, but very rarely do they abolish limits entirely. Moreover, a measure of margin of victory appears more appropriate than discretely measuring incumbent performance (i.e. if their vote share is greater than a certain %) as even abolishing or unrestricting contribution limits should not change the incumbent vote share drastically. Rather, we expect a marginal shift in incumbent performance, which the model captures. This does not disprove or reduce the significance of the literature. On the contrary, it underscores the role of varied empirical approaches in determining the relationship between contribution limits and electoral competitiveness.

Further, the results of the time specification have wider implications. The findings contradict my proposed hypothesis that *Citizens United* and other decisions would reduce the impact of individual limits on close elections, as independent expenditures begin to replace individual and corporate contributions as primary sources of candidate fundraising. There are several explanations for the observation that independent contributions have a more significant impact on margins. First, this increase could be broadly attributed to the fact that *Citizens United* and *SpeechNOW* decisions greatly amplified the role of money in politics. Since the model did not control for changes in corporate, PAC or union contribution limits nor the effect of *Citizens United*, we cannot really tell if the increase in significance is independent of other limits (i.e., absolute) or in comparison to other limits. In other words, we don't have enough information to judge whether individual limits are increasing in significance by themselves or if they are increasing in significance relative to other limits.

Despite this, the data shows that fundraising and election spending has been rising year on year. While restrictions on individual contributions may reduce the value of the average donation, it doesn't appear to have a significant impact on donation volumes or overall value. So, while these restrictions may force candidates to seek outside donors like PACs, candidates are still aiming to raise more money from individual donors, even if the average per donor is lower. Therefore, it is possible that more money in politics in general makes every fundraising source significant to electoral outcomes.

It must be noted, however, that these are all hypotheses and need to be tested using data to determine their reliability as explanations for the higher impact of limits. Specifically, controlling for whether states had restrictions on corporate or union contributions prior to *Citizens United*, along with accounting for correlation between these limits and individual limits, would make this analysis more accurate.

Lastly, the party segmentation indicates a larger, statistically significant coefficient for Democratic incumbents but no significant effect for Republican incumbents. This suggests that the relationship between individual limits and margin of victory much stronger when the incumbent is a Democrat. We can interpret this result by looking at the historical distribution of campaign contributions to Democratic and Republican state candidates. Republicans heavily outraised Democrats in the 2010 and 2014 election cycle. However, Democrats had an advantage in capturing small dollar and women donors (FollowTheMoney 2020), whose contributions are likely to be affected by individual contribution limits. Moreover, research shows that dark money support/independent expenditure support was stronger for Republicans than Democrats in several competitive federal and state races in 2014 (Brennan Center for Justice 2016). If Republican campaigns were able to benefit more from independent expenditures, the relative importance of individual contribution limits to their electoral success may be less



pronounced. Therefore, there is some evidence to support the finding that limits significantly impact election margins for Democratic incumbents but not for Republicans. However, given the confines of this study, this conclusion may not be entirely robust. As mentioned before, there is a need to include other control variables accounting for corporate and union contributions as well as for the distribution of independent expenditures to ensure the validity of this conclusion. This is further complicated by the lack of data on independent expenditures, as it is difficult to estimate the amounts for statewide candidates.

## CONCLUSION

The results of this study suggest that, on average, increases in contribution limits increase the margin of victory of incumbents and reduce the competitiveness of state legislative elections. Segmenting by party and time allows us to observe that contribution limits have a larger, more negative impact on the competitive of state elections when the incumbent is a Democrat or when the election is recent (the effect increases over time). These findings support the broader argument that while incumbents do have an inherent advantage, limiting the spending their spending power increases the viability of challengers and leads to closer elections. This is in line with the theories proposed by a significant set of previous literature, but the results also contradict the findings of recent studies. I believe this to be the result of differences in our empirical approach and highlight that a continuous measure of contribution limits instead of indicators for a campaign finance regime or election outcome may be more effective in presenting the nuances of the relationship between contribution limits and margins. However, this approach does somewhat restrict the applicability of my results. The inclusion of controls for prior corporate and union contribution limits as well as measures of the distribution of independent expenditures by party would make this study more robust.

A fundamental question that is still left unanswered is the reason why results differ to such an extent across studies. While the empirical approaches used may differ, each study has significant conclusions that need to be interpreted with respect to other results. Future research should employ different empirical approaches (different regression models) on the same data and outcome variables to test the validity of each study. Perhaps there is scope for a broader dataset that encompasses individual and corporate contributions along with independent expenditures. ■

## ABOUT THE AUTHOR

Ishaan Thakker is a recent graduate of Yale University, where he obtained a BA in Political Science with Distinction. He is currently a Research Associate at the Council on Foreign Relations researching geoeconomics, and plans to either pursue a law degree or a master's in public policy in the near future.

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# The Effect of Economic Sanctions on Trade Cooperation between U.S. Sanctions Targets

Charlotte Thomson, St. Olaf College

*Sanctions are a widely used tool of economic statecraft, yet there is limited research on how they influence economic relationships between targeted states. Previous studies suggest sanctions have a minimal impact on target-target relations. With increased interconnectedness between countries, further evaluating targeted states' financial relationships with one another is important. Using trade data from the Observatory for Economic Complexity (OEC), three case studies were created: Russia, Venezuela, and Iran. Results showed that U.S.-imposed sanctions had a net positive effect on target-target trade. Various factors could have contributed to these findings, such as the oil dependability of exports and services being exchanged and preexisting trade relationships. This study provides a foundation for further in-depth analysis of these target-target trade relations and has room to expand into the social aspects of target-state relations. The findings of this study aim to deepen our understanding and encourage further research on how target economies, existing trade partners, and the composition of trade interact to create target resistance to sanctions. This area of study holds promise for encouraging a more cautious approach in sender foreign policy to the application of sanctions. These case findings do not explain causality but suggest that these relations are more significant than prior research assumes.*

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## INTRODUCTION

Economic sanctions are penalties imposed by one country on another to signal disapproval of policy actions taken by the target. Sanctions enable the sender country to restrict economic engagement with the target country, aiming to impose financial costs that drive changes in behavior deemed unacceptable by the sender. Sanctions can be targeted, affecting specific individuals and companies with significant government ties—often through asset freezes or travel bans—or they can be comprehensive, impacting the entire country with measures such as embargoes or trade restrictions. Sanctions have become common as a non-military foreign policy tool to address violations of international norms, such as human rights violations and authoritarian values. Major global actors, such as the United Nations, the United States, and the European Union, are seen as defenders of these norms. However, many nations follow the example of these global actors when implementing their sanctions, as seen when Norway sanctioned Ethiopia from 1998 to 2000. This specific instance will be explored further in the paper to understand how sanctions are used as an asset of state foreign policy goals.

This explains their pattern of historically and currently imposing comprehensive sanctions on countries who violate them, exemplified in the U.S. trade embargo on Cuba to oppose its socialist government. However, many scholars have

found that comprehensive sanctions harm civilians in target countries. As a result, these actors have made a notable shift towards targeted sanctions to reduce the negative impacts on these civilians. This is evident from the pattern of targeted sanctions imposed by the U.S. and EU members on wealthy Russian oligarchs following Russia's invasion of Ukraine in February 2022. Despite this shift from comprehensive to targeted sanctions, the primary foreign policy objectives of the key actors remain unchanged: to uphold international norms while maintaining their own respective best interests. In this example, their goal was to express solidarity with Ukraine and oppose Russia's violation of Ukraine's sovereignty—both an attempt to uphold international norms of sovereignty and also to serve EU and U.S. individual policy interests. While the effectiveness of targeted sanctions continues to be debated, they have undoubtedly become the preferred approach in modern foreign policy conflicts. This method aims to minimize harm to civilians while delivering a strong political message.

The field of international relations has therefore produced a significant amount of literature and analysis surrounding economic sanctions and how these primary actors have used them. This scholarship's dominating theme focuses on whether or not sanctions are effective in their respective contexts, largely because of how often they are used in foreign policy. Most scholars generally hold a pessimistic view of sanctions, with many studies demonstrating unintended negative effects

in approximately 94% of UN sanctions (Meissner and Mello 2022) and equally negative assessments of individual state-imposed sanctions. This leads to many unanswered questions concerning the relationships between targeted states and whether there is any economic dependence on one another during periods of sanctioning. To fill this gap in the literature, this paper will focus on the economic trade relationships between three states sanctioned by the United States, a major contemporary sanctions sender, to gain a more holistic understanding of how and why sanctions can be ineffective from the position of target states. This paper posits that economic sanctions can strengthen the financial relationships between targeted countries and make them more reliant on one another to fulfill their trade and diplomatic goals, due to economic sanctions' ability to prevent targets from engaging with the bulk of their primary trade partners. Therefore, sanctions can potentially promote an "enemy of my enemy is my friend" philosophy among targets. In theory, this would enable them to trade more with one another to accommodate their economic constraints and collectively bust the sanctions efforts of the sender.

To test this hypothesis, the study will first conduct a literature review outlining the key unintended consequences of sanctions that increase trade and economic cooperation between targeted states, primarily through sanctions-busting. The literature review will also examine how sanctions have the potential to impact political and economic relationships between targeted states. Following the literature review, the study will contextualize the literature to design a set of three case studies surrounding U.S.-imposed sanctions in Iran, Venezuela, and Russia. These case studies will compare the economic relationships between these states before and after their respective sanctions took place. The results of these three case studies found that the initial hypothesis of increased trade and economic cooperation between sanctioned countries was largely supported.

## THEORETICAL BACKGROUND

### Intentions of Economic Sanctions

When a sender decides to impose sanctions on a target state, they expect to see economic consequences as a result. These are known as the intended consequences of economic sanctions, which typically involve a desired change in behavior in the target country. The imposition of various economic costs through sanctions is intended to drive this change. The goal of sanctions is to make the target state's actions more costly than profitable, forcing the target to change its behavior. As briefly introduced at the beginning of this paper, Norway imposed sanctions on Ethiopia from 1998 to 2000; this serves as a clear case of the intent behind sanctions. Before this period, Norway was a major aid donor to Ethiopia. However, when Ethiopia engaged in a war with Eritrea in 1998 over land territory

disputes, Norway imposed economic sanctions to express opposition to Ethiopia's actions: "Norway decided to 'freeze' all bilateral development aid to Ethiopia...[and] also temporarily suspend all bilateral development aid to Eritrea. Ethiopia and Eritrea had been at war since May 1998, and continuing rounds of peace negotiations had not succeeded" (Hansen and Borchgrevink 2006, 623).

This example between Norway and Ethiopia demonstrates how economic sanctions can be a useful economic statecraft tool for sender countries to compel actors and states to change their behavior. It is also possible that sanctions can deter actors and states from engaging in a behavior, similar to a threat. However, it is worth noting that sanctions are generally used as a reactive tool in economic statecraft. Arms embargoes are often cited as a clear example of sanctions aimed at deterrence. Shifting focus back toward major contemporary actors, The UN is one of the most common senders of arms embargoes. Their objective in using this form of sanctions is to reduce and ultimately prevent instances of intra- and inter-state conflict. Individual state actors can also engage in arms embargo sanctions. While the initial intentions of a sender country can often be clear-cut, as they tend to be rooted in specific foreign policy objectives, determining the full range of their sanctions outcomes is much more difficult. This further emphasizes the need to examine how economic relations between targeted countries are influenced by the imposition of sanctions.

### Unintentional Economic Consequences of Sanctions

Sanctions prevent the target country from being able to rely on its institutions to stay afloat, as seen in the Norway and Ethiopia example. In the example of the sanctions imposed by the U.S. and much of the EU in 2014 as a result of the annexation of Crimea by Russia, Russia was forced to increase its economic engagement with China to gain back some of the support that Russia had lost by annexing Crimea: "Policymakers in Washington should bear in mind that...their arsenal of economic sanctions will be depleted once Russia is fully alienated from the West" (Arvorin and Levy 2018, 3). Imposing sanctions on a target country necessitates an economic severance between the target and sender countries. This simultaneously sends signals to undermine local institutions within the target's government, allowing the sender to impose economic consequences. This forces the target country's hand into finding other ways to strengthen the integrity of its local financial institutions, which, like in the case of Russia mentioned above, usually involve the target country seeking support or endorsement from an ally. This threatens the sender country by unintentionally encouraging the target country to become economically closer to one of their 'enemies'.

During the Obama administration, the U.S. and many EU countries imposed extensive sanctions on Iran to try to stop its nuclear weapons program. However, the pressure from the sanctions unintentionally led to increased resilience and



diversity within the Iranian economy, creating an environment where their manufacturing industry could make up for what they were losing from their oil industry. Iran is an almost entirely oil-dependent economy, so it would make sense for lawmakers in sender countries to impose sanctions that would threaten and put pressure on the resource responsible for the “world’s fourth-largest proven oil reserves and the world’s second-largest natural gas reserves” (Intaek and Ji-Hyang 2013, 48). However, when this was done in 2012, it led to an unintentional strengthening of Iran’s manufacturing industry: “Economic sanctions may promote industrial diversification in the traditionally oil-dependent economy as an unintended side-effect” (Intaek and Ji-Hyang 2013, 52).

This occurred due to the extensive pressure sanctions placed on Iran’s dominant oil industry, which forced the Iranian economy to compensate for those losses by further developing its manufacturing industry. Manufacturing is the second largest industry in Iran, despite trailing far behind their oil industry. While this relationship has only been demonstrated thus far in exclusively oil-dominated economies that are the target of sanctions, such as Iran, sender countries must realize that they have the potential to increase the target country’s economic resilience: “Iran’s closed economy imposed by external sanctions might squeeze the domestic economy to develop manufacturing sectors” (Intaek and Ji-Hyang 2013, 58). As demonstrated in this example, the imposition of sanctions on a target country can inadvertently motivate it to diversify its economy as a coping mechanism for the resulting financial challenges. This economic diversification may lead the target to seek support from other states that are also under sanctions. Such a strategy aims to enhance the target country’s economic resilience, a concept that will be further examined in the hypothesis-testing section of the paper.

### Sanctions-Busting and the Undermining of Sanctions

Sanctions-busting is also an important factor to consider in the context of economic sanctions. It refers to the collaboration of countries and corporations outside the target state that provide support during times of sanctions. This external assistance can serve as a significant source of financial and political strength for countries facing these economic measures, allowing sanctioned states to work around the consequences intended by the sender. When considering politically-motivated sanctions busters (also referred to as “black knights”), their incentive to break sanctions primarily is due to pre-existing political relationships with the sanctions target: “Strategic incentives drive sanctions-busting: third parties sanctions-bust to aid allied target states or pursue great power prerogatives” (Early 2011, 383). States or corporations with alliances with target countries are usually the ones responsible for sanctions-busting because their alliance with the target, in combination with their act of breaking sanctions, will do something to further the sanctions-busting entity’s self-interests.

Economic sanctions-busting tends to be done by third-party corporations or states that are not directly being targeted by the same sanction the target is. When a third party experiences sufficient harm from the target’s sanction, making the costs of obeying the sanction outweigh the costs of breaking it, they will continue economic engagement with the target: “Firms are constantly seeking to recognize and take advantage of the economic opportunities to them while avoiding losses when possible” (Early 2009, 54). Due to this self-interested mindset of many corporations (and frankly many states), it is reasonable to assume that if a sanction causes more economic harm than good for a particular third party or outside state, there will always be an incentive for them to participate in sanctions-busting. This pattern of economic and political sanction-busting, which are often used in combination with one another, then raises questions about whether or not sanctions targets who receive sanctions-busting aid do so from other sanctions targets in the realm of trade. The hypothesis under examination suggests that economic support for a target of sanctions is likely to be provided by other target states. This theory stems from the shared experiences of these entities, which have all faced economic isolation from states they once benefited from. The interconnectedness of their situations therefore may foster a sense of solidarity and mutual support among them in response to economic hardship. This hypothesis counters Early’s findings that suggest sanctions-busting primarily comes from allies of the senders. When looking at how sanctions targets interact with one another from a diplomatic standpoint, it is evident from the existing literature that sanctions targets, in a similar behavior pattern to non-sanctioned countries, only engage with other sanctions targets if they believe that it will benefit them in some way. My case studies posit to evaluate the truth of this.

During the Cold War, when the U.S. was imposing heavy sanctions against Cuba, the Soviet Union had a large political incentive to give support to Cuba. In this specific circumstance, supportive action for Cuba could serve as a signal that the USSR disapproved of what the U.S. was doing during the Cold War while also fortifying their preexisting diplomatic relationship: “The Soviet Union’s alliance with Cuba and rivalry with the United States drove its response” (Early 2009, 52). However, if there is no strong diplomatic relationship between two sanctioned countries before each of their sanctioning, there is little to no chance that those countries will interact strongly with each other: “Third-party states with close security relationships with the target should come to their aid after sanctions are imposed, as should rivals of the sender” (Early 2009, 52). The conditions for target-target relationships seem to depend less on whether or not the two countries interacting are both sanctioned, but rather on their pre-established diplomatic relationships with one another.

This also seems to be the case when also taking the social and economic relationships of the target into consideration: “Having more allies enhances the ‘moral suasion’ of the sanction, facilitates isolation of T [the target] and mitigates

possible backlash” (Joshi and Mahmud 2020, 3). Overall, a sender country imposing sanctions on a target is very largely influenced by how many connections/relationships the target country already has in both economic and political frameworks. This makes sense because the more connections and external relationships (social, political, economic) the target country has, the harder and more costly it is for the sender to impose effective sanctions. And the same seems to be true when considering third-party corporations and individuals’ relationships with targets. This then encourages an application of the theory that sanctions targets with more connections are more resilient to sanctions conditions to determine whether or not this remains true when looking at specific target-target trade relationships. This will be done through a case study design for hypothesis testing in the methodology and discussion sections of this paper to determine what these conditions look like.

### Unintentional Humanitarian Consequences of Sanctions

While not the focal point of this paper, it is important to briefly touch upon the potential of unintentional humanitarian consequences of sanctions. Sanctions, while primarily geared towards hindering economic productivity in the target country to send a signal from the sender country or countries to disengage in a particular behavior, also have some important non-economic implications for the target country. Unintentional non-trade-related consequences of sanctions can range from human rights infringements to the strengthening of authoritarian leadership. These unintentional consequences of sanctions often create conditions of economic stress in targeted countries that could explain why targets might seek financial support from other targets. When focusing on the unintended consequence of human rights infringements, sanctions can create environments where the likelihood of civilians encountering disease, famine, and poverty increases: “As sanctions reduce the ability of incumbents to provide resources to supporters, the likelihood of defections increases. To deter defections and maintain stability, target incumbents in turn augment their level of repression” (Wood 2008, 493). Because imposing economic sanctions inherently places more pressure on the target government, it makes sense that this pressure would correlate to increased citizen repression and eventually, monetary outsourcing to other sanctions targets experiencing similar pressures.

## METHODS

### Theory Development

The theory of this paper is constructed to pose a challenge to the existing literature, which only vaguely addresses trade relationships in the context of sanctions targets. For sanctioned states to continue their political and economic goals during sanctioning, it is reasonable to infer that they would want to

provide financial support to those in a similarly disadvantaged position. This way, sanctioned states could signal to their respective sender countries that they can continue their own trade goals by partnering with another sanctioned state. I will be employing a mix of qualitative and quantitative analysis to test my hypothesis in the three case studies I am creating. My research hypothesis posits that sanctions can help improve trade cooperation among countries that are targets of sanctions. I theorize that U.S. sanctions strengthen economic ties in each case between the three targets of examination: Russia, Iran, and Venezuela.

### Case Study Construction

Throughout the post-Cold War period, Russia, Venezuela, and Iran have all been the target of many sanctions efforts by the United States. These three countries were selected for the case studies and hypothesis testing because of their shared rates of sanctioning from the U.S. post-Cold War period, positions as oil-dependent economies, and governance by authoritarian regimes. It is important to note that each of these three countries experienced a predominant portion of these sanctions on their oil industries. To construct each case study, I will begin by evaluating the context under which each country was sanctioned by the United States along with the details and extent of the sanctioning. This will allow me to provide some background for each country being tested. To evaluate the research hypothesis in each case, I will be analyzing and contextualizing trade data from The Observatory of Economic Complexity (OEC) surrounding bilateral service trade and export exchange between each of the countries being examined in the case study. This data will be obtained on dates before their sanctions period and during their sanctions period. Support for the research hypothesis would come from a net increase in trade data between the two target countries during the sanctions period as compared to before the sanctions period.

## RUSSIA

### Background

For the sanctions period of the first case study, I will be focusing on the U.S. sanctioning of Russia in 2014 after the annexation of Crimea. In 2014, Russia invaded the Crimean peninsula on the eastern side of Ukraine to annex and take political control of the area as part of a larger goal to destabilize the Ukrainian government. This region of Ukraine has historically always had a large population of ethnic Russians, and when public protests ousted the Ukrainian president at the time, Russia seized that opportunity to seed instability and gain influence over the Ukrainian government: “Due to its distinctive ethnic, historical, and social circumstances, Crimea is rightly considered Ukraine’s Achilles’ heel, a place where Russia long could play the separatism card” (Konończuk 2014). The Obama administration chose to impose a variety of sanctions on

Russia as a response to this to signal disapproval of the Russian government's infringement on Ukrainian sovereignty: "[To] send a strong message to the Russian government that there are consequences for their actions that threaten the sovereignty and territorial integrity of Ukraine" (U.S. Department of State 2014).

US sanctions during this period were a combination of targeted asset seizures of wealthy Russian oligarchs and other individuals deemed responsible, as well as comprehensive economic sanctions prohibiting the financing of several Russian banks and oil companies and restricting the exportation of their oil and related goods. There was likely sanctions-busting behavior that took place after the US imposed these sanctions on Russia in 2014, with the primary sanctions-busters not being corporations or third parties in the US or other sender countries but states like China, India, and Brazil who chose not to impose sanctions and continued economic and political engagement with Russia.

## Hypothesis Testing

Before the imposition of these sanctions in Russia (according to OEC data from 2013), the exports in bilateral services from Russia to Venezuela were equivalent to USD 20.6 million. During the sanctions period in 2014, the amount of bilateral services being exported from Russia to Venezuela decreased by over 50%, with the amount totaling USD 6.7 million. These numbers alone would suggest that the US imposition of sanctions decreased Russian trade collaboration with Venezuela due to such a significant drop in business, professional, and technical service cooperation between these two countries. However, when examining product exports from Russia to Venezuela before and during the sanctions period in Russia, they increased by an average rate of 9.2%, with incremental increases in export amount in all the consecutive years following the sanctions data (2015-2019). When combining the percentage of decrease in trade services exchange with the percentage of increase in exports from Russia to Venezuela, there is a net negative percentage. In the framework of Russia, OEC trade data between Russia and Venezuela suggests a net decrease in trade cooperation between Russia and Venezuela after the US imposed sanctions in 2014.

Shifting the focus to Iran-Russia trade relations, exports in bilateral services from Russia to Iran amounted to USD 74.3 million before the 2014 sanctions. After sanctions were imposed, these bilateral service exports increased to USD 82.9 million. The product export data from Russia to Iran shows a stark contrast to the bilateral service export data findings. Total exports from Russia to Iran before the sanctions period amounted to USD 171 million, while the total export amount dropped to USD 9.51 million after the sanctions were imposed. Similarly to what was found in the trade data between Russia and Venezuela, the combination of the percent change in trade services exchange with the percent change in exports from Russia to Iran shows a net decrease in trade cooperation

between Russia and Iran after the 2014 U.S. sanctions. The RHRussia framework between Russia and Iran therefore suggests a net decrease in trade cooperation as a result of sanctions, but with slightly different stipulations than the net decrease in trade cooperation between Russia and Venezuela. The overall finding from this case is that U.S.-imposed sanctions on Russia in 2014 have reduced their net trade cooperation with both Venezuela and Iran.

## IRAN Background

Historically, all the recent sanctions on Iran from the U.S. and other Western nations have been primarily in response to their pursuit of a nuclear weapons program. The U.S. officially began imposing sanctions on Iran in the late 1980s in response to the Iranian government's support of terrorism, but sanctions exclusively geared towards Iran's nuclear procurement were not imposed until around 2010, after previous nuclear-sanctioning efforts by the U.N. Security Council were deemed ineffective. The objective of these U.S. sanctions was to induce a policy change in the Iranian government to defund and discontinue its nuclear program. These sanctions, like the sanctions imposed in the Russia case study, were also imposed by the Obama Administration and similarly targeted Iran's oil industry. These sanctions in Iran were primarily comprehensive, with exclusive asset freezes and travel bans not being employed: "The Administration used sanctions to convince major oil companies to withdraw from Iran's oil fields" (The White House 2012). In this case study, the 2010 U.S. sanctions against Iran are being examined: "In June 2010, President Obama worked with Congress to pass the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010, which strengthened existing U.S. sanctions against Iran in the areas of refined petroleum sales, serious human rights abuses, and Iran's access to the international financial system" (The White House 2012).

In 2019, long after the initial sanctioning period against Iran, The United States uncovered a large sanctions-busting network of private companies from the UAE and Turkey that were continuing to do business with Iran by strategically circumventing the sanctions that prohibited Iranian access to the international financial system: "[There has been] an extensive sanctions evasion network established by the Iranian regime, which it increasingly relies on as the United States' maximum pressure campaign severely constricts the regime's sources of revenue" (U.S. Institute of Peace 2019). Though this network was uncovered in 2019, it had likely been actively contributing to Iranian sanctions-busting since the U.S. imposed its comprehensive nuclear proliferation sanctions in 2010. Turkey has been historically sanctioned by the U.S., similar to the other nations being investigated in this research, so it is interesting to see that Turkey was among the leading states offering sanctions-busting aid to Iran.

## Hypothesis Testing

Iran's bilateral service trade to Russia amounted to USD 61.6 million before Iran's sanctioning period in 2010. During the sanctioning period, the OEC data reports that bilateral service trade experienced roughly a 29% increase to USD 79.4 million, with construction abroad being the predominant service being exchanged. Exports from Iran to Russia before Iran's sanctioning in 2010 totaled USD 98.4 million, and after the U.S. imposed its comprehensive sanctions, this number increased by 11.6% to USD 102.8 million. This amounts to a dramatic 40% net trade increase from Iran to Russia after the U.S. imposed sanctions. It is also interesting to note that, unlike the results from the Russia case study, the bilateral service trade and export data were both relatively consistent with one another, suggesting that Iran's relationship with Russia benefitted similarly across both kinds of trade.

There was no bilateral service exchange from Iran to Venezuela acknowledged in the OEC database. As of 2021, there has been minimal to no bilateral service exchange between Iran and Venezuela since 1995, so only export data from Iran to Venezuela will be considered. Exports from Iran to Venezuela before Iran's sanctioning in 2010 totaled USD 4.9 million and experienced a 9.77% annual increase after Iran was sanctioned to USD 5.1 million. Despite this increase, the amount of export exchange between Iran and Venezuela is notably weak compared to other countries' exchanges during this period, suggesting that Iran and Venezuela did not have very close trade ties before Iran's sanctioning, but that they did strengthen marginally after Iran was sanctioned. This could explain the lack of bilateral service exchange between Iran and Venezuela. Contextualizing both of Iran's net trade relationships in the framework of RHIran, OEC trade data suggests that after the U.S. imposed nuclear proliferation sanctions in 2010, there was a net increase in Iran's trade cooperation with both Russia and Venezuela. However, Iran's trade relationship with Venezuela must not be as vital to Iran's economic and political goals. Iran and Venezuela did not have much export engagement before Iranian sanctions, and neither Iran nor Venezuela has recently engaged in bilateral service exchanges with one another. The overall finding from this case is that U.S. sanctions on Iran in 2010 seemed to have increased their net trade cooperation with both Russia and Venezuela.

## VENEZUELA

### Background

The U.S. has been a consistent sender of sanctions towards Venezuela, especially after Venezuela experienced a huge democratic backslide and became an instigator of numerous human rights violations with the rise of Nicolás Maduro's military junta government in 2013. Sanctions from the U.S. on Venezuela began well before Maduro came to power, with targeted sanctions in place since 2005 on individuals and organizations in Venezuela that have directly

encouraged criminal, antidemocratic, and corrupt actions within the Venezuelan government. When Maduro became the junta head of state for Venezuela, the U.S. decided to continue these targeted sanctioning efforts until they were dramatically increased and diversified under the Trump administration in 2017. These 2017 sanctions will be the ones in focus for the hypothesis testing portion of this case. The Trump administration chose to additionally impose comprehensive financial sanctions barring the Venezuelan government from accessing any U.S. markets, as well as broader sectoral sanctions around involvement with the Venezuelan government-sponsored oil company, *Petróleos de Venezuela, S.A.*

These heightened sanctions were implemented in hopes of creating additional international pressure to remove Maduro from power and reinstate free elections. They were unfortunately reported to have only done more to contribute to the already ongoing financial and humanitarian crises in Venezuela. There is little concrete evidence of exposed sanctions-busting efforts occurring in this period. There were likely some efforts of individually sanctioned oligarchs and organizations to circumvent the financial sanctions, especially the Venezuelan government-sponsored *Petróleos de Venezuela, S.A.* It is also interesting to note that *Petróleos de Venezuela, S.A.*, and the Venezuelan oil industry may have gotten some sanctions-busting cooperation from the U.S. oil company *Chevron*, who has been the only remaining oil company continuing to do business in Venezuela after the Trump administration's sanctions. This was due to a previously granted sanctions exemption for *Chevron* to continue obtaining crude oil in Venezuela. However, their exemption was rescinded in 2018, only a year after the sanctions were implemented.

## Hypothesis Testing

OEC trade data between Venezuela and Russia before the Venezuelan sanctions period found that exports from Venezuela to Russia amounted to USD 2.13 million. During the sanctions period, this amount decreased by 12.5% to USD 1.86 million. However, it is worth noting that the OEC trade data on Venezuela to Russia has shown a consistent decrease in exports for almost three decades, with Venezuelan exports to Russia in 1995 amounting to USD 41.9 million and decreasing annually since. This may suggest that the relationship between Venezuela and Russia concerning exports was never very strong before Venezuela's sanctioning and that the U.S. sanctions on Venezuela in 2017 only further weakened these export dynamics. When considering bilateral service trade between Venezuela and Russia, there were USD 4.7 million in bilateral services exchanged between Venezuela and Russia before the 2017 sanctions on Venezuela. These primarily consisted of business, professional, and technical services along with some construction services. After the 2017 sanctions, the amount of bilateral service exchange increased by 28% to USD 6 million. Business, professional, and technical services continued to dominate the majority, though computer services made up 8%



of the services exchanged between Venezuela and Russia during the sanctions period.

Putting the net loss of export exchange between Venezuela and Russia with the net gain of bilateral service exchange from the pre-sanctions period to the sanctions period in Venezuela, there was an overall 15.5% positive gain in trade engagement with Russia. Despite the percentage change, an exchange of under 10 million USD between the two countries is relatively low. This indicates that, although the sanctions may have brought Venezuela and Russia closer together economically to a small extent, they likely weren't strong financial allies before the U.S. imposed the sanctions. It may be worthwhile for future research in this field to explore a specific aspect of my hypothesis to evaluate whether states sanctioned by the same entity can strengthen their economic ties when they had little to no prior economic relations.

Comparing this to the trade relationships between Venezuela and Iran, the amount of exports from Venezuela to Iran before the 2017 sanctions amounted to USD 14.89 million. During the sanctions period, exports experienced a 2.59% increase to USD 15.28 million. Contrary to the consistent decrease in exports between Venezuela and Russia, exports from Venezuela to Iran have been consistently increasing since the OEC began collecting data in 1995. However, the OEC does not have available data on Venezuela and Iran's bilateral service exchange before 2021, and it is mentioned that there was no bilateral service exchange in 2021. Therefore, only export data between Venezuela and Iran will be considered for this case. This absence of data is notable. While Venezuela experienced greater fiscal exchanges of exports with Iran than Russia, a complete lack of OEC bilateral service exchange data between Iran and Venezuela emphasizes weak Venezuelan trade relations with both Iran and Russia. A measured increase of 2.59% in export exchanges from Venezuela to Iran during the sanctions period suggests only a slight improvement in trade cooperation between the two countries. However, this increase is unlikely to significantly offset the fiscal losses that Venezuela incurred due to U.S. sanctions.

The evaluation of the research hypothesis regarding the trade dynamics between Iran and Russia with Venezuela suggests that the U.S. sanctions imposed on Venezuela in 2017 led to a modest increase in trade cooperation between Venezuela and both of these countries. However, as noted throughout this case study, the actual dollar amounts involved in bilateral services and exports are significantly low when compared to the previous case studies, demonstrating that Venezuela's trade relations with both countries remain weak. Thus, while there was a marginal strengthening of these ties due to the sanctions, the overall trade relations are still quite limited. Though this case may not provide definitive evidence that supports my research hypothesis as strongly as the Russia and Iran case studies, a comparison of the small magnitude of changes in trade here reveals valuable insights when contrasted with the more substantial trade differences observed in the other cases.

The overall finding indicates that these sanctions appeared to enhance the net trade relations with Iran and Russia, albeit only slightly, but the discrepancies in OEC data and overall trade in the Venezuela case suggest that pre-existing trade dynamics may play a significant role when assessing the likelihood of sanctions bringing targeted nations closer together.

## RESULTS AND DISCUSSION

In a case study that examined the sanctions imposed by the United States on Russia in 2014 following the annexation of Crimea, an analysis of OEC trade data revealed that these sanctions reduced Russian trade relations with Iran and Venezuela. During the sanctions period, bilateral service exchange between Russia and Venezuela experienced a significant reduction in business, professional, and technical service exports, falling from USD 20.6 million to USD 6.7 million. However, the net export total from Russia to Venezuela increased by an average rate of 9.2% during the sanctions period. This discrepancy between services and exported goods between Russia and Venezuela may suggest that sanctions created a stronger export relationship between Russia and Venezuela, but weakened their services trade relationship. Interestingly, the hypothesis testing for this case saw an inverse pattern to be true for Russia and Iran, with the 2014 sanctions increasing their bilateral services collaboration from USD 74.3 million to USD 82.9 million and severely decreasing their export trade relationship from USD 171 million to USD 9.51 million. In this case, sanctions ultimately drove net Russian trade relations with Venezuela and Iran further apart. The more specific patterns of reduced Russian bilateral service exchange/increased export exchange with Venezuela and reduced export exchange/increased bilateral service exchange with Iran call for further research into causal mechanisms.

For the context of Iran, it is possible that because a large portion of these sanctions targeted Russian oil exchange and ignored vegetable products, Russia's largest exports to Iran in OEC data, untouched, gave Russia a greater opportunity to further their export systems that were not as dependent on oil. However, in the context of Venezuela, a significant portion of Russia's exports to Venezuela are composed of machinery and parts, a highly oil-dependent industry, so sanctions targeting oil would harm this export category more. A similar explanation for the different effects the 2014 sanctions had on Russia's bilateral service exchange with Iran could be that the vast majority of the bilateral services being exchanged from Russia to Iran deal with transportation and travel, which are also highly oil-dependent sectors. Therefore, the more oil-targeted 2014 sanctions hurt Russia's ability to continue engaging with Iran at the same rate of service exchange before the sanctioning. The same reasoning makes sense in the context of the Russian bilateral service exchange with Venezuela, as the predominant service being exchanged is business and information services, which generally are not nearly as dependent on oil as

transportation and travel are. The difference in oil dependence on bilateral service and export exchange could determine how the 2014 Russian sanctions impacted the two target countries' trade relationships with Russia differently. More specialized research will be needed to test this explanation.

For the second case study examining the 2010 U.S. sanctions against Iran for nuclear proliferation, analyzing OEC trade data found that these sanctions increased Iran's net trade cooperation with Russia and Venezuela. From Iran to Russia, the USD 98.4 million export amount before the 2010 sanctions increased during the sanctions period by 11.6% to USD 102.8 million. Iran's primary exports to Russia were vegetable products and foodstuffs before and during the sanctions period. Since the U.S. sanctions against Iran in 2010 were primarily geared towards its oil industry, this may allow for a continued development and improvement of Iran's agricultural sector, thus improving Iran's trade relationship with Russia. The ability of sanctions to help differentiate and expand an oil-dominated country was cited by Intaek in 2013 regarding Iran's manufacturing sector, so this conclusion is plausible. Bilateral service exchange from Iran to Russia also experienced an improvement from USD 61.6 million to 79.4 million, increasing by 29% from before the 2010 Iran sanctions to during the sanctioning period. The vast majority of Iranian services sent to Russia were business and professional services. Because neither of these are especially oil-reliant industries, it makes sense that Iran had room to expand bilateral service engagement with Russia.

Exports from Iran to Venezuela during the 2010 U.S. sanctions on Iran also increased but at a considerably lower rate: USD 4.9 million to 5.1 million, with chemical products being Iran's dominating export. Though this was a 9.77% increase in export engagement with Venezuela after Iran was sanctioned, the relatively low export values suggest that their trade relationship, while satisfying hypothesis testing conditions of a net export increase, had to have been relatively scarce. This conclusion also makes sense because the OEC did not have any bilateral service exchange data for Iranian services to Venezuela or vice versa for Venezuelan services to Iran. This further suggests a fundamentally weak Iran-Venezuela trade relationship, regardless of whether or not sanctions are in place. Despite passing the hypothesis test with increased net exports during sanctions, Iran-to-Venezuela trade does not seem to suggest an improved relationship. Exploring this discrepancy could be a promising source of future research and even a potential way to expand upon findings that posit a pre-existing trade relationship is a requirement for sanctions-busting between targets.

For the final case study exploring the 2017 U.S. sanctions against Venezuela for humanitarian concerns under the Maduro regime, an analysis of OEC trade data found that these sanctions increased Venezuela's net trade relations with Russia and Iran. After the 2017 sanctions were imposed, exports from Venezuela to Russia experienced a 12.5% decrease

from USD 2.13 million to 1.86 million. Similar to the Iran-Venezuela export dynamics mentioned in the prior case study, these amounts suggested a somewhat low export relationship between Venezuela and Russia. After sanctions were imposed on Venezuela in 2017, they lowered the already low export dynamics with Russia. The primary exports from Venezuela to Russia primarily consisted of foodstuffs, which is not an industry with a particularly high reliance on oil. Perhaps the already weak trade relationship in combination with sanctions did not provide any economic incentive for Venezuela to increase export engagement with Russia. When focusing on bilateral service trade between Venezuela and Russia, it increased from USD 4.7 million to USD 6 million after Venezuela was sanctioned. Again, these low amounts suggest relatively weak bilateral service relations between Venezuela and Russia. However, the U.S. sanctions in 2017 provided some kind of opportunity for Venezuela to increase the bilateral services being sent to Russia.

This makes sense because the predominant services being exchanged from Venezuela to Russia are in the business, professional, and technical service industries. None of these are exclusively oil-dependent enterprises, so Venezuela may have wanted to increase these services to compensate for economic losses in its oil industry. Between Venezuela and Iran, there is no bilateral service trade data before 2021, suggesting that any bilateral service exchange between Venezuela and Iran before and during the 2017 sanctions period was minimal, if at all present. When exclusively considering export data between Venezuela and Iran, the 2017 sanctions led to a 2.59% increase from USD 14.89 million to 15.28 million. While satisfying the criteria to pass the hypothesis test, this marginal increase in the context of no bilateral service trade suggests a weak trade relationship between Venezuela and Iran. The primary exports from Venezuela to Iran were machinery and engine parts, likely impacted by oil-industry sanctions. This makes the slight improvement experienced in exports after Venezuela was sanctioned by the U.S. in 2017 a curious source of further research.

## CONCLUSION

After conducting an in-depth analysis of the research hypothesis, it is clear that much can still be learned about how sanctions targets interact. The framework of Russia, Venezuela, and Iran's trade interactions with each other during overlapping sanctions periods by the U.S. provided many insights into how sanctions impact target trade dynamics. In most of these case studies, sanctions successfully improved trade relationships between targets, likely due to the encouragement of economic differentiation in each of the three focal countries' oil-dominated economies. In each instance where target export and bilateral service trade relationships increased, the goods being exported and the services being exchanged could operate independently of the sanctions targeting each target's oil

industry. Sanctions have many unintended consequences, some of which can influence and even encourage trade cooperation between sanctions-targeted states.

An important limitation of this research is that the targets experiencing only a slight net trade increase or with relatively low export and service exchange rates likely need more evidence to make a strong generalizable conclusion across cases. This may indicate that the sanctions targets need pre-existing economic ties to be candidates for improved trade relationships during overlapping sanctions periods. The unique complexity of each economic relationship between sanctions targets functions as the largest weakness of this study. Further investigating trade relations between target countries will help determine how sanctions affect these dynamics more broadly to increase the applicability of the theories established in this paper. Sanctions among oil-dominated economies are only a small part of target economic relationships, so increasing the bounds of this study into other economic factors influencing targets can better inform sender policy and decision-making to work around those obstacles more effectively. For example, a sender foreign policy that adopts a more hybrid approach to sanctions, combining effective aspects of comprehensive sanctions with effective aspects of targeted sanctions, could provide enough targeted constraints on the most vital industries, but enough comprehensive economic constraints that prevent other industries from being able to compensate the target's economy fully.

Further research that builds on this research question and broadens the range of sanctions targets examined could greatly enhance our understanding of applying my study's findings to the foreign policy strategies of major sender states, such as the United States. For instance, a closer analysis of trade volumes before and after the implementation of sanctions could shed light on the extent to which sanctions targets are interdependent within the larger context of their GDPs, especially when compared to the sender states. It could also be useful to apply the findings in this paper to large multinational corporations, to see if their relationships and investment patterns influence sanction targets and their trade relations. These kinds of investigations could more directly compare the theory of this paper with the earlier hypothesis presented by Bryan Early, proposing that targets tend to depend more on the allies of sender states to overcome sanctions. Additionally, it may be worthwhile to investigate whether notable differences exist between exports and bilateral service exchanges, to determine if one particular method of circumventing economic sanctions is more prevalent or effective among sanctions targets than the other.

This study has shown that trade dynamics between targets are notably affected when both are sanctioned simultaneously by the same sender. However, further research is needed to build on the theories explored in this paper, particularly to examine target relationships in economies that are not primarily dependent on oil. This research will be

crucial for broadening the applicability of the study's findings and is key to shifting away from the repetitive wide-scale focus in international relations on the overall effectiveness of sanctions. This is important because many factors can predict whether target trade relationships will expand. These factors include the types of exports and services being exchanged, as well as the pre-existing trade dynamics before sanctions. By continuing to focus exclusively on the effectiveness of sanctions, we risk overlooking these factors in the field of international relations and using sanctions in places where they will not be effective.

Finding these key influencers that insinuate outcomes of target trade relationships after sanctions can be a crucial determinant in predicting the effectiveness of sanctions, ultimately allowing for more desirable foreign policy outcomes for senders and the international community. Similar to the findings that established comprehensive sanctions as ultimately more harmful for civilians in target states caused a dramatic shift towards targeted sanctions, more developments in this sub-field of sanctions in international relations can prove immensely influential for when sanctions are used, and how often they are imposed. If more research building on these findings occurs, sanctions may decrease in frequency. This would enable senders to take preventative measures to avoid an unintentional strengthening of economic relations between targets. ■

## ABOUT THE AUTHOR

Charlotte Thomson is from Arlington, Virginia. She graduated magna cum laude in May 2024 from St. Olaf College in Northfield, Minnesota, where she received a Bachelor of Arts in Biology and Political Science, with a concentration in International Relations. Thomson currently works as a Civic Fellow at the Close Up Foundation in Washington, D.C., where she teaches visiting middle and high school students about the U.S. government to empower them in their civic decision-making. This fall, she will be starting a Master's in Public Policy program at George Washington University in Washington, D.C., with an emphasis on science and technology policy.

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# From Coast to Coast and Back Again: Understanding the Lives of Moroccan and Tunisian Returnees

Joseph Zimble, Gettysburg College

*This study investigates the experiences of Moroccan and Tunisian returnees following irregular migration to Europe, focusing on their reintegration challenges. Drawing on interviews with eight returnees and insights from NGOs and experts, it examines social, economic, and political struggles, highlighting stigma, limited opportunities, and isolation as common issues. The study critiques existing categorizations of return migration and explores the effectiveness of reintegration programs like Tunisia's Tounesna initiative and Morocco's NGO-led efforts, revealing gaps in funding, accessibility, and coordination. It emphasizes the need for expanded support, improved collaboration, and policies addressing the root causes of migration to enhance sustainable reintegration. This research contributes to understanding the factors shaping return migration and reintegration in North Africa.*

## INTRODUCTION

Since 2011, Tunisia and Morocco have become major migration hubs, serving as destination, transit, and departing countries. This phenomenon occurred as many refugees, looking to escape the chaos of the Arab Spring, sought sanctuary in Europe. Coupled with increased conflicts and economic woes across Sub-Saharan Africa and the relative proximity of Morocco and Tunisia to Europe, over a million individuals irregularly entered Europe in 2015, a number larger than ever before (Clayton and Holland 2015). Thousands of these migrants left from or through Morocco and Tunisia. (Clayton and Holland 2015).

While Tunisia and Morocco's places as transit countries have been deeply investigated, their roles as destination and departure countries have not. This paper aims to highlight Morocco and Tunisia's role as departure countries. As Tunisians and Moroccans migrate increasingly, return migration has also increased. This paper seeks to understand the social, economic, and political struggles faced by Tunisian and Moroccan returnees during the reintegration process, the distinctions between different returnees, and the ability of governments and NGOs to aid in the reintegration process. First, this paper reviews the literature on the migration patterns of Tunisians and Moroccans to provide an understanding of the scope of immigration and the implications associated with this issue. Central concepts are next defined. This is followed by a discussion of the methodology employed in the paper, the results of my interviews with Tunisian and Moroccan returnees, and policy recommendations to improve the return and reintegration process.

## LITERATURE REVIEW

### Irregular Migrants in Europe

Research on irregular migration has grown substantially over the past decade. Conducting interviews with irregular migrants in Sicily, Emma Blake and Robert Schon (2019) identified the material costs and the mental toll that the voyage to Italy took as the most difficult issues these individuals faced. Related research, involving following young Afghan men in Paris found that, to ignore the laws governing asylum seekers, France claims many asylum seekers to be irregular migrants, allowing them to ignore the required protections for this population (Schuster 2011). Other European countries use related methods, as evidenced by case studies of Spain, Denmark, Germany, and the Netherlands, revealing that these countries manipulate the EU's basic guidelines to deport as many migrants as possible (Kalir et al. 2021).

### Acronyms

- ANET: National Agency for Employment and Independent Work
- CEFA: European Committee for Training and Agriculture
- DRC: Danish Refugee Council
- DGPS: Directorate General of Social Promotion
- FOO: Foundation Orient-Occident
- GIZ: German Corporation for International Cooperation
- IOM: International Organization for Migration
- OTE: Office of Tunisians Abroad
- PMM: Progettomondo

## Deportees

With deportations increasing in recent years, research has increasingly focused on its effects on return migrants. One such study found that, due to stigmas, unemployment, and poor housing, the mental health of Libyan deportees has steadily worsened (Ofori 2020). The report recommends that the government and relevant organizations provide professional counselors who can meet with deportees when they first arrive in the country and improve social services. Also advocating for improved social services, Nwanna and Olowu (2019) identify how social workers can help deportees reintegrate, which includes acting as mediators and advocates for deportees, serving as a go-between for the deportees and the government, and working to improve deportees' courage and self-worth. Shedding light on the many hardships Afghan forced returnees have faced, Schuster and Majidi (2013) argue that the difficulty of repaying debts owed from migrating, shame, and accusations of being "contaminated" compound the hardships that forced deportees to migrate in the first place. Four years later, they contended that the scarcity of opportunities available to deportees, alongside the stigma associated with their perceived failure, exacerbates attempts at remigration (Schuster and Majidi 2017). This fact highlights the necessity for a fundamental transformation of the reintegration process for returnees.

In neighboring Pakistan, deported laborers also struggle to readjust. A survey given to 322 individuals found that many struggled to find employment, and those who did were forced to work long hours with minimal benefits and for little pay, typically in the informal job market (Ullah and Khan 2021). Many Latin Americans face similar struggles with reintegration, as many cannot find work and face significant ostracization in these communities (Vargas 2018). While most studies on the lives of deportees look at youth, Cheryl-Ann Boodram (2018) explored men over 50, highlighting their difficulty reintegrating into Trinidad and Tobago. Following years of absence from the country, these men became unfamiliar with their country of birth, compounding the difficulties of reintegration. In another male-specific study, it was found that male deportees in Mali suffered a loss of masculinity and a decreased social life upon their return (Schultz 2020). However, the ability of some to use courage and hard work to regain this dignity reveals a strategy that could help them reintegrate more successfully.

## "Voluntary" Returnees

When it comes to voluntary returns, the same problem exists: the literature on this topic is underdeveloped despite the plethora of problems this group faces. Conducting over 100 interviews with people aged 17 to 24, Digidiki and Bhabha (2019) gathered information about the horrific journeys migrants took, which included detentions, torture, rape, and beatings, to convince the Nigerian government to fund agencies that aid youth returnees. They argue that to recover, mental

health resources must be more accessible and more numerous in the country. While most studies focus on the negative aspects, some argue that return migration benefits their destination countries, countries of origin, and migrants, despite their return. A study of Senegalese returnees showed that when migrants return, they bring new resources and know-how that help both themselves and their home country (Sinatti 2014). Return migration also helps European countries decrease their ever-growing migrant population, resulting in a win-win situation for all parties involved.

## Tunisians and Moroccans Irregularly Migrating

Despite thousands of Tunisians and Moroccans immigrating to Europe in the past decade, research on these populations remains sparse. In his analysis, Rayed Khedher (2016) elaborates on the deplorable conditions experienced by Tunisians who irregularly migrated to Lampedusa, an Italian island that serves as a common arrival point. He highlights the tragic deaths of friends and fellow migrants, as well as the escalating apprehension regarding deportation, thereby emphasizing the considerable hardships faced by this demographic. With the dangers of the voyage to Europe, the question remains: Why are so many Tunisians and Moroccans attempting to migrate? Through a study of Tunisian rap songs, one possibility that emerges is that Tunisians cross due to poverty at home and the lack of opportunity (Chamekh 2021). In a biography, the life of Moroccan migrant Abdelkrim highlights the day-to-day uncertainty migrants live with, the struggle to sustain themselves, and the fight to obtain human rights (Menin 2016). In a larger study, Paparusso and Ambrosetti (2017) use micro-level indicators to determine if Moroccans who have immigrated to Italy will move back to Morocco or not. They find that, while the majority have no desire to return, the decision is based on socioeconomic factors and work conditions.

## Return Migration to Tunisia and Morocco

With large numbers of Tunisians migrating, return migration has also picked up steam. In one paper, Maegan Hendow (2013) interviews 15 Tunisians who had irregularly migrated to Europe and were deported by the authorities. The study focuses on human rights concerns throughout the journey, notably their lack of food and water, detention upon arrival, and the mistreatment of migrants by Italian authorities. In general, migrants face abuse from the beginning to the end of their journey. Also identifying the need to better understand the lives of Tunisian returnees, Mercy Corps (2018) sponsored a study in which 80 returnees were interviewed to learn about the reasons for their departure, reasons for their return, and challenges they face in their country of origin. It was found that while in Europe, only about a quarter of interviewees were able to find work and that half of those who found work were still unable to meet their basic needs. In a study on forced returnees, Yasha Maccanico (2022) interviewed 53 Tunisian deportees

to highlight the mistreatment they face while in Italy by the authorities, which includes violence, exceptionally long periods held at detention centers, and insufficient food, among others.

Moroccan return migration has also increased. In one of the earliest studies on this topic, the experiences of Moroccan returnees from the Netherlands are investigated (Bree, Davids, and Haas 2014). A majority cited socioeconomic problems as the primary reason for their exit, even though they previously planned on staying in the Netherlands. However, after returning, most cited unhappiness with Morocco and a desire to return to the Netherlands, mentioning friends they left behind, the lack of modernity in Morocco, and difficulty finding a job. A related study determined that there is not a single reason that Moroccans return and that multiple theories/reasons can be used to explain return migration (Haas, Fokkema, and Fihri 2014). This idea supports the voluntary return categories I identify (discussed later in this paper), as it is impossible to settle on a single reason for return migration. Trying to identify a solution to the problems return migrants face, Sergio Carrera (2016) examines the cooperation between the EU and Morocco in returning irregular migrants to Morocco. The author admits that although they are imperfect, the agreements made between the EU and Morocco on migrant repatriation and border protection should be a basis for new agreements made between the EU, Turkey, and North African nations, underscoring the positive cooperation between these entities. In another case study, six Moroccans aged 24-48 who were deported from Spain were interviewed to better understand their experiences (Lo Coco 2023). To underscore the failures of Spain's deportation policy in supporting deportees, Lo Coco uses the negative experiences of the Moroccans and their attempt to reintegrate. These experiences include sudden deportations after prison stints and being to come to the police station due to expired papers before being deported immediately and without warning. In a more positive study, researchers conducted a comparative study of the reintegration processes for deportees in Morocco, Guinea, and Senegal, shedding light on how the International Organization for Migration's (IOM's) reintegration program has helped this population (Majidi et al. 2022).

### Tunisia and Morocco as Transit and Destination Countries

Some studies of Tunisia and Morocco focus on migrants who travel to North Africa either en route to Europe or to settle there permanently. In a work that included migrants from around Africa and the Middle East, Terre d'Asile Tunisie sought to understand the mental health struggles migrants in Tunisia face (Claessens and LaRoussi 2017). They determined that fear of failure is their biggest source of stress, along with socioeconomic struggles, integration into Tunisia, and building social networks. Adding to this study, Donia Torabian (2019) conducted interviews with 15 irregular migrants, further revealing the incalculable stress they face every day. Language

difficulties, long work hours for little pay, and fear of returning to their home countries as a "failure" place undue stress on migrants in Tunisia. Syrians, another group that has come to Tunisia, have had great difficulty in arriving and establishing themselves (Zuntz et al. 2022). With the difficulties of entering Tunisia, the need to repeatedly return to Algeria to renew their papers, and the poor economy, Syrian refugees in Tunisia have struggled to stay afloat. However, they remain in Tunisia due to the country's relative safety and stability. Nevertheless, the Tunisian government's employment of illegal practices against refugees and asylum seekers in the country negatively impacts the human rights of irregular migrants (Badalić 2018). Specifically, detention, lack of due process, and the inability of migrants to obtain residency permits cause hardship and harm among immigrants. With the security concerns facing irregular migrants in Tunisia, many live in fear of impending deportations and struggle mightily.

Unlike Tunisia, the Moroccan government's approach to immigration has been more conciliatory and accepting. To include migrants in society, King Mohammed VI of Morocco offered legal status to 50,000 irregular migrants in 2013 while working to create a pan-African identity across the country (Dworkin 2020; King 2023). Even though many argue that migrants have more rights and freedoms in Morocco than in Tunisia, many still face significant racism and blame for Morocco's economic woes (Coleman 2023). Additionally, in one study, Sub-Saharanans in Morocco lamented that they had little agency to control their present and future and that organizations created to help them have been unable to improve their lives (Bachelet 2018).

## CONCEPTUAL AND THEORETICAL FRAMEWORK

To better understand the topic, I define the following concepts, which are fundamental to my research.

### Irregular Migration

While many return migrants use regular means, or migration through recognized and official channels, to enter and stay in Europe, others chose, for a variety of reasons, to migrate using irregular means. Jordan and Düvell (2002) define irregular migration as "crossing borders without proper authority or violating conditions for entering another country". I expand this definition to include children born in a foreign country to irregular migrants and migrants overstaying a visa.

A popular misconception is that irregular migration from the Maghreb only occurs by boat across the Mediterranean Sea. While this route receives the most media coverage, there are other routes into Europe. For example, between 2020 and 2022, taking advantage of the ability to enter Serbia visa-free for 90 days, some Tunisians flew to Serbia and crossed into the EU overland (Meddeb 2023). Moroccans also use this route,

as evidenced by the testimonies of two interviewees (discussed later in this paper). Other irregular migrants fly into countries in Europe on temporary visas and overstay the allowed 90 days (Calamur 2019). While some irregular migrants avoid detection by European authorities or are allowed to stay, others are sent back to Morocco and Tunisia. Of those who are allowed to stay, some eventually return on their own, while others are deported later, typically due to criminal charges.

## Return Migration

When most people refer to return migration, they identify those who previously immigrated before returning on their own accord. Yet, the situation is more complicated than that. Return migration broadly includes two main types: forced and voluntary. Forced return involves authorities in the host /receiving country sending a person back to their country of origin, a previous country of residence, or another part of the country. Often referred to as deportation, forced return usually occurs when migrants fail to acquire refugee or asylum status or after being charged with a crime. Several factors, including the economy and popular opinion, affect the state's ability and desire to return migrants forcibly, and sometimes laws are manipulated to fit the state's wishes (Gamalerio and Negri 2023).

Voluntary return is when someone goes back to a country they previously lived in without direct force. This definition means that, in addition to migrants who choose to return home, migrants can be coerced into return migration through threats of arrest, deportation, or other punishments. The IOM has divided voluntary returns into three categories (Sironi, Bauloz, and Emmanuel 2019). These include spontaneous return when a migrant chooses to return to their previous country of residence without government or NGO aid; Assisted Voluntary Return (AVR), when migrants receive reintegration assistance from an NGO or government on their return to a previous country of residence; and Voluntary Humanitarian Return (VHR), when a migrant in a life-threatening situation is helped to return and reintegrate to a previous country of residence.

However, this paper disagrees with the IOM categorization of return migration. For example, the term "spontaneous return" implies that the decision was made without any planning. However, many returnees plot their return long before they move, while others don't want or need the IOM's help. Many migrants, some in this study (discussed later in this paper) are not aware that organizations are available to help them return. Instead of designing categories to accurately describe the types of return migration, the IOM highlights AVR and VHR, where the organization plays a large role while classifying all other returnees as "spontaneous", when the organization plays no role, to politicize irregular migration and to craft a better image of the organization globally. To better understand the reasons that people return voluntarily, I have replaced the spontaneous return section with the

following categories, which will serve as the basis for the type of migration, along with AVR and VHR:

**Long-Term Return:** People who have been abroad for a long period (length of time varies by the individual, country of origin, and destination) and made enough money to return to a previous country of residence. Usually, they are retired or will open a new business upon return using the financial gains made abroad.

**Dissatisfied Return:** After migrating, some become unhappy, or dissatisfied, with life in their new country. Reasons may include missing friends and loved ones, an inability to find work or housing, or discrimination, among others. In response, they chose to return to a previous country of residence.

**Forced voluntary return:** Returnees are ultimately faced with a choice: return voluntarily or be deported. In response, many may choose to leave on their own. Additionally, a situation (positive or negative) in their country of origin, the death, illness, or injury of the migrant or a loved one in their current or previous country, or fear of an individual or group harming them are possible reasons a migrant may feel compelled to return.

**Children's voluntary return:** As a child, return is tied to the decisions of family members. These categories are not monolithic, and many returnees could be classified into more than one group.

## Reintegration

Reintegration includes three elements: economic, social, and political. Economic reintegration involves returnees trying to find work to support themselves and their families. Social reintegration consists of reforming connections with friends and family while creating new networks and support groups. This step is likely more difficult for people gone for a long period, as they may have lost contact with former friends and family and will be behind on current cultural trends. Political reintegration, which this paper would consider the final step in fully reintegrating, is when a returnee agrees to receive government assistance, pays taxes, and accepts the government's ability to rule. By doing this, the returnee has agreed to live under the state's laws, meaning they accept the country's laws and agree to abide by its norms.

## METHODOLOGY

The core of my data collection comes from interviews conducted with eight returnees (four Tunisians and four Moroccans) as well as interviews with multiple NGOs, authors, and experts. This paper takes a qualitative approach, as returnees were asked open-ended questions focusing on understanding return migration and the struggles migrants have faced.



Time constraints and the difficulty of the subject matter resulted in the relatively small number of interviewees. A future study should seek to increase the sample size to ensure the findings in this paper are consistent with the larger population. Another concern was mistrust towards me and the study, as well as fear of reprisal from the government. At times, these valid concerns led people to refuse to be interviewed. To try to make people feel more at ease, I assured interviewees that their information would be kept private and that no information would be shared with an outside source. Additionally, interviewees had complete freedom to skip any questions they wanted, which many took advantage of. Finally, pseudonyms are used for the returnees in this study to protect their identity.

## WHAT DO THE EXPERTS THINK?

### The Tunisian Case

While the factors prompting Tunisians to leave irregularly are multifaceted, much of the literature has focused on the country's deteriorating economy. Since the revolution in 2011, Tunisians' hopes for improvement have failed to deliver. The inflation rate, which has remained above 3.5% between 2015 and 2023 and reached a maximum of 10% in February of 2023, remains significantly higher than before the revolution (Statista 2024). Unemployment among youth, the main demographic of irregular migrants, jumped from 29% in 2010 to 42% in 2011, the year of the revolution. Since then, it has fluctuated between 34% and 42% (Statista 2024a).

### The Moroccan Case

As with Tunisia, many experts also point to worsening economic conditions as the major driver of Moroccan immigration (Panara 2024). However, while the youth unemployment rate, which hit 26% in 2020, is a serious issue, the economy in Morocco has been a mixed bag: while the GDP per capita is relatively low at \$3,400, lower than Tunisia, the unemployment rate and the inflation rate have remained relatively stable, along with the consumer price index (Panara 2024). Conversely, in both Tunisia and Morocco, some argue that media sources overstate the lavish lives of Europe. One Moroccan put it like this: "From once they are born, they hear Spain is heaven, France is heaven, Europe is heaven... it is stuck in their minds" (Bossen 2025, 1). This idea will be expanded on later in the paper.

## RESEARCH FINDINGS<sup>1</sup>

### The Struggles of Reintegration

As part of this research, 8 return migrants were interviewed. All four of the Tunisian returnees are male, while three of the four Moroccans are females. Of the Tunisian returnees, three are deportees, while one returned voluntarily. All the Moroccans are voluntary returnees. In Tunisia, the

interviewees come from Sfax, Tunis, Kelibia, and Hammamet. In Morocco, returnees are from Kenitra, Agadir, and Fez. Pseudonyms will be used to protect their identity. The names do not define the interviewees' characteristics and were chosen randomly.<sup>2</sup>

The first returnee, Hamlet, a 50-year-old (as of May 2024) from the southern suburbs of Tunis, irregularly migrated to Italy when he was 20 years old. After spending more than twenty years in Italy, he was arrested for selling drugs and jailed for four years. Following his prison stint, he was deported directly to Tunisia without being able to inform his family. When he first arrived, the trauma of spending four years in prison and then being put on a boat to Tunisia left him physically fragile and emotionally vulnerable for a long period. Once his family arrived in Tunisia, he began the slow process of recovery. Being the head of a family with children, he leads a steady life and understands he will never be able to return to Italy. Currently, he works at a Café from 5:00 am to 5:00 pm six days a week, making less than 8 USD a day (25 Tunisian Dinars). Undoubtedly, the long hours and poor pay make the process of reintegration a tough experience. The fact that he did not find a better job in Tunisia, added to the fact that he works close to home, reveals that he is still uncomfortable socializing and prefers to stay where he feels safe. After so many years outside of the country, along with the trauma he faced, it may take many years until he has enough confidence and acquaintances to find a better job. Additionally, the stigmatization around his return may have made employers wary of hiring him, thus making it difficult to find a well-paying job.

The two forced returnees in their 20s (as of May 2024) who migrated to Italy share similar stories. One of them, Macbeth, was unable to acquire papers (legalize) when he arrived, meaning he could not work in the formal job market. After three months, he was caught by the police selling drugs and returned to Tunisia. In Tunisia, he works with a delivery company, trying to earn enough money to purchase a boat so he can try to migrate to Italy again. Since he was only in Italy for two or three months, he seamlessly reaffirmed his Tunisian connections and got a job without difficulty. When asked if he thinks he will stay in Tunisia, he said that there is no future here, he has no choice but to leave, and he will do whatever it takes and try as many times as he can to make it to Europe.

The other forced returnee from Italy, Othello, a man in his twenties (as of May 2024), is the starkest example of someone refusing to reintegrate. He has tried on two occasions to migrate to Europe, but each time was deported instantly. While he had a job before he migrated for the first time, he now refuses to work. While this can be viewed as a failure to reintegrate economically, it says more about his rejection of the government and Tunisia. This political position proves that he has mentally moved on from Tunisia and has refused reintegration completely.

The final Tunisian returnee and the sole voluntary returnee of this country from Tunisia, Edmund (as of May 2024), is a man in his late 40s who lives in Kelibia. After arriving in Italy, he found a job as a fisherman. However, after working for two years, he did not get his promised payment and returned to Tunisia. He is still hoping that he gets paid and will be able to go back to Italy to work since, in his words, the pay is much better in Italy than in Tunisia. While in his country of origin, he does not have a job and continues to wait for the opportunity to go back to Italy, despite having a wife in Tunisia. I would classify this return as a dissatisfied return. Although he enjoyed his time in Italy, since he was not paid as promised, he became dissatisfied and went back to Tunisia.

The first Moroccan returnee is a 21-year-old woman (as of June 2024), Nikki Hiltz, from Kenitra, Morocco. While in high school at age 16, she moved to Belgium to finish her education. After living in Belgium irregularly for over a year, she was reported to the authorities and left Belgium shortly after, an example of forced voluntary return. Upon return to Morocco, she finished high school and then got into a US college. She said the experience “made me realize the worth of the country I was in and the overrating of the countries I wanted to be in. I think it’s all part of a new colonial effect that we have from the past.” With this acceptance of her past and knowledge of her mistakes, she has been able to move on and improve her life. As one of the few reported “success stories” of return migrants, Hiltz offers hope to returnees worldwide that leading a successful life is possible.

The following returnees I spoke with took part in the Foundation Orient-Occidental’s (FOO’s) return and reintegration program. Since an NGO facilitated their return, each of these voluntary returns are classified as AVR. Cole Hocker, from Fez, spent four years in the Basque Country. After arriving, he attempted to become a regular migrant but was denied, forcing him to covertly work in the informal job market, where he struggled to make ends meet. After four years, when he felt there was no possibility to get papers and become a regular migrant, he returned to Morocco through FOO’s program. He has been in Morocco for less than a year (as of June 2024) and is working as a delivery driver. After returning, his family and friends were happy to see him, thus facilitating his transition. With his willingness to return and acceptance of the inability to regularize in Europe, Hocker is more motivated to reintegrate, as he feels his future lies in the country of his birth, not abroad.

Two of the returnees, instead of migrating to Europe by boat, chose to do so by plane. Leaving Fez by plane to Turkey and then Bulgaria, which don’t require visas for Moroccans visiting for up to 90 days, they tried to enter the EU from the east. From Bulgaria, twenty-nine year-old (as of June 2024) Quincy Hall made it to Serbia but was shot in the leg and apprehended by the authorities before being sent back to Bulgaria. In Bulgaria, he secured a spot with FOO’s return program. Now, back in Morocco, Hall is working as a delivery

driver, but he says he is “indifferent” regarding his inability to make it to the EU. He has faced much difficulty with his friends, who have stigmatized him upon return, making it more difficult for him to feel reintegrated. However, at the time of this interview, he had only been in Morocco for five months, so it remains to be seen how successful his reintegration will be.

Kenneth Rooks, who took the same route as Hall, was also stopped by police in Serbia. When he was found with smugglers, he was beaten and sent back to Bulgaria, where he was held in prison for over a month. There, he was told about FOO’s program and agreed to return to Morocco. Back in Morocco, FOO is helping him to buy and transfer fruits and vegetables to the market, where he can sell them for profit. Socially, he has been uncomfortable around his friends, as he is embarrassed about his failure and unwilling to address it. While this could change with time, it is a pressing concern for his mental health.

## Means of Migration

Most Tunisian interviewees used self-smuggling to enter Italy and left Libya or Tunisia to reach Italy. Self-smuggling has become widespread for Tunisians since self-smugglers can land in less patrolled areas and leave on their terms, increasing their likelihood of making it to Europe undetected. However, some still prefer to hire a smuggler who has experience sending people abroad. More research is needed to understand the factors involved in choosing the type of irregular migration and the risks specific to each migration method. In Morocco, self-smuggling is practically unheard of. When hearing about the stories of some of the Tunisian self-smugglers, a Moroccan immigration professor expressed surprise that people migrate on their own.<sup>3</sup> Why self-smuggling occurs from Tunisia and not Morocco is unclear.

## Identity Changes

Research often highlights the shame irregular migrants feel if they fail to arrive in Europe, are unable to improve their lives, and/or if they return to their country of origin. However, the situation is slightly different for North Africans. Since Morocco and Tunisia are directly across the water from Europe, traveling is less expensive and quicker than for those coming from other countries, so much so that some migrants leave unannounced. The comparative ease of getting to Europe and the ability to make multiple attempts means shame is less prevalent among North African returnees than most returnees. That is not to say that shame and stigmas do not exist; many returnees are rejected by their families and communities for their failure to make it and thrive in Europe.<sup>4</sup> Additionally, thousands of Maghribs have died trying to cross, highlighting that while the trip is shorter, it is still incredibly dangerous (Fadel et al. 2022). Nevertheless, given the glamorization of irregular migration across Moroccan and Tunisian social media and the normalization of irregular migration, some returnees are hailed for their efforts instead of berated for

their failures (Ghoulidi and Herbert 2019; Ebel 2022). The situation depends on the return migrants' family, friends, and community. The interviews conducted for this study indicate that friends and youth are more likely to be understanding of returnees as compared to older family members, who more often stigmatize returnees for their supposed failure. This difference can be understood through the demographic of irregular migrants. Since the majority of irregular immigrants in Europe are youth, those who stay behind may know someone who has migrated, making it a normal phenomenon and decreasing stereotypes for those who return (Pew Research 2019). However, since irregular immigration was not as common for older family members when they were young, they may not understand why their children or relatives are leaving. Additionally, if they return, frustration over leaving the family, which is traditionally extremely tight knit in the Arab World, may lead to stigmatization and returnees feeling shame.

For those who tried to go to Europe, even if they failed, their identity is changed forever. From the moment they leave, irregular migrants view themselves differently from other Tunisians and Moroccans as they no longer feel that they belong to their country of origin. Even after coming back, this self-image is not easily undone, proven by the desire of many to immigrate again. They express double consciousness: a feeling of separation from other Tunisians/Moroccans in their home country while still strongly identifying as Tunisian and Moroccan to foreigners. Typically, when talking about returnees, experts use the term "transnationalism" to describe the competing self-images they have, as they maintain a dual identity from both their country of origin and the country they migrated to. However, many returnees only spent days or weeks abroad before returning. Since transnationalism requires that migrants "...develop and maintain multiple relationships – familial, economic, social, organizational, and religious and political – that span borders", returnees who spent a short time abroad did not have time to create the strong bonds characterized by transnationalism (Basch, Glick Schiller and Blanc, 2020, 1). However, they still feel a sense of belonging to two distinct groups, leading to different social identities. Even for people who do not decide to immigrate again, their feeling of not belonging in North Africa will not dissipate immediately. Nevertheless, each interviewee expressed pride in their country of origin, even though they still wanted to leave. While double consciousness is typically used to describe the situation of African Americans in the US, this definition describes these dual identities more effectively than transnationalism. Using the term to describe African Americans in the United States, W.E.B. DuBois explains that an African American "feels his two-ness — an American, a Negro; two ... one dark body, whose dogged strength alone keeps it from being torn asunder." (DuBois 1897, 1) North Africans also feel this "two-ness": a strong Tunisian/Moroccan identity but a sense of self imposed distance from other Tunisians and Moroccans. These contrasting perceptions arise and disappear accordingly. One Tunisian

American I interviewed summed this idea up perfectly. When with her Tunisian friends, she is regarded as the American of the group, but when interacting with myself and other Americans, she feels particularly Tunisian. His same concept can be applied to these returnees, as their differences become heightened based on the individuals with whom they are interacting.

### Voluntary vs. Involuntary

While these interviewees do not represent all returnees, their cases provide an interesting perspective into the lives of returnees. Based on the results of these interviews, the difference in return is crucial to returnees' decisions regarding whether to go to Europe again. Edmund, a Tunisian voluntary returnee, chose to return to Tunisia because he was not paid for his work in Italy and felt he had no other option but to return. However, should the opportunity arise, he said he would return to Italy. His return, which this paper classifies as a forced voluntary return, was similar to the forced returnees in this study: a situation beyond their control forced them to return to Tunisia, yet a remaining desire to go back to Europe. Conversely, Cole Hocker, who voluntarily returned due to economic struggles, at least currently, has no desire to immigrate again. While he did return through what this paper would define as AVR, his return was also due to dissatisfaction with his economic situation. With this type of return, remigration is less likely for him than for Edmund, who still has hope that Europe will improve his life.

Despite the similarities between forced voluntary return and forced return, one notable difference remains, which is highlighted by the two older returnees in this study: Edmund and Hamlet. Since irregular migration is not feasible for an older individual, particularly one with a family, Hamlet understands that, although he wants to go back to Italy, it is not possible. However, since Edmund would, theoretically, be able to legally reenter Italy if he works out his contract issues, he will do so if the opportunity presents itself. In essence, his voluntary returns offer the possibility of reentry into Europe, while Hamlet does not have that luxury.

To further complicate the matter, it must be noted that many times, the lines between voluntary and involuntary returns may be blurred at times. This situation can be seen with most of the Moroccan returnees in this study. For example, Nikki Hiltz was told that if she didn't return on her own, she would be deported, meaning she was forced to return voluntarily. One employee of the European Committee for Training and Agriculture (CEFA), an NGO active in Morocco and Tunisia that helps returnees, said that for many, their return is "plus ou moins volontaire"<sup>5</sup> [more or less voluntary].

### Policy Management

The question remains: who should oversee return migration? The first actors responsible for returnees should be the Tunisian and Moroccan governments. Nevertheless, Tunisia's program is underfunded and understaffed, while Morocco does

not have a legal framework to help return migrants. Without providing an effective legal framework, governments negatively affect their citizens who re-enter, encouraging them to try and reenter Europe.

Some interviewees expressed disgust with their government. One forced returnee said, “I don’t believe in government,” while another detailed his abuse by the police upon return, which included being beaten with a hammer. Not only does the government fail to help its citizens but, in some instances, they criminalize and torture them.

To try and fix the problems, Tunisia and Morocco have signed a series of memorandums of understanding (MoUs) with the EU, most recently in July and December of 2023, respectively. These agreements stipulate that the sides will work together to combat irregular migration while creating more avenues for regular migration (European Commission 2023). However, many organizations have criticized the agreements. For example, although the EU lists Tunisia as a safe country, meaning Tunisian nationals can be forcibly returned, due to the country’s authoritarian drift, the backslide of basic freedoms in Tunisia, and the country’s severe economic struggles, many disagree with this label (Gobe 2022; Amnesty International et al. 2023). These organizations have released statements requesting that the EU cease cooperating with Tunisia on migration control (Statewatch 2023). However, this anger has not been seen concerning Morocco’s status as a safe country.

In terms of return programs, since 2019, Tunisia has run a government return program known as Tounesna, which offers aid to both forced and voluntary Tunisian returnees (Boitiaux 2023). If selected, returnees are paired with an NGO for one year. The program is set up as follows: European donors work with three task forces the Office of Tunisians Abroad (OTE), the Directorate General of Social Promotion (DGPS), and the National Agency for Employment and Independent Work (ANET), to provide funding and support for NGOs to work with Tunisian returnees (Tounesna 2021). Once selected, returnees are assigned to one of the 15-20 NGOs that partake in this program and begin their reintegration. Three types of aid are available to help returnees: help with finding a job or creating a micro-enterprise and social reintegration aid.

While the program has been successful in helping returnees open small businesses and reintegrate, it has several issues. First, there is very limited information sharing between the task forces and NGOs, as evidenced by the fact that NGOs have no role in choosing who participates in Tounesna and are not aware of the criteria used to choose the participants. Second, the program almost exclusively serves men. Although more men irregularly migrate than women, the lack of women involved in the program is startling (Eurostat 2023). A member of CEFA stated that after spending two years working with the Tounesna program, only three women had been referred to CEFA for support and reintegration. Additionally, NGOs have very limited funding, leading to severe staffing shortages.<sup>6</sup>

As a result, the program is limited in its scope; in 2022, only 79 Tunisians benefited from the program, despite thousands of Tunisians returning per year (Boitiaux 2023). While the NGOs’ valiant efforts must be highlighted, the lack of support makes their job extremely difficult and limits their impact. Nevertheless, Tunisia is one of the few countries that possess a top-down reintegration program and has the structures in place to help returnees on a much wider scale.

Tounesna was the first “national plan”<sup>7</sup> created by the program Progres, which allows a national committee, made by OTE (Office for Tunisians Abroad), DGPS (Ministry of Social Affairs), and ANETI (National Agency for Work and Independent Job) to coordinate the reintegration of the migrants with the support of NGOs. However, a new reintegration program, which also allows for coordination between government and NGOs, run by the Danish Refugee Council (DRC), was created in March of 2023 and officially started in September.<sup>8</sup> Also available in Morocco, this program specifically works with refused asylum seekers and victims of trafficking.<sup>9</sup> Around ten returnees are currently participating in the project; it remains to be seen how successful it will be.

The Dar Tun project, which receives financing from the German Corporation for International Cooperation (GIZ) and is managed by CEFA, has been operational in Morocco for several years and is now expanding its operations to include Tunisia.<sup>10</sup> The project includes mental health support, social and community cohesion, and entrepreneurial training. Despite its promise, the program faces limited staff and budget, restricting its scale. An alternative Moroccan program, Progettomondo (PMM), acts as an “emergency support program,” offering medical, psychological, and psychiatric support to returnees.<sup>11</sup>

The final program I discuss is FOO, a program with which three of the returnees in this study work. CARITAS International, a group based in Belgium, helps connect Moroccan migrants in Europe with FOO.<sup>12</sup> After being accepted and returning to Morocco, FOO is given around 2,000 euros to help returnees get a job, housing, and other essentials.<sup>13</sup> For example, FOO helped one of the returnees interviewed in this study to become a delivery driver by purchasing him a motorcycle.<sup>14</sup>

## POLICY RECOMMENDATIONS

Today, migration is at the forefront of both Maghrebi and European societies. With the continued exodus of Tunisians and Moroccans to Europe, more research is needed to understand why they are leaving and how they can be aided upon return. This paper cannot fully answer these questions. Nevertheless, it is an important start in understanding the micro, mezzo, and macro factors that help and hurt returnees. Although many factors are outside of the control of the Tunisian and Moroccan governments and NGOs, such as wars in the Middle East and Eastern Europe driving up food prices at home, there are still measures Tunisia and Morocco can take.



**Micro:** On a micro level, the best way to help returnees is to assist them in regaining their agency. To do this, returnees must be given tools and guidance to find jobs and earn their own money while being offered continual support along the way. Encouraging organizations to help returnees find suitable jobs is a great start, and removing options for microenterprises, something NGOs have supported with mixed results should be considered.

**Mezzo:** NGOs and their partners must increase and improve their operations. Although, at least in Tunisia, most reintegration programs involve multiple parties, a member of CEFA highlighted the lack of communication among NGOs and between the NGOs and donors. To improve this, NGOs must be part of the decision-making process regarding who is to be included in the reintegration program, as they do most of the work in helping return migrants.

Additionally, NGOs must work together to teach each other lessons they have learned and to provide support for each other. Since each NGO has its specialty, and different people across civil society have been forced to make difficult decisions, working together to problem solve should improve the reintegration process for return migrants and help NGOs improve their performance. A member of CEFA lamented that, after working in this field for two years, she has only been to three group training sessions, where expertise on aiding returnees is shared and relationships form. She cannot go to more since more are not offered. Also, many NGOs that aid returnees are unaware of other NGOs that do as well. This fact became clear from my conversations with several NGOs across the countries, as, at times, NGO workers were unaware of an NGO carrying out the same work on the same street.

Finally, more Moroccans and Tunisians must be involved with these programs. Some of the reintegration programs do not have any Arabic speakers, making it more difficult to help returnees, as they may only speak Arabic and, even if they speak another language, may not feel comfortable doing so. Tunisians and Moroccans, or at the very least individuals who speak not just Arabic but the Moroccan and Tunisian dialects of Darija and Tounsi, must be a part of these programs. The issue with the lack of Arabic speakers is highlighted by the people who utilize the reintegration programs. Understanding the need for economic reintegration before political and cultural forms of reintegration, most NGOs and government programs offer job training and employment-related tools to the returnees. Since only people unable to afford to reintegrate on their own will use this program, and poor people are likely to come from areas with less investment in education expenditure, many of them will not speak a second language. If neither the workers in NGO programs nor returnees can communicate, returnees cannot explain the tools and skills needed to successfully reintegrate. Additionally, while a translator can be used, this paper's explanation of the lack of trust Moroccans and Tunisians have in government and NGOs means that, if a translator must be used to communicate, convincing returnees to trust these

programs will prove incredibly difficult. As evidenced by FOO, a reintegration program can hire North Africans to take the central role in the reintegration program.

**Macro:** The governments in Europe, Tunisia, and Morocco must increase their spending on return and reintegration programs so that more returnees have access to aid. Additionally, and perhaps more radically, European governments must also increase programs to bring over regular migrants to work, something European countries desperately need with their declining populations. Finally, the root causes of migration in North Africa must be addressed: economic issues and an idealization of Europe likely being the main two. The US should push the IMF to grant Morocco and Tunisia loans with low levels of conditionality to help their economies grow, while Morocco and Tunisia should use the money to build infrastructure, increase food producing capacity, and produce manufactured goods, all of which should help to create jobs, lower the cost of food in the long run, and allow these countries to both buy cheaper products internally and have products to export for a profit. All of this can both decrease irregular migration and help returnees rebuild their lives.

## CONCLUSION

This research has brought to light the struggles Moroccan and Tunisian return migrants face once they are back in their country of origin. These challenges occur on the micro, mezzo, and macro levels. On the micro level, returnees struggle with their self-identity and feel like outsiders, no matter who they engage with. On the mezzo level, NGOs ensure they work together to improve the ability to aid returnees. On the macro level, the European Tunisian and Moroccan governments must increase funding for reintegration programs to improve the well-being of returnees. Reintegration programs have showcased their ability to help returnees reintegrate and prosper on all three levels. However, unless they are expanded to help a wider range of returnees, their impact will continue to be limited.

By speaking with this hard-to-reach population, the struggles of returnees in Tunisia and Morocco are examined through economic, social, and political lenses. The resulting interviews found that returnees struggle to support themselves and their families economically and reform connections with family members and friends (particularly if the returnee has been gone for a long time). Additionally, most do not receive government or NGO aid and are unaware of existing reintegration programs.

Future studies would be wise to increase the number of interviewees while ensuring different demographics across Tunisia and Morocco are included. By doing so, the findings in this paper will either be upheld, refuted, or modified, offering a larger picture of the lives of returnees. Nevertheless, the findings of this paper are invaluable to the current discourse on return

migration, as they allow returnees and on-the-ground workers in this field to tell their stories.

Return migration in Morocco and Tunisia is not going to disappear as a phenomenon. To help returnees, the government and organizations must work together to help improve returnees' self-image, find a job, and improve their lives in North Africa. This can only be done if all parts of society work together. While Tunisia and Morocco have the necessary framework in place, all actors must increase their communication and cooperation if the program is to become more widespread and accessible to all returnees. ■

## ABOUT THE AUTHOR

Joseph Zimble is a senior at Gettysburg College. He is a double major in Political Science + International and Global Studies, along with a double minor in French + Middle East and Islamic Studies. Currently, he is a semi-finalist for the Fulbright Award and, if awarded this prestigious grant, will pursue an MA in Conflict Research, Management, and Resolution at Hebrew University in Jerusalem.

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## ENDNOTES

- 1 Appendix: For more information on the interviews, email the author at [jdzimbler@gmail.com](mailto:jdzimbler@gmail.com)
- 2 These interviews were carried out between May and June of 2024, meaning all of the ages, time between events, and stories refer to this specific period.
- 3 Interview with a Moroccan professor of migration.
- 4 Interview with a member of CEFA.
- 5 Interview with member of CEFA.
- 6 Interview with member of CEFA.
- 7 Interview with a member of CEFA.
- 8 Interview with a member of CEFA.
- 9 Ibid.
- 10 Ibid.
- 11 Interview with a member of PMM.
- 12 Interview with a member of Caritas International.
- 13 Ibid.
- 14 Interview with member of FOO.

# Movement and Sovereignty: The Separation Wall and the Denial of Palestinian Statehood

Ryan Cudworth, Union College

*Contemporary state theory emphasizes the importance of monopolizing the legitimate use of force. Drawing on John Torpey's Coming and Going as a theoretical framework, this paper extends that theory by exploring state monopolization of the legitimate means of movement, particularly through the policing of border regimes and the state's integration and control over society. This framework is applied to the West Bank wall separating Israel and Palestine. The paper analyzes how this wall has undermined Palestinian efforts to achieve state sovereignty, not only by denying Palestinian authorities control over the legitimate means of movement but also by facilitating Israel's integration into and dominance over Palestinian society. The analysis demonstrates that without control over the legitimate means of movement, the establishment of a Palestinian state is unattainable. The unilateral Israeli control over movement between Israel and Palestine effectively guarantees the continued nonexistence of a Palestinian state.*

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## INTRODUCTION

The conflict between Israelis and Palestinians over the land from the Mediterranean to the River Jordan has remained among the most complex international relations dilemmas of modern times: with a violent intractability that has left thousands dead and millions displaced in search of a permanent two-state solution that remains elusive to this day. Earlier attempts in the 20th century for a two-state solution and later at creating a second sovereign state (following Israel's independence) have come up short. While there are many reasons why Palestinian's right to self-determination has not been realized, I argue that the Israeli government's denial of control over the legitimate means of movement to a Palestinian Authority government made manifest in the separation wall along Israel's demarcation line with the West Bank, is primarily responsible for the elusiveness of Palestinian statehood.

This paper draws on an understanding of state action as "embracing" and "penetrating" society, as Torpey (1998) introduced. The act of "embracing" describes the inductive state-building measures states take in order to draw in their populace. This can include issuing proof of membership in the state in the form of identification documents like licenses and social security numbers, providing services, and more, all in service of drawing the demos to the state willingly. Meanwhile, "penetrating" society is a more coercive form of state-building. This involves the forceful drawing in of the demos to the state, often in a punitive manner. As it relates to the legitimate means of movement, this can take place by building walls, policing borders, and punishing those that violate the bordering regime those borders create.

My argument's theoretical framework builds upon John Torpey's (1998) manuscript, "Coming and Going: On the State's Monopolization of the Legitimate 'Means of Movement'." Here, Torpey posits that how state legitimacy is derived is in part from the exclusive state power to define borders and control movement in and outside the territory thus defined. This power, I argue, has been completely denied from the Palestinian Authority while Israel does not define its borders explicitly. Whereas state theory has primarily focused on monopolization of the use of violence as integral to the construction of a state, Torpey argues that it is crucial to state building to control the legitimate means of movement as well. Without an ability to demarcate those that do and do not benefit from membership within a state, that state will lack the capability to extract from its citizenry labor, capital, revenue in the form of taxes and levies, or manpower in the case of raising an army. To accomplish this goal of monopolizing the means of movement, states have employed identification documents such as driver's licenses, passports, and social security cards as a means of both signifying membership in the state, keeping a record of the composition of the population, and providing legal justification for compelling the extraction of the resources mentioned that are critical to state administration and keeping a record of a state's citizenry.

This paper expands on theoretical, practical, and legal interpretations of the bordering regime between Israel and Palestine. The theoretical examples contextualize both the Torpey (1998) piece and give a lens by which to understand that the consequences of bordering regimes exist beyond territory, and can encroach upon sovereignty. The practical analysis will grant an understanding of how sovereignty is played out in the

day-to-day lives of Palestinians, including how embracing and penetrating the demos impacts individuals. The legal examples underpin the regime that is created by this bordering regime; creating a bordering regime is a living legal action that can change over time, and the politics of which can inform how law is applied, making an understanding of case law, particularly given the peculiarity of Palestinian participation in the Israeli legal system, incredibly important.

## **TORPEY'S "COMING AND GOING" IN BRIEF**

One of Torpey's central contentions is that "modern states, and the international state system of which they are a part, have expropriated from individuals and private entities the legitimate 'means of movement,' particularly, though by no means exclusively, across international boundaries" (Torpey 1998, 239). It is thereby an act and performance of state sovereignty that a state asserts control over its boundaries, defining boundaries, walling, collecting customs fees, and issuing identification designed to embrace society, by identifying and registering the members of its population, and by penetrating society, by developing the capacity to extract from its citizens, such as taxes and conscription, and demarcate those that benefit from the society, "citizens", and those that do not, "non-citizens". Without control over these levers of power, the state lacks the means to embrace its citizenry, penetrate its society to gain resources or assert itself in the face of other states. Thus, in the creation of the modern state, states have expropriated control over bordering regimes from entities such as religious institutions, financial bastions, and individuals. It is axiomatic that, due to it being hand-in-hand with the defining of borders, the extraction of labor and capital, and developing war-waging capabilities against those entities outside of the state's movement regime, the monopolization of the legitimate means of movement is critical to the sovereignty of a state. By defining its borders and issuing identification documents to assist in keeping a record of the people that live within it at the exclusion of all other states, a state can leverage its sovereignty to levy taxes, draft soldiers, and legally employ citizen labor.

In what follows, I apply the insights from Torpey's (1998) theory of the legitimate means of movement as a central component of state sovereignty to explore the factors that affect the chances of a two-state solution between Israel and Palestine. I argue that the separation wall between the West Bank and Israel, and the movement regime that it establishes, denies the Palestinian Authority control over the legitimate means of movement. Instead, this regime operates as an agent of the Israeli government, allowing Israel to embrace and penetrate Palestinian society while affording Palestinians few of the rights and freedoms and none of the citizenship available to non-Palestinian Israelis.

The paper elaborates and substantiates this argument in two sections. The first section of the paper will provide a

historical analysis of the most recent and nearly successful peace framework, the Oslo Peace Accords. Understanding the rise and fall of the Oslo framework for a two-state solution is critical for understanding how, particularly in recent years, the Israeli government has rendered the creation of an independent Palestinian state both theoretically and practically impossible, with the primary manifestation of this statehood confoundment policy being the separation wall between Israel and the West Bank.<sup>1</sup>

In the second section of the paper, I will demonstrate that the separation wall has been the primary means by which the Israeli government, in a performance of security for its citizens, further harmed the possibility of the creation of the ability to create a Palestinian state, and weaponized a bordering regime that already stymied the Palestinian's ability to embrace and penetrate their society to also construct Palestinians as a security threat that Israelis needed protection from. The separation wall has allowed the Israeli government to portray the Palestinians as "other" and in need of policing, thus necessitating Israeli control over the means of penetration of society by a sovereign government, including border policing, visa permitting, and other forms of social control. Further, the separation wall has led to the annexation of large swaths of West Bank territory, promised to the Palestinians by the 1967 Green Line, into Israeli control, where Israeli settlers take advantage of generous government subsidies to live on what was promised to be Palestinian land. With no control over the legitimate means of movement, how can a state achieve the level of sovereignty needed to govern? This existing bordering regime is a reality that will deny further generations of Israelis and Palestinians the benefits of a lasting peace between the two states.

## **OSLO AND THE FALL OF THE TWO-STATE SOLUTION**

The Oslo peace negotiations began between members of the Israeli government and the Palestinian Liberation Organization in 1993. After 45 years of violence between an established state of Israel and an unestablished state of Palestine, significant concessions were made by both sides of the conflict: the Palestinian Liberation Organization recognized the sovereignty of the state of Israel and their claims to settlements in portions of the West Bank and also committed to stopping violence against Israelis, meanwhile, the Israeli government recognized the Palestinian Liberation Organization as the representative of a to-be-established state of Palestine (Rynhold 2008). This framework was meant to lead, also, to the creation of a Palestinian government.

The Oslo agreements allowed for the gradual withdrawal of Israeli forces from Palestinian territory after the election of the "Palestinian Council," as it were. During this withdrawal, a phased and gradual increase in the powers of the Palestinian Council would ensue: after the Palestinian Council was inaugurated, civil administration would be transferred to the

newly elected Palestinian government in Areas “A” and “B”, while Area “C”, the vast majority of the land of the West Bank, comprising much of the agricultural land of the Jordan River Valley and the Northern Dead Sea Region, would be shifted over to Palestinian sovereignty over time (The Oslo Agreement, signed by Israel and the Palestine Liberation Organization on September 13, 1993).

This agreement, perhaps by necessity, due to the peculiarities of Israel being formed on land where a people already lived and now negotiating with its previous, newly stateless, occupants, contained arrangements quite uncommon vis-a-vis relations between two sovereign states. Not only was Israel to police its border with the territory of the new state of Palestine, but it was also to police Palestine’s borders with Egypt and Jordan. Further, Israel was to maintain control over Area C until an unspecified time after the ratification of the agreement, and Israeli settlements were still to be allowed in the West Bank, on the Palestinian side of the Green Line established after the end of the Six Day War (The Oslo Agreement, signed by Israel and the Palestine Liberation Organization on September 13, 1993).

This peace proposal, while it found support in the then-dominant factions on both sides (Fatah in Palestine and Labor in Israel), faced severe opposition from the margins of the political spectrum (Miller 2023). Many religious Zionists in particular believed that the entire land of Israel West of the River Jordan was granted by God to the Jewish people, their belief in this was made only stronger by continued victories for Israel in the 1948 War of Independence, the 1967 War, and the Yom Kippur War, which they reasoned was the result of divine intervention due to Israel’s long odds. Secular conservative Zionists too had major qualms with the agreement: the ascendent Likud Party, with their then-new leader Benjamin Netanyahu, cited security concerns and what they viewed as untenable concessions to the Palestinians for their skepticism of the agreement. Many Palestinians were also vehemently opposed to the Oslo Accords, citing the lack of the immediate creation of a Palestinian state. With no firm foundation for self-governance and sovereignty of their own, Palestinians would be unable to assert their rights in the nation-state system or assert themselves diplomatically vis-a-vis Israel. Further, many Palestinians believed Israeli administration of land in Area C into the West Bank and Gaza, beyond the bounds of the Green Line negotiated after the 1967 War, which granted all of the West Bank and Gaza to an eventual Palestinian state, was unpalatable (Setton and Ben Mayor, 2002).

Against this backdrop, the chief Israeli architect of the agreement, Prime Minister Yitzhak Rabin, was assassinated by a far-right Israeli extremist, plunging the peace talks into uncertainty. The appointed Prime Minister, Shimon Peres, was a major supporter of the peace process and among its chief architects but struggled to maintain popular support for the peace framework following a series of terrorist attacks coming from militant groups like Hamas and Palestinian Islamic Jihad.

In an attempt to earn a mandate from Israeli voters, Peres called an early election for 1996. Despite initial confidence in Labor, and Peres’s victory, polls tightened in the later legs of the race due to Peres’s perceived inability to contain militant violence. The effects of this decline in public opinion for Peres were magnified as the Lebanese Jihadist group Hezbollah joined Hamas in attacking Israel, angry over the IDF’s continued occupation of Southern Lebanon since the end of the 1982 Lebanon War, in which the IDF established security control over Southern Lebanon. In Israel’s shelling of Hezbollah targets, a misfired rocket from the Israeli Defense Forces landed in a United Nations compound where hundreds of civilians were seeking shelter, killing and injuring hundreds (Shahak 1996). This catastrophic and visceral event led to the souring of public opinion toward Prime Minister Peres amongst the Israeli Arab community, an electorate that would have been key to a Labor victory in the prime ministerial elections. While they would not vote for Likud and Benjamin Netanyahu, large sections of the Israeli Arab community elected to boycott the 1996 elections as they could no longer palate voting for Peres (Schmemmann 1996).

On the other side, Benjamin Netanyahu, powered by a coalition of religious Zionists and largely conservative Mizrahi Jewish Israelis, was able to narrowly clinch a victory over Peres, with a margin of barely one percent. This marked a new, more skeptical phase of the Oslo Accord implementation, as the upper echelons of the Palestinian Authority did not trust that Netanyahu would faithfully cooperate with them. After early signs of poor communication between Arafat and Netanyahu, a summit was called in Wye River, Maryland between the two leaders and American President Bill Clinton. This agreement was aimed at ironing out the minutiae of the initial framework ratified in 1995, aiming to flesh out the staged process to peace signed and ratified under the Rabin government with Arafat’s administration. While the summit proved contentious, with Prime Minister Netanyahu insisting on very concrete security assurances from the Palestinian Authority, an agreement was signed and ratified by both the Israelis and Palestinians (Wye River Memorandum 1998).

This Agreement did not, however, enjoy steadfast enforcement on behalf of either party, with Israel failing to cede West Bank land in amounts large enough to comply with the Agreement and the Palestinian Authority failing to stop violent attacks carried out against Israelis. These issues, along with discontent amongst Likud hardliners about the Wye Agreement overall, caused a successful vote of no confidence against Prime Minister Netanyahu, after which Prime Ministerial elections were called for 1999, when Netanyahu would be handily defeated by Rabin-protégé Ehud Barak. Barak sought to finally conclude negotiations with the Palestinian Authority concerning the Oslo Accords, which ultimately culminated in the Camp David Accords of July 2000.

Both sides presented clauses at the Camp David Summit that were mutually unacceptable: Israeli negotiators insisted



that Israel remain in control of nearly 10% of the West Bank for settlement purposes and have access to major military bases in the area, meanwhile, the Palestinian Authority insisted that Israel allow 150,000 Palestinian refugees be granted the right of return into Israel annually to live, well higher than the Israeli proposal of 100,000 total. While the Summit left off with no permanent status agreement, the leaders of Israel, Palestine, and the United States all signed a trilateral statement asserting their mutual commitment to further negotiations (Miller 2020).

While agreement on continued cooperation between the Israeli government and the Palestinian Authority may have seemed promising, it was overshadowed by the visit of then-leader of the opposition Ariel Sharon to the Temple Mount, among the holiest sites in Judaism, due to it also being the site of the Al Aqsa Mosque, an incredibly important religious site for Muslims. Sharon was also a polarizing figure, for his military and political records, for the Palestinians -and, some Israelis. The visit took place during the same time as negotiators were working to determine a final settlement for control over Jerusalem, including the Temple Mount, which the Palestinian Authority insisted on exercising full sovereignty over Islamic holy sites, which would have required them to control the Temple Mount.

Despite warnings from the Palestinian Authority, Sharon visited the Temple Mount, sparking major protests amongst Palestinians, especially near East Jerusalem. In the immediate aftermath, hundreds of Israelis and Palestinians were killed, with the final casualty count at the end of the five-year period which would later be called the Al Aqsa Intifada (uprising) totaling 4,228 Palestinians and 1024 Israelis killed, as well as seven injuries for every injured person, according to the United Nations (Office for the Coordination of Humanitarian Affairs 2007).

In a last-ditch effort to validate his negotiation-driven outlook on forging a permanent settlement between the Israelis and Palestinians, and to save himself from defeat in the Prime Ministerial election against Sharon, Prime Minister Ehud Barak attempted to hold final talks on the agreement in the Sinai Peninsula at what would become known as the Taba Summit. There was initial agreement amongst negotiators from both sides on important issues, including tentative conceptual agreements by both Barak and Arafat to adhere to a peace plan put forth by President Clinton that would have allowed very minimal right to return for Palestinians, shared custody over religious sites in Jerusalem by both parties, and giving Israel the right to annex small areas in the West Bank where they had settlements. However, by the time the talks finally took place, President Clinton was out of office, Ehud Barak ceased negotiations before the election occurring a week later, and Ariel Sharon won the Israeli Prime Ministerial election, after which he refused to reopen the Taba peace talks or consider President Clinton's proposal for peace (Setton and Ben Mayor, 2002). After eight years of negotiation, the peace process put in motion by the Oslo Accords was dead, a violent Intifada was

raging, and there was no path forward to a permanent peace settlement.

In what follows, I now analyze the border regime created by this context of violence between Israelis and Palestinians and apply Torpey's (1998) interpretation of the legitimate means of movement as integral to manufacturing state sovereignty. I use this understanding of state sovereignty to interpret how not only has Israel blocked a Palestinian government from asserting control over their bordering regime, but it has also wrested control over the bordering regime into the hands of the Israeli government, which in turn has used that control to the benefit of Israeli state interests.

## MOVEMENT AS A THEORY OF STATEHOOD

The state exists as a method by which to demarcate people: creating an in-group of people who can be called up to defend the state, taxed, and policed, and an out-group to whom a state cannot exercise this sovereignty. Indeed, this was fundamentally what happened in the creation of Israel, a decidedly Jewish state, when 700,000 Palestinians were either expelled from or voluntarily left the land dedicated to the state of Israel (Jeffrey and Magdy 2023). It has been the movement of these Palestinian refugees and their descendants, either back to Israel proper or around the land supposedly demarcated to the Palestinians, that is being policed by the state of Israel. It is in the context of the Second (Al Aqsa) Intifada, where we left off in the historical analysis, that this bolstering of Israel's control over the legitimate means of movement in Palestine and between Israel and Palestine began. The creation of the separation wall can be dated to this period. This policy of walling is not unique to the West Bank: Israel has developed fencing along its border with Egypt, it has an all-encompassing security apparatus along its border with the Gaza Strip, and a wall is planned for development along Israel's border with Jordan as well (Fabian 2024). The outcome of this interest in walling is a national pathos focused on isolating Israel from its neighbors and instilling a sense of external threat in Israelis; in this context, the walls offer a performance of security by putting the sovereign power of the Israeli state on display (Busbridge 2013). That said, the West Bank separation wall is different from these others in two ways: it is built adjacent to a land populated by a people without their own state, and it is built on land that was promised to those same stateless people. Indeed, nearly 10% of the West Bank would be under Israeli control by the completion of the separation wall as planned.

The West Bank wall is a hybrid structure. Consisting of barbed wire, fences, actual walls, a trench, sand paths, and a buffer zone, it creates a legally precarious situation for those Palestinians who live near it. Indeed, the areas where the wall contradicts the 1967 Green Line—these areas being called the “Seam Zone”—provide a prime example of how walling has restricted Palestinian movement:



*The residents of these areas are dependent on Israeli-issued permits or special arrangements to access their farmlands, workplaces, basic necessities such as health, education and other services, or to visit family and friends on the 'Palestinian' side of the wall, as well as to reside in their own homes. The access to farmlands, for example, whilst remaining accessible in theory, is dependent upon a complex and arbitrary gate and permits regime, with permit applications being regularly rejected on security grounds and/or on the grounds that farmers have 'failed to prove their 'connection to the land' to the satisfaction of the Israeli authorities (Brockhill 2021, 458).*

This legal apparatus, with the separation wall as its node, creates a system of social enclosure where Palestinians must abide by Israeli permitting structures to legitimate their movement, earn a livelihood in Israeli markets, and prove a connection to land that they may have ancestral ties to going back generations. This legal apparatus also enables the Israeli state to have a perfect count of Palestinians, increasing Israel's capability to control them.

It is to the benefit of states that they seek to develop control over the legitimate means of movement in service of a state's need to both penetrate and embrace the society which it governs. As Torpey writes, the act of control over the legitimate means of movement serves to aid the state in policing,

*"... the extraction of military service, taxes, and labor; the facilitation of law enforcement; the control of 'brain drain' ... the restriction of access to areas deemed 'off-limits' by the state, whether for 'security' reasons or to protect people from unexpected or unacknowledged harm; the exclusion, surveillance, and containment of 'undesirable elements,' ... and the supervision of the growth, spatial distribution, and social composition of populations within their territories." (Torpey 1998, 241).*

As such, the state's control of the means of movement is directly related to its use of force, economy, law enforcement, and security.

The two-way border into the West Bank presents a Kafka-esque permitting and movement regulation regime where the Israeli government holds all the cards. Of the divided West Bank from the Oslo Accords, the Palestinian Authority maintains exclusive control over just 20% of the land of the West Bank, in Area A. In area C, which comprises roughly 60% of the West Bank, Israel has full civilian and military control. Even the lines of areas A and C are regularly crossed, as Israel conducts military exercises in the supposedly Palestinian-controlled Area A (Busbridge 2013). The separation wall further complicates this movement regime, creating a seam zone that sequesters Palestinians in what is supposed to be internationally recognized Palestinian territory that is currently under Israeli military control. These people are entirely at the mercy of the

Israeli Defense Forces who, in several high-profile instances like the razing of Sheikh Jarrah, have displaced these seam zone residents in favor of extending Jewish settlements further into the West Bank. Those Palestinians who live within and adjacent to the seam zone also see their movement restricted within Palestinian territory: "The wall does separate Israeli from Palestinian, but also separates Palestinian from Palestinian in many places: cutting off villages from each other, and sometimes even dividing them in two, with some residents left on the 'Israeli' side of the wall while others are relegated to the West Bank" (Busbridge 2013, 9-10).

This border regime completely boxes out even a theoretical Palestinian state from embracing and penetrating its society to form a sovereign state. The Israeli government already does penetrate and embrace the Palestinian people while treating them unequally in the eyes of the law vis-a-vis Jewish citizens of Israel. As Israel is fully in control of the levers of power in this bordering regime, Israel may liberalize the border when it is to the benefit of Israel while maintaining control sufficient to repel Palestinians when it is most convenient. Thus, even Palestinian migrant labor serves as another lever by which Israel may monopolize Palestinian means of movement, taking this needed variable for sovereignty away from a Palestinian governing authority.

The legalistic structure of this "Matrix of Control" ensures that it survives no matter the territorial control the Palestinians have over land. It constructs a Palestinian movement reality that requires non-citizens of Israel to partake both in hard bordering actions such as navigating the separation wall, but also less tangible but no less coercive actions. With no benefits of Israeli statehood, Palestinians must obtain Israeli IDs and work permits, be subject to registration in and out of border checkpoints, and watch as Israelis are able to travel on "settler bypass roads" that Palestinians cannot set foot on (Halper n.d.).

After the 1967 war, a decisive victory for Israel against the forces of Egypt, Syria, Jordan, Iraq, and Lebanon, the ensuing economic renaissance in Israel was partially buoyed by Palestinian laborers in the pre-West Bank border regime. The liberal border between Israel and Palestine circa the 1960s and 1970s gave way to a precarious legal status for Palestinians who did enter Israel to work. This legal status predicament was partially solved by the 1970 work permit regime established by the Israeli government theoretically granting protected status to Palestinians working in Israel, though this program has become more complicated for participant Palestinians and smaller in scope, especially after the events of the Intifadas. No matter the number of Palestinians allowed into Israel, the economic benefits of this regime have served no entity more than Israel, which has benefited from a lower-wage labor force whose movement it can police entirely, often expelling Palestinian workers during times of violence (Busbridge 2013). This is directly evocative of the concept of identity documents as a means of social enclosure that Torpey discussed. By being the only legitimate entity to issue work visas, or any

identification document for that matter, to Palestinians, the Israeli government can keep an accurate count of how many Palestinians are involved in this exchange, who they are, and basic information about them, giving them a powerful tool to control this population. The legal precariousness experienced by these Palestinian workers also makes it impossible for them to demand better wages, thus creating a docile and cheap labor force solely beneficial to Israel. It's important to note that all of these decisions were made with no regard for their impact on the Palestinians, let alone input from the Palestinians.

This lack of Palestinian input into the construction of a border of a theoretical Palestinian state is crucial in understanding Israel's position in maintaining Palestinian's lack of control over the legitimate means of movement. The separation wall is a key part of all of this as it constitutes a de facto "buffer zone" between Israel and the Palestinian people. Simultaneously this buffer zone is elastic, in that Israel regularly exercises the right to move it for further settlement, and it is self-fulfilling of the policy of preventing Palestinian statehood, in that it imposes the will of Israel's government upon the Palestinians without their assent while compelling Palestinians into the forfeit of their sovereignty that partaking in a buffer zone entails.

While it is not explicitly enumerated in the Geneva Conventions that these buffer zones be designed to lapse after a specified amount of time, it is true, as Katz (2017) lays out, that the international law regime makes the legal status of these zones revocable under a broad cache of circumstances (Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts [Protocol I], 1125 UNTS 3, 8 June 1977). Legally, the occupied territories<sup>2</sup> are still an active warzone, meaning that the Geneva Conventions do apply even in the absence of a Palestinian state. According to Article 60 of the Geneva Conventions, these buffer zones, which the separation wall effectively constructs, must be agreed to between two states, weaponry must be evacuated from the area, and all military activity must cease in the zone.

As part of Torpey's (1998) argument regarding the embracing and penetrating of the populace to create a state, he hones in on the administrative levers that a sovereign state may pull to build out the capacity of the state. Torpey argues this in the context of the German government, where migrants are registered at an Agency for Foreigners, though he rightly points out that state embrace goes far beyond this. Indiscriminate on the basis of citizenship or lack thereof, the state seeks to "grasp" its population by registering and administering the movement and livelihood of those in its jurisdiction. Rather benign examples of this can include the issuance of social security cards and numbers, passports, tax ID numbers, or driver's licenses as described earlier in this paper, though this brand of social enclosure can extend to far more invasive measures, including CCTV screening, the collecting of biometric data, and the monitoring of online activity. It is through actions

like these that states "embrace" their population, according to Torpey. From there, states seek to "penetrate" their populace, as is the more common colloquialism in state-building theory. Once embraced, the state possesses the administrative capacity to penetrate the society and extract from it the resources, manpower, and legitimacy that the state needs for survival.

Part and parcel to this, the Israeli government, not a Palestinian government, is performing the actions typical of a state seeking to embrace and penetrate the society, as Torpey argues, thus allowing Israel to reap the benefits of this control. While it is concerning enough that the separation wall runs afoul of Article 60 of the Geneva Conventions, which governs buffer zones in active war zones, it also demonstrates willful denial on Israel's part of ascertaining Palestinian consent to this sort of buffer zone, which is integral to the Geneva Convention's definition of buffer zones that they are agreed to by both states involved (Katz 2017). This is only part of the problem in relation to how the wall has impacted Palestinian sovereignty. These buffer zones were only construed to be "temporary, wartime measures, not the sort of long-term, mixed-status installations produced by treaty or stalemate that are commonly found around the world today..." (Katz 2017, 1385-1386)

With no state, the Palestinians have no method by which to accept or deny this walled buffer zone. Due to this zone, Palestinians cannot control the legality of their movement or benefit from the enumeration of a bordering regime, confounding the creation of their own state and making it impossible to identify the will of the Palestinian people who can accept or deny the erection of such zones. With no state to ascertain or assert the will of the Palestinian people regarding the wall, and a buffer zone being military in character per international law, Palestinians are faced with a dilemma of illegality in territory supposed to be available to them and without a state to assert their claim to that land. Thereby the wall is either political, and thus in violation of international law by being non-military and thereby solely to advance state interests rather than humanitarian, as described by Milner when she writes,

*"The interest of the 'military necessity' (or 'security needs'), acknowledged in humanitarian law and laws of belligerent occupation as allowing a proportional harm to civilians' rights [...] includes security interests of the occupying power but not the interests of the citizens of the occupying power who decided to immigrate and settle in the occupied area." (Milner 2023, 7).*

If the wall is to be considered military in character, the legal avenues through which Palestinians can seek redress are far slimmer, to say nothing of the legal inequality Palestinians face. Israeli case law at the High Court of Justice would suggest the latter, as was found in the Beit-Sourik decision which held that the Israeli military could indeed order the construction of new

walling when it was “absolutely necessary” for security purposes (Milner 2023, 3).

Despite Israeli assertions of the wall as a security measure, it is decidedly a political presentation. This is important as the legal predicate for a buffer zone is that it be non-political, i.e. not solely to advance state interests. As mentioned before, the wall diverts so far from the green line, running against the purported purpose of the wall as a means of segmenting Israel from Palestine for security reasons. As admitted by senior members of the Shin Bet, it has been security cooperation with the Palestinian Authority, the closest thing to a sovereign Palestinian state government, that has led to the decrease in suicide bombings over the West Bank border, not the wall (Brockhill 2021). In the planning and construction of the wall, the political context of decisions made by Israeli Prime Minister Sharon were stark: Sharon sought to thwart claims that he had “abandoned Judea and Samaria” by including as many settlements on Israel’s side of the wall as possible (Brockhill 2021, 461). Either way, the impact is a Palestinian people unable to police their movement nor negotiate on equal footing with the Israeli government for their right to movement, stunting the possibility of statehood.

This gets to the heart of the problem with Israel, Palestine, the wall, and statehood: how can a two-state solution occur without statehood for both parties? The relevance of this question concerning Israel-Palestine is pertinent and sketched out in international law. As Katz argues:

*“The Permanent Court of Arbitration writes that ‘[s]overeignty in the relations between States signifies independence. Independence in regard to a portion of the globe is the right to exercise therein, to the exclusion of any other State, the functions of a State.’ In the case of externally imposed buffer zones and humanitarian buffer zones, the violation of this principle is obvious: a foreign power brazenly asserts itself on domestic territory” (Katz 2017, 1392).*

In the absence of a court and legal system for the Palestinians, it is also important to analyze the checkered role that the Israeli court system has played regarding the movement of Palestinians. The court has granted legal cover to the Israeli military in extrajudicial treatment of Palestinians, the razing of Palestinian cities, giving their blessing to the holding of Palestinians without charge or trial for extended periods, force-feeding prisoners on hunger strike, and the demolition of Khan al-Ahmar and Masafer Yatta, to name just two examples (Amnesty International 2023). Still, it is in the Israeli Court System that acts of resistance and the assertion of the Palestinian right to free movement have occurred. This has not been without success: the residents of the Palestinian village of Ni’lin successfully petitioned against the building of a segment of the separation wall that would have sectioned off the town to promote Israeli real estate development. This determination by

the court creates case law which can be leveraged to fight back against settlement development that comes at the detriment of Palestinians. Still, the court has also dealt major blows to the hope for Palestinian free movement: in High Court of Justice decisions concerning wall development in the Deir Quaddis Segment, the court held that the quality of life of Israeli settlers, not just Palestinians, were pertinent to decisions regarding the routing of the separation wall, and further held that the military may construct segments of wall to protect areas with a high “probability” of being used for Israeli settlement later on, in direct violation of laws of belligerent occupation (Milner and Alexandre 2023).

## CONCLUSION

This wall of separation along the West Bank, asserted to be a necessary security measure to protect a Jewish state in an unstable region, has created an environment where a two-state solution is completely unfathomable. The legitimate means of movement are a crucial piece of the puzzle when it comes to deriving sovereignty for a state as without this, a state can neither practically embrace nor penetrate the society it administers, as described by Torpey, but it can also not legitimately extract important state resources like the labor of the state’s citizens, revenue, and manpower without the ability to assert its citizenry vis-a-vis other states. Instead of the Palestinian state that has been sought for years, the Israeli government is conducting activities such as issuing work permits and administering customs levies. This has created an apartheid-like system, with a malleable border along the West Bank when it is to the benefit of Israel, and a firm border when it can be used to eradicate any hope of Palestinian statehood. At any moment in the West Bank, a Palestinian community may face their community being upended by a new section of wall, rationalized by the “probability” of Jewish settlement in the area, or purportedly by the need to secure the Israeli-Palestinian border. This wall creates a self-fulfilling prophecy: Palestinians have no control over the legitimate means of movement, thereby denying them an element of state sovereignty tantamount to the creation of a sovereign state, and as a result of having no state they cannot ascertain or assert the will of the Palestinian people to reject any portion of walling.

The separation wall disallows Palestinians to govern their movement and thereby ascertain citizen versus noncitizen, Palestinians may try to assert their objections to walling in the Israeli courts, where their rights are diminished vis-a-vis Jewish petitioners, but they face a contradictory logjam of case law that has at once held that undue burden to Palestinians may be unlawful, but that the probability of Israeli settlement in an area may be sufficient reasoning for the construction new wall, flying in the face of international law. Fundamentally, the problem lies in the centrality of control over movement as a tool of state-building, and Israel’s monopoly over it in the Israel-Palestine border regime.

Statebuilding theory up until the modern era has emphasized the centrality of control over the legitimate use of violence. While this is important, Torpey correctly identifies the need to take a less two-dimensional view of sovereignty into account. Without unilateral control over a country's border, including the physical structures as well as the identification documents and social enclosure that come with bordering, a country cannot be sovereign. Without this control, a country has no means by which to delineate its citizens from the citizens of other countries, and thus cannot legitimately tax, conscript labor, or raise an army from that populace. Not only does a Palestinian governing authority not have a monopoly over the legitimate means of movement, Israel has usurped control over Palestinian means of movement, and has used this control solely to the benefit of Israel. With this control, Israel has de facto sovereignty over a Palestinian population that cannot move without the Israeli government's rubber stamp, the Palestinians cannot collect their own taxes and develop their own governing infrastructure, nor can they administer their own army or conscript labor for the benefit of their state. Without this sovereignty afforded by control over movement, the Palestinians exist in an effectively stateless environment, an unforgiving legal status in a state system.

For a two-state solution to exist, there must be two states, and the Palestinians cannot create theirs without being afforded one of the key determinants of state sovereignty which is the monopoly over the legitimate means of movement. For this protracted conflict to end, it is incumbent upon the Israeli government and international community to recognize the right of the Palestinians to self-determination, and that includes sovereignty over the legality of their own movement. ■

## ABOUT THE AUTHOR

Ryan Cudworth is a political science major at Union College, Schenectady NY. He has minored in data analytics and international relations. He is applying to graduate school for data analytics and social science, and plans to work in quantitative social research.

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## ENDNOTES

- 1 Different scholars, policymakers, and pundits have referred to the separation wall with various names (e.g. the security barrier, or simply "the wall"). The Israeli governments have asserted that its purpose is security. This paper primarily uses the term "separation wall," examining its role in this conflict predominantly from the realm of separating one people from another, and a people from itself.
- 2 The West Bank has been under military occupation since the 1967 War, and has been recognized as such by the International Court of Justice (*Advisory Opinion Concerning Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, 2004).