The Peace and Governance Programme: At the Interface of Ideas and Policy

The mission of the United Nations University is to contribute, through research and capacity building, to efforts to resolve the pressing global problems that are the concern of the United Nations, its Peoples and Member States. The work of the Peace and Governance Programme is a core element of this mission, and one that is complex and demanding. The concept of peace and security is evolving and broadening considerably, both in the worlds of academia and policy. Traditionally, national and international security were mainly defined in military and territorial terms, in an international system characterized by interaction among states. The UN Charter, while ultimately working in the interests of "the peoples," is predicated on the relationship between unitary states in the maintenance of international peace and security. Within this system, the challenge was traditionally seen as mediating between liberal internationalist and power-political "realist" forces.

Yet, international security is as much about "domestic" as it is about "international" factors. It incorporates military, political, economic, social and environmental factors, and the many linkages between them. This issue of UNU *Work in Progress* reflects the multi-faceted, multi-disciplinary nature of the security agenda: refugees and human displacement, human rights and "humanitarian intervention," terrorism, non-traditional and human security, democracy, civil society, globalization, the natural environment, and private commercial actors.

Hans van Ginkel and Ramesh Thakur describe how terrorism has changed the security landscape in complex ways. Andrew Mack suggests that the model of human security provides important insights into the real costs of insecurity. Gil Loescher argues that human displacement, long believed to be a *consequence* of conflict, should in fact be legally recognized as a principal threat to international peace and security and responded to accordingly. Daniel Bell, Geneviève Souillac and Jan Aart Scholte demonstrate that NGOs have a

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New residents of the Roghani Refugee Camp in Chaman, a Pakistani border town. Children and young people make up a large percentage of the population at Roghani Refugee Camp. (UN/DPI Photo by Luke Powell)

An International Perspective on Global Terrorism*

By Hans van Ginkel and Ramesh Thakur

On Tuesday, 11 September, global terrorism struck in the US homeland and at the headquarters of globalization. The history of United States international involvement could be split along the dividing line of the attacks: the age of innocence before, and the fallen world of postmodern terror after. No one can condone such terrorist attacks, and we wish to extend our deepest condolences to all families who lost loved ones in the tragedy. As part of coming to terms with the trauma, it is important that we in the global academic community look at the civilizational imperatives, and challenge, in our collective fight against terrorism.

What do the terrorists want? To divide the West from the Arab and Islamic world, to provoke disproportionate and merciless retaliation that will create a new generation of radicalized terrorists, and to destroy the values of freedom, tolerance and the rule of law. More than anything else, they want to polarize the world into hard divisions, to break harmony into strife, to replace the community of civilized countries with the flames of hatred between communities. They must not be allowed to succeed.

In their insular innocence – and, in the views of some, in their insolent exceptionalism – Americans had embraced the illusion of security behind supposedly impregnable lines of continental defence. To be sure, the United States, too, had suffered acts of terror – but not as a daily fear, an everyday reality, a way of life such as has become commonplace in so many other countries over the past few decades. And no one, anywhere, had suffered terrorist carnage on such a devastating, mind-numbing scale.

Osama bin Laden's evil genius has been to fuse the fervour of religious schools (*madrassas*), the rallying power of the call to holy war (*jihad*), the cult of martyrdom through suicide (*shahid*), the reach of modern technology, and the march of globalization into the new phenomenon of global terrorism.

Although monuments to American power and prosperity were shaken to their foundations, the foundation of a civilized discourse among the family of nations must not be destroyed. Responses that are crafted must be carefully thought out, and their consequences fully thought through, with a balance between retaliatory countermeasures and long-term resolution – and bearing in mind the lessons, among others, of the involvement of the British and Soviet empires in Afghanistan, the Germans in the Balkans and the Americans themselves in Viet Nam. The rhetoric and metaphors of frontier justice from the days of the Wild West in the United States, or from the time of the Crusades, may rouse domestic fervour, but they also fracture the fragile international coalition.

Like the two world wars, the "war" against terrorism is one from which America can neither stay disengaged nor win on its own, nor is it one that can be won without full United States engagement.

America has been the most generous nation in the world in responding to emergencies and crises elsewhere. Now that the attack has happened in their heartland, Americans should be heartened by the spontaneous, warm and overwhelming response from everyone else. The world has grieved, suffered and mourned along with Americans as one.

Nevertheless, the rhetoric of "war" is fundamentally misleading

for many reasons: no state is the target of military defeat; there are no uniformed soldiers to fight, no territory to invade and conquer, and no clear defining point that will mark victory. The border between "global terrorism" and global organized crime has become increasingly tenuous. In many important respects, terrorism is a problem to be tackled by law-enforcement agencies, in cooperation with military forces; its magnitude can be brought down to "tolerable" levels, but it can never be totally "defeated," just as we cannot have an absolutely crime-free society. Terrorism it is part of the growing trend toward the lowered salience of the State in the new security agenda that emphasizes human as well as national security.

The world is united in the demand that those responsible for the atrocities of that tragic Tuesday must be found and brought to justice, but the innocent must be spared further trauma. All allies and many others have already expressed full support, which has been warmly welcomed by Washington. This should encourage and help Washington to re-engage with the global community on the broad range of issues, not disengage still more through in-your-face rejections of international regimes. Global cooperation is not a one-way street: the relationship requires long-term commitment on all sides.

The global coalition to combat threats to international security, of any type, is already in place. We call it the United Nations. Yet, it did not rate a mention in the American President's address to a joint session of Congress. There is a fresh opportunity to rededicate the terms of American engagement with the international community in protecting the world from deadly new threats immune to conventional tools of statecraft. The nation of laws must turn its power to the task of building a world ruled by law. An order that is worth protecting and defending must rest on the principles of justice, equity and law that are embedded in universal institutions.

President George W. Bush has declared that the United States will make no distinction between terrorists and those who harbour them. Nor must Washington make a distinction between "our" terrorists and "theirs," condoning or tolerating one lot while isolating and liquidating another. Security from the fear of terrorism is truly indivisible.

How many of today's radical extremists, embracing terror against a host of countries, were yesterday's "freedom fighters," trained and financed by the West as *jihadis* against a former enemy? Are there more to follow, more to be created? How interconnected are the terrorists' networks, how overlapping their causes? Washington must not fall into the trap, only too distressingly common in the past, of converting terror on America into terror against the world, while terrorist attacks elsewhere are seen merely as local problems to be solved by the countries concerned. It is worth highlighting that about 40 per cent of the World Trade Center victims were non-Americans, from 80 countries: It really was an international tragedy.

Fundamentalism infects aspects of United States' contemporary policy in ways that form the backdrop to the tragedy of 11 September. On one side, a fundamentalist belief in limited government produced policies of privatizing even such critical public goods as airport security in the hands of poorly paid, ill-trained airport screeners. There are some services that properly belong to the public sector, including citizens' health, education, public safety, and law and order.

There is a fundamentalist drive to promote the rule of the market in international transactions, regardless of the social consequences and oblivious to the darkening storm clouds on the horizon. And there is a fundamentalist opposition to institutions of global governance, from arms control to climate change and the pursuit of universal justice – justice without borders.

The events of that tragic Tuesday should force us to rethink old and set ways of looking at the world. In the war against fundamentalist terrorism, yesterday's enemies can be today's allies. The concert of democracies must cooperate politically and coordinate responses with one another's law-enforcement and military forces. They must forge alliances, if necessary, to work around the institutionalized reluctance of global organizations to respond effectively and in time to real threats instead of posturing over imaginary grievances.

Security experts will examine closely the procedural and organizational flaws that allowed the planes to be hijacked and the intelligence failures that enabled it all to be plotted without detection. Other security measures will also be put in place. But in the end, there can be no guaranteed security against suicide terrorists who know no limits to their audacity, imagination and inhumanity. We must not privilege security and order to such an extent as to destroy our most cherished values of liberty and justice in the search for an unattainable absolute security. As Benjamin Franklin, one of the fathers of American independence, said: those who would sacrifice essential liberty to temporary safety deserve neither liberty nor safety.

In looking for underlying causes, Americans should ask why they arouse such fanatic hatred in would-be terrorists. Is all of it the price they have to pay for being the world's most successful, powerful and wealthy nation? Or can some of it, at least, be muted by adopting policies that are more measured and tempered in dispensing justice more evenly? Fanaticism feeds on grievance, and grievance is nurtured by deeply felt injustice. Terror is the weapon of choice of those who harbour the sense of having been wronged, who are too weak to do anything about it through conventional means, and who are motivated to seek vengeance by other means.

Whatever else they may have been, the suicide terrorists responsible for that Tuesday's attacks were not cowards. On the contrary, they were exceptional in their steel of resolve, even if it was harnessed to an evil end. Random acts by individual terrorists can be sourced to the politics of collective grievance: dehumanizing poverty and spirit-sapping inequality, as well as group injustice.

President Bush spoke of an "unyielding anger" in his first broadcast to the nation. Such human emotions are not exceptional to one people but common to the human race. The fury and vengeance of others fester in deeply wounded collective psyche: If we wrong them, shall they not revenge? Anger is a bad guide to policy, for governments as for terrorists; revenge is, indeed, a dish best served cold.

Terrorism cannot be contained by expensive space-based shields against missile attacks. Modern military forces and security policies should be configured for threats rooted in the new security agenda, but bearing in mind that, at the end of the day, it is simply not possible to construct and keep in place indefinitely foolproof protective shields against every threat.

If isolationism is not an option in today's interconnected world, neither can unilateralism be the strategy of choice. Just as America is a nation of laws that find expression in institutions, so Americans should work to construct a world of laws functioning through international institutions.

That is why the concert of democracies to combat terrorism cannot be a closed circle, but must embrace all those willing to join in the fight against threats to a civilized community of nations. A global coalition formed to combat terrorism must not be restricted to punitive and retributive goals, but must instead be transformed into the larger cause of rooting security worldwide in enduring structures of cooperation for the longer term. The supremacy of the rule of law has to be established at the national, regional and global levels. The principles of equity and justice must pervade all institutions of governance.

Americans rightly reject moral equivalence between their own "virtuous" power and their "evil" enemies. They should now reflect on their own propensity toward political ambivalence between the perpetrators of terrorism and the efforts of legitimate governments to maintain national security and assure public safety.

The end of complacency about terrorism in the American heartland should encourage Washington to view other countries' parallel wars against terrorism through the prism of a fellow-government facing agonizing policy choices in the real world, rather than single-issue, non-governmental organizations whose vision is not anchored in any responsibility for policy decisions. Some governments have been at the receiving end of moral and political judgment about robust responses to violent threats posed to their authority and order from armed dissidents. They are entitled to, and should now expect, not a free hand but a more mature understanding – an understanding forged in the crucible of shared suffering.

This does not give any government a "licence to kill." To defeat the terrorists, it is absolutely critical that the symbolism of America – not just as the home of the free and the land of the brave, but also as the bastion of liberty, freedom, equality between citizens and rulers, democracy and a nation of laws – be kept alive. That is a shared vision. That is why we were all the symbolic target of the attacks, why we were all Americans that Tuesday, and why we must join forces with the Americans to rid succeeding generations of the scourge of terrorism – not blinded by hatred and a lust for revenge, nor driven by the calculus of geopolitical interests, but ennobled by the vision of a just order and empowered by the majesty of laws.

For the sake of our common future, we must not allow reason to be overwhelmed by grief and fear, or judgment to be drowned in shock and anger at the terrorist action. As President Bush has affirmed, we must not brand all followers of any particular faith as our common enemy. Just as there coexist many ways of thinking and many different value systems within the "West," so are there many who daily honour Islam against the tiny minority who sometimes dishonour it or any other religion.

In the immediate aftermath of the assaults, some have sought to resurrect the vacuous and discredited thesis of the clash of civilizations. Incidents have been reported where members of particular ethnic or religious groups going about their daily lives – shop owners, passers-by – were randomly accused of being

responsible for the devastation in New York and Washington, and sometimes assaulted with deadly violence, simply because of their race, colour, religion or attire.

Individual terrorism should not provoke mass intolerance. The victims of the hijacked planes and the World Trade Center destruction, along with the rescuers, reflect modern American society in all its glorious diversity. The best way to honour victims is to recognize our common humanity and work for peace in and through justice. Islamic terrorists are no more representative of Islam than any fundamentalist terrorists are of their broader community: the Irish terrorists (or for that matter, some United States-based reverends) of Christianity, or the fanatics who in 1992 destroyed the centuries-old mosque in Ayodhya of Hinduism.

The world will fall into a permanent state of suspicion, fear, perhaps even war, if we fail to make a distinction between fanatics who, with a total disregard for life, pose a threat to all of humankind – irrespective of religion, culture or ethnicity – and those who simply have different ways of organizing their lives or different cultural preferences, but share the same basic goals and aspirations of all mankind: the pursuit of life, liberty and happiness.

The need for a dialogue among civilizations is now greater than before, not less. Those whose vision rises above the obvious differences between ethnic, religious, cultural and social groups, and embraces so much that we all have in common, will not judge a human being simply on a person's looks, language or faith. This is what the dialogue among civilizations is about.

It will take time and effort to bear fruit and, certainly in the short term, will not be able to prevent atrocities like the ones just witnessed. In the long run, however, dialogue might do just that: by uniting those who strive for a common future, and thereby isolating those who want to generate ineradicable rifts between the peoples of the world. America has called on all to stand up and be counted in the war against global terrorism. We do indeed need a worldwide coalition against such horrors. However, it is just as important to stand up and resist all who would spread the message of hate and sow the seeds of discord.

The fight against terrorism is a war with no frontiers, against enemies who know no borders and have no scruples. If we abandon our scruples, we descend to their level. The dialogue of civilizations is a discourse across all frontiers, embracing communities who profess and practice different faiths, but have scruples about imposing their values on others. We must talk to and welcome into the concert of civilized communities believers in moral values from all continents, cultures and faiths. The need of the hour is for discourse among the civilized, not a dialogue of the uncivilized deafened by the drumbeats of war.   W

Human Security in the New Millennium

By Andrew Mack

In his Millennium Report, United Nations Secretary-General Kofi Annan noted that while security policy had traditionally focused on the defence of territory from external attack, it has now come to embrace "the protection of communities and individuals from internal violence."[1] This focus – on the protection of individuals rather than borders – is the central element of what has become known as "human security." This paper discusses two concepts of human security. Each takes the individual as the "referent object" of security, but they differ with respect to the nature of the threat. In the first case, the security threat is a fairly conventional one; that of violence to persons. In the second case, the threats are broadened to include other forms of harm: natural disasters, disease, hunger, privation, environmental pollution, etc. This latter "broad" conception of human security is the most discussed in the rapidly burgeoning human security literature, and has its genesis in the United Nations 1994 *Human Development Report.*

Defining Human Security

Whether broadly or narrowly defined, the concept of human security has attracted growing interest from scholars and a number of governments over the past decade. There are several reasons for this:

- First, the increased attention being paid to human rights in the post-cold war era, particularly in the North. The core human rights agenda and that of human security overlap to a considerable degree.
- Second, the rise of the highly contested doctrine and practice of humanitarian intervention, which seeks to protect civilians from genocide and other gross violations of human rights (sometimes perpetrated by their own governments).
- Third, the fact that interstate war – the traditional focus of realist conceptions of security – has become increasingly rare. Today, more than 90% of wars are fought within, not between, states. Here, defence of borders is not an issue; defence of people is.
- Fourth, growing awareness of the interrelationships between insecurity, development and governance.

The following discussion focuses initially on the narrow conception of human security and the threat of violence before moving on to offer some critical remarks on the analytic utility of the broad conception. Ideally, policies that seek to strengthen national security should also enhance human security, and vice versa. But while protecting the territorial and political integrity of states from external attack may be a necessary condition for the security of the citizens of those states, it is not a sufficient condition. In the twentieth century, far more people died as a consequence of the actions of their own governments than were killed by foreign armies. Governments, often acting in the name of national security, can and often do pose

1 Kofi Annan, *We the Peoples: the Role of the United Nations in the 21st Century,* March 2000.

profound threats to human security.

So, in practice, human security's focus on the security of individuals has also meant focusing on a quite different source of security threats than those that have absorbed generations of international relations and traditional security scholars. Today, the major threat to (narrowly defined) human security derives from intra-state, not inter-state, wars. Violent crime is also a threat to human security, and such crimes kill even more citizens globally than does armed conflict.

Analysing Conflict

The explanatory frameworks that researchers use to try to understand the genesis of intra-state wars are quite different from those used by international relations scholars to explain inter-state war. Classic explanations of the causes of war which derive from realist international relations (IR) theory and which inform the defence policies of national governments assume that the fundamental characteristic of the international system is anarchy – a condition which necessarily follows from the absence of world government. But theories of war that are predicated on an assumption of international anarchy are generally irrelevant in explaining violent conflicts within states, where anarchy is the exception not the rule – and only really exists when state structures fail. Whilst conventional international relations theory emphasizes state power balances and patterns of deterrence, analysts of the systemic causes of intra-state war stress such factors as declining GDP, the dependence of an economy on extractive minerals, and the inequality of access of groups to political and economic resources.

There is some overlap between IR explanations of inter-state war and contemporary explanations of intra-state war. Both schools, for example, emphasize the importance of stable democracy. Stable democracies almost never engage in inter-state war among themselves and have far lower levels of intra-state war than non-democracies. There have also been some interesting recent attempts to apply security dilemma explanations derived from structural realist theory to intra-state conflicts. But while security dilemma models may help explain escalation dynamics in situations of state breakdown, they cannot explain the genesis of conflicts.

The new academic research on the intra-state war focuses on the security-development-governance nexus. Prescriptively, while not eschewing forceful responses to violence, it stresses non-coercive prevention policies – from preventive diplomacy, conflict management and resolution strategies to security system reform and the promotion of good governance, sustainable and equitable development, and democratization.

Indeed, policies for addressing the root causes of war and underdevelopment are remarkably similar. Systemic theories of intra-state war only provide partial explanations of its causes and duration, and not even the most enthusiastic proponents of econometric models of civil war causation argue that they can explain all of them. More refined models should increase the amount of variance explained, but part of the explanation will always be non-systemic, lying in the realms of agency and contingency. Despite the revival in academic interest in the causes of war, policy makers pay extraordinarily little attention to the issues being discussed by researchers in this field.

This is particularly true in the developing world where most wars take place.

Preventing human insecurity
While the controversial doctrine and practices of humanitarian intervention are designed to stop genocide and other manifestations of gross human insecurity, the preference in the policy community is for prevention rather than reaction. Prevention can be a short-term policy – preventive diplomacy, for example – but most attention today, at least in the OECD states, is being directed towards "long-term" or "structural" prevention. This addresses the root causes of human insecurity.

There are at least three reasons why addressing the root causes of violent conflicts is difficult for governments:

- First, there is a certain amount of ignorance; this is partly the fault of the researchers whose work – particularly that of the econometricians – is rarely produced in a manner that is accessible to the policy community.
- Second, long-term prevention requires that resources be expended in the present to achieve an ambiguous outcome in the relatively distant future. And, success means that nothing happens. This is not an easy proposition to sell politically. The result is that support for conflict prevention currently remains more rhetorical than substantive.
- Third, in many international organizations and national governments, departments that are responsible for security know little about governance and development, while departments responsible for the latter rarely think about them in security terms.[2] Although there is now growing agreement in the research community that the root causes of human insecurity are to be found in the interrelationships between security, on the one hand, and development and governance, on the other, the disciplines that deal with security and those that deal with development and governance speak different – and sometimes incommensurate – languages. In other words, intra-mural divisions within bureaucracies and the research establishments hamper both the analysis of human insecurity and the creation of coherent policy.

The broad concept of security
While all proponents of human security agree that the "referent object" of security should be people rather than states, there is little agreement over the *nature* of the threats that should be included. The broad concept of human security encompasses a much wider range of threats to persons than does the narrower and more traditional concept. These threats include hunger, disease and pollution, and involve the denial of the most basic human needs. Indeed, in its broadest formulations, human security becomes equivalent to human well-being.

Proponents of the broad concept of human security note – correctly – that many millions more people are killed by endemic hunger and disease each year than by armed conflicts, terrorism and other forms of criminal violence combined. In 1998, for example, the

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2 Notable exceptions are Britain's Department of International Finance and Development and the United Nations Development Programme.

latter forms of violence killed approximately 1.2 million people; disease killed more than 10 million. From this it follows, say proponents of the broad concept, that human security should involve protection from the former, as well as the latter, threats. The logic of this argument has a certain appeal, but it is not clear, however, when expansion of the definition should stop. Should smoking, which kills far more people per year than war, be considered a security threat – or over-consumption of junk food that increases mortality from heart disease?

At least this broad conception of human security has a common denominator: namely, threats to the physical health and integrity of individuals. From an advocacy point of view, this approach has some political utility. If health issues become "securitized" – that is, if they are to be treated as security issues – and if far more people are killed by disease than war, then a case can be made for transferring resources from defence budgets to security budgets. There are not many examples of this happening in practice, however. Certainly, simply *declaring* that something is a vital security issue does not mean that governments will accept such a declaration and increase the resources needed to address the issue in question. But for analytical purposes, the broad conception of human security has little utility for reasons that are outlined below. It is no accident that no analytical studies have employed it thus far – nor that its proponents have failed to articulate a research programme.

It is important to note that proponents of the narrow conception of human security that focuses on violence do not argue that hunger and disease are less important than physical violence; quite the contrary in fact. But while the latter threats kill more people than wars, they have different causes and consequences. Policies for preventing AIDS and preventing war are totally different – as are the causes of each. Much of the literature on the broad concept of human security is simply an exercise in re-labeling phenomena that already have perfectly good names: hunger, disease, environmental degradation, etc. There has been little serious argument that seeks to demonstrate why "broadening" the concept of security to embrace a large menu of mostly unrelated problems and social ills is either analytically or practically useful.

Proponents of the narrow concept of human security believe that the interrelationships between the security issue and development and environmental issues are critically important. But causal relationships between, say, poverty and political violence can only be explored if these phenomena are treated separately. The broad conception of human security conflates what should be dependent and independent variables and makes analysis effectively impossible.

Human security and East Asia

As Amitav Acharya has argued in a recent paper: "Some Asian governments and analysts see human security as yet another attempt by the West to impose its liberal values and political institutions on non-Western societies."[3] Thus the human security approaches of countries like Canada and Norway, which focus on threats to individuals, have tended to be seen in East Asia as part of a broader "West-Against-the-Rest" agenda that stresses the importance of

political rather than economic and social rights, that disdains Southern concerns about sovereignty, and that champions humanitarian intervention and stresses a concern for individual well-being over societal well-being.

Acharya argues that human security can be interpreted as being about the protection of *communities* rather than simply individuals, and that such an interpretation might make the concept more acceptable to Asian governments. This seems questionable, given that so many conflicts in East Asia are based on identity politics. Moreover, while in Europe and other parts of the world regional security organizations are focusing increasingly on internal conflicts and human insecurity, in East Asia, meetings of the ASEAN Regional Forum (ARF) resolutely refuse to even discuss the only conflicts that are actually killing people in the region – those that take place *within* the regional states. This long-standing rejectionist stance is in deference to widely held East Asian concerns about sovereignty and about interference in the internal affairs of member states. It ensured that the ARF was completely ineffectual during the East Timor crisis, but it did not in fact prevent interference in Indonesia's internal affairs. The US used economic threats with telling effect to get what can only be called "coerced compliance" from Indonesia to US demands that an Australian-led multi-national force be permitted to deploy to East Timor to stop the killing.

It is ironic that sub-Saharan Africa, which has every reason to be as sensitive to sovereignty concerns as East Asia, and which has a far lower level of economic development, nevertheless manages to field peace-keeping and peace enforcement missions. It would be inconceivable to imagine the ARF even discussing such an issue. East Asian concerns about the perceived human rights and humanitarian agendas of the North, coupled with the extreme sensitivity to any threats to state sovereignty, mean that the narrow human security agenda is unlikely to be embraced at the official level at any time in the foreseeable future. Insofar as any conception of human security is supported, it is likely to be the broad "developmentalist" version stressed by the Japanese – an approach that plays down war and equates human security with "well being." And insofar as the agenda of the research community in the region follows that of the official security community, the causes of contemporary insecurity in the region will remain largely unexamined. **w**

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3 Amitav Acharya, "Human Security: East Versus West," *International Journal,* October 2001, p. 1.

The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty*

"Humanitarian intervention" has been controversial both when it happens, and when it has failed to happen. Rwanda in 1994 laid bare the full horror of inaction. The United Nations Secretariat and some permanent members of the Security Council knew that genocide was being planned; UN forces were present, though not in sufficient number at the outset; and credible strategies were available to prevent, or at least greatly mitigate, the slaughter that followed. But the Security Council refused to take the necessary action. That was a failure of international will – of civic courage – at the highest level. Its consequence was not merely a humanitarian catastrophe for Rwanda: the genocide destabilized the entire Great Lakes region and continues to do so. In the aftermath, many African peoples concluded that, for all the rhetoric about the universality of human rights, some human lives end up mattering a great deal less to the international community than others.

Kosovo – where intervention *did* take place in 1999 – concentrated attention on all the other sides of the argument. The operation raised major questions about the legitimacy of military intervention in a sovereign state. Was the cause just: were the human rights abuses committed or threatened by the Belgrade authorities sufficiently serious to warrant outside involvement? Did those seeking secession manipulate external intervention to advance their political purposes? Were all peaceful means of resolving the conflict fully explored? Did the intervention receive appropriate authority? How could the bypassing and marginalization of the UN system, by "a coalition of the willing" acting without Security Council approval, possibly be justified? Did the way in which the intervention was carried out in fact worsen the very human rights situation it was trying to rectify? Or – against all this – was it the case that, had the North Atlantic Treaty Organization (NATO) not intervened, Kosovo would have been at best the site of an ongoing, bloody and destabilizing civil war, and at worst the occasion for genocidal slaughter like that which occurred in Bosnia four years earlier?

The Bosnian case – in particular, the failure by the United Nations and others to prevent the massacre of thousands of civilians seeking shelter in UN "safe areas" in Srebrenica in 1995 – is another which has had a major impact on the contemporary policy debate about intervention for human protection purposes. It raises the principle that intervention amounts to a promise to people in need: a promise cruelly betrayed. Yet another was the failure and ultimate withdrawal of the UN peace operations in Somalia in 1992–93, when an international intervention to save lives and restore order was destroyed by flawed planning, poor execution and an excessive dependence on military force.

These four cases occurred at a time when there were heightened expectations for effective collective action following the end of the cold war. All four of them – Rwanda, Kosovo, Bosnia and Somalia – have had a profound effect on how the problem of intervention is viewed, analysed and characterized.

Members of the Commission present the final report to the UN Secretary-General, Kofi Annan. From left to right: Michael Ignatieff, Cornelio Sommaruga, Gareth Evans, Paul Heinbecker (Permanent Representative of Canada to the United Nations), Kofi Annan, Mohamed Sahnoun and Eduardo Stein. (Photograph by Ramesh Thakur)

The basic lines in the contemporary policy debate, constantly being re-engaged at UN headquarters in New York and in capitals around the world, have been clearly enough drawn. For some, the international community is not intervening enough; for others, it is intervening much too often. For some, the only real issue is in ensuring that coercive interventions are effective; for others, questions about legality, process and the possible misuse of precedent loom much larger. For some, the new interventions herald a new world in which human rights trumps state sovereignty; for others, it ushers in a world in which big powers ride roughshod over the smaller ones, manipulating the rhetoric of humanitarianism and human rights. The controversy has laid bare basic divisions within the international community. In the interest of all those victims who suffer and die when leadership and institutions fail, it is crucial that these divisions be resolved.

In an address to the 54th session of the UN General Assembly in September 1999, Secretary-General Kofi Annan reflected upon "the prospects for human security and intervention in the next century." He recalled the failures of the Security Council to act in Rwanda and Kosovo, and challenged the Member States of the UN to "find common ground in upholding the principles of the Charter, and acting in defence of our common humanity." The Secretary-General warned that "If the collective conscience of humanity ... cannot find in the United Nations its greatest tribune, there is a grave danger that it will look elsewhere for peace and for justice." In his Millennium Report to the General Assembly a year later, he restated the dilemma, and repeated the challenge:

> ...if humanitarian intervention is, indeed, an unacceptable assault on sovereignty, how should we respond to a Rwanda, to a Srebrenica – to gross and systematic violations of human rights that offend every precept of our common humanity?

In September 2000, the Government of Canada responded to the Secretary-General's challenge by announcing the establishment of the independent International Commission on Intervention and State Sovereignty (ICISS). The mandate was generally to build a broader understanding of the problem of reconciling intervention for human

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protection purposes and sovereignty. More specifically, it was to try to develop a global political consensus on how to move from polemics – and often paralysis – towards action within the international system, particularly through the United Nations. The membership of the Commission was intended to fairly reflect developed and developing country perspectives, and to ensure representation of a wide range of geographical backgrounds, viewpoints and experiences – with opinions, at least at the outset, reflecting the main lines of the current international debate. The Commission's final report was published in December 2001.

Synopsis

The Responsibility To Protect: Core Principles
(1) Basic Principles
 A. State sovereignty implies responsibility, and the primary responsibility for the protection of its people lies with the state itself.
 B. Where a population is suffering serious harm, as a result of internal war, insurgency, repression or state failure, and the state in question is unwilling or unable to halt or avert it, the principle of non-intervention yields to the international responsibility to protect.

(2) Foundations
The foundations of the responsibility to protect, as a guiding principle for the international community of states, lie in:
 A. obligations inherent in the concept of sovereignty;
 B. the responsibility of the Security Council, under Article 24 of the UN Charter, for the maintenance of international peace and security;
 C. specific legal obligations under human rights and human protection declarations, covenants and treaties, international humanitarian law and national law; and
 D. the developing practice of states, regional organizations and the Security Council itself.

(3) Elements
The responsibility to protect embraces three specific responsibilities:
 A. **The responsibility to prevent:** to address both the root causes and direct causes of internal conflict and other man-made crises putting populations at risk.
 B. **The responsibility to react:** to respond to situations of compelling human need with appropriate measures, which may include coercive measures like sanctions and international prosecution, and in extreme cases military intervention.
 C. **The responsibility to rebuild:** to provide, particularly after a military intervention, full assistance with recovery, reconstruction and reconciliation, addressing the causes of the harm the intervention was designed to halt or avert.

(4) Priorities
 A. **Prevention is the single most important dimension of the responsibility to protect:** prevention options should always be exhausted before intervention is contemplated, and more commitment and resources must be devoted to it.
 B. The exercise of the responsibility to both prevent and react should always involve less intrusive and coercive measures being considered before more coercive and intrusive ones are applied.

The Responsibility to Protect: Principles for Military Intervention
(1) The Just Cause Threshold
Military intervention for human protection purposes is an exceptional and extraordinary measure. To be warranted, there must be serious and irreparable harm occurring to human beings, or imminently likely to occur, of the following kind:
 A. **large-scale loss of life,** actual or apprehended, with genocidal intent or not, which is the product either of deliberate state action, or state neglect or inability to act, or a failed state situation; or
 B. **large-scale "ethnic cleansing,"** actual or apprehended, whether carried out by killing, forced expulsion, acts of terror or rape.

(2) The Precautionary Principles
 A. **Right intention:** The primary purpose of the intervention, whatever other motives intervening states may have, must be to halt or avert human suffering. Right intention is better assured with multilateral operations, clearly supported by regional opinion and the victims concerned.
 B. **Last resort:** Military intervention can only be justified when every non-military option for the prevention or peaceful resolution of the crisis has been explored, with reasonable grounds for believing lesser measures would not have succeeded.
 C. **Proportional means:** The scale, duration and intensity of the planned military intervention should be the minimum necessary to secure the defined human protection objective.
 D. **Reasonable prospects:** There must be a reasonable chance of success in halting or averting the suffering which has justified the intervention, with the consequences of action not likely to be worse than the consequences of inaction.

(3) Right Authority
 A. There is no better or more appropriate body than the United Nations Security Council to authorize military intervention for human protection purposes. The task is not to find alternatives to the Security Council as a source of authority, but to make the Security Council work better than it has.
 B. Security Council authorization should in all cases be sought prior to any military intervention action being carried out. Those calling for an intervention should formally request such authorization, or have the Council raise the matter on its own initiative, or have the Secretary-General raise it under Article 99 of the UN Charter.
 C. The Security Council should deal promptly with any request for authority to intervene where there are allegations of large-scale loss of human life or ethnic cleansing. It should in this context seek adequate verification of facts or conditions on the ground that might support a military intervention.
 D. The Permanent Five members of the Security Council should agree not to apply their veto power, in matters where their vital state interests are not involved, to obstruct the passage of resolutions authorizing military intervention for human

protection purposes for which there is otherwise majority support.

    E. If the Security Council rejects a proposal or fails to deal with it in a reasonable time, alternative options are:

        I. consideration of the matter by the General Assembly in Emergency Special Session under the "Uniting for Peace" procedure; and

        II. action within area of jurisdiction by regional or sub-regional organizations under Chapter VIII of the Charter, subject to their seeking subsequent authorization from the Security Council.

    F. The Security Council should take into account in all its deliberations that, if it fails to discharge its responsibility to protect in conscience-shocking situations crying out for action, concerned states may not rule out other means to meet the gravity and urgency of that situation – and that the stature and credibility of the United Nations may suffer thereby.

(4) Operational Principles

    A. Clear objectives; clear and unambiguous mandate at all times; and resources to match.

    B. Common military approach among involved partners; unity of command; clear and unequivocal communications and chain of command.

    C. Acceptance of limitations, incrementalism and gradualism in the application of force, the objective being protection of a population, not defeat of a state.

    D. Rules of engagement which fit the operational concept; are precise; reflect the principle of proportionality; and involve total adherence to international humanitarian law.

    E. Acceptance that force protection cannot become the principal objective.

    F. Maximum possible coordination with humanitarian organizations.   [W]

The United Nations Role in Democratization*

By Edward Newman and Roland Rich

Democracy Assistance – a Pressing Global Challenge

For the first 40 years of the United Nations, the Cold War was the dominant international reality. To a large extent, the organization was on the periphery of an international agenda defined by superpower rivalry and tension. Nevertheless, the UN and its agencies made a significant impact in various ways, including the facilitation of decolonization and the emergence of many new Member States. But the UN's contribution to "nation building" in the cold war era largely excluded the objective of helping to construct democracy as the normal or even ideal form of governance. Democracy was a concept too pregnant with partisan political meaning to be seen as the norm.

The post-cold war period has seen a new appreciation of the value of democracy. Concepts such as Thomas Franck's "democratic entitlement," James Crawford's "democratic legitimacy" and Bruce Russett's "democratic peace" have been of strong interest to researchers and practitioners alike. The development assistance community has begun to look at democracy as a means of improving governance, and the concept of democratic governance has been adopted by UNDP as a goal for its development work. In the space of just a few years, democracy promotion, as a mainstream aspect of international relations, has moved from the wings to centre stage. Moreover, recent events suggest a renewed imperative for focusing on governance in the UN's activities.

The September 2001 terrorist attacks in the US underlined the relationship between security and governance. Terrorism finds fertile ground in undemocratic and conflict-torn societies: the UN's promotion of democratization must now also be seen as a part of its wider role in international peace and security.

Contemporaneously with the heightened interest in democracy, there has developed a greatly enhanced role for the United Nations in the post-cold war period.[1] Over the past decade, the UN has generated virtually as much activity as in its entire previous history. The range of tasks entrusted to the UN has been remarkable, including managing sanctions regimes, leading enforcement actions, developing the international rule of law, building or rebuilding entire national systems of governance, and assisting with or observing national elections.

The UN's burgeoning activities in promoting and supporting democracy, in a complex and fast-changing international environment, lie at the intersection of these broad developments.

The span of UN activities in this field is vast, ranging from technical assistance in drafting and implementing election laws to nation-building on the basis of democratic governance. The range of issues the UN must grapple with in undertaking this demanding work is also vast. It must tread the fine line between respecting Article 2(7) of the Charter (which prohibits interference in matters within the domestic jurisdiction of states) and taking leadership on behalf of the international community and in upholding basic principles of human rights. Its work must be based on the concept of state sovereignty, but motivated by the high normative ideals set by the UN. Its rules of engagement are based on a post-WWII Charter while it works in a post-cold war world where some of the Westphalian premises are

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1 See Roland Rich, "Bringing Democracy into International Law," *Journal of Democracy,* Vol. 12, No. 3, 2001; and Edward Newman, "(Re)building Political Society: the UN and Democratization," in Edward Newman and Oliver. P. Richmond (eds.), *The United Nations and Human Security,* Basingstoke: Palgrave, 2001.

beginning to fray.

A number of questions arise. Can the UN, as an external actor, have a substantial and enduring impact upon domestic transition and democratization within a society in which it is engaged? Normatively speaking, is it *right* that an external actor should have such an impact? Has the promotion of democracy by the UN in post-conflict and divided societies had a significant role in conflict amelioration and reconciliation? What values or models of democracy does an external agent such as the UN bring with it to the democratization process? Practically, how successful has UN assistance been in terms of consolidating democracy in transitional societies – what is the record? To what extent is the UN "staying the course" from transition to consolidation, by going beyond electoral assistance to political reconstruction and indigenous capacity building?

Beyond these normative dilemmas, the UN must also grapple with the usual problems that bedevil development assistance. Faced with the immediacy of crisis situations, the UN often has little time for the luxury of reflection and is required to throw itself immediately into action with little notice. Is it thus forced to work on a "one size fits all" template, knowing full well that every situation has its distinctive characteristics? Because it is required to show immediate results by an impatient international community, the UN must also find the balance between providing vision and leadership while encouraging local ownership and engagement. The UN knows full well that the nation-building aspects of its work require time, but the reality is that the UN budget is limited and must respond to the next crisis.

There are also the technical difficulties of finding the right path for each individual situation. Which government structure will best fit the local situation with its distinctive history and expectations? Which electoral system will encourage national reconciliation, and which will lead to a winner-takes-all mentality? How are the often-conflicting yearnings for justice, reconciliation and restoration to be met? And how can internal and external security be achieved?

Methodology

The challenges can be approached and examined through thematic analysis and case studies. Lessons must be learned and best practice followed if the international community is to advance in its lofty goals.

Whether the issues concern electoral laws, election monitoring, governance structures or civil-military relations, lessons can only be learned from past practice if the analysis is accurate. Local complexities need to be understood and accommodated. Tricky questions of cause and effect also need to be worked out. Whether it is in the design of electoral systems, the implementation of election processes or the monitoring of elections, the UN role should build on its experiences, identify its successes and learn from its failures.

The central research questions here, in considering local conditions, are: What domestic circumstances are most conducive to the promotion of democracy by external actors? What is the role of civil society in building the foundations of democracy, especially in post-conflict or transitional circumstances? How do national liberation movements transform themselves (or not) into party political organizations?

The second approach is the case study method. The five case studies being undertaken in the project concern UN involvement in Namibia, Cambodia, Haiti, Kosovo and East Timor. In this way, the project deals with the earliest attempt at a large democratization project as well as the most recent. It deals with cases of decolonization, societal disintegration and emergence from foreign domination. In some cases, the initial military element is dominant; in others, the policing element is the key. In some cases, the UN led the entire operation; in others, the UN picked up from other multinational actors. The five case studies, therefore, provide a broad base for study.

One of the considerations in undertaking these case studies is to try to ensure that the research is based upon local perspectives. The depth of local concerns, the complexities of the local political situation and the various local images of the foreign actors are all critical to a full understanding of the situation. For this reason, the project was designed around the case studies being undertaken by local academics and researchers. This gives the case studies an immediacy and directness that may be wanting in the hands of a foreign researcher. The case studies strive for fairness in their interpretation of the problems faced by the UN and how they were tackled, but the perspective will be one of commitment to the outcomes rather than striving for an elusive and indeed doubtful objectivity.

A number of research questions form the basis of these studies:
- How do the history (of democracy), culture, and social processes condition the form of democracy that can take root in the particular context? How do these factors have a bearing upon the likelihood that external assistance can have an impact?
- How did the UN work alongside local actors and benefit from their expertise and networks? What lessons can be learned?
- Did the UN sufficiently understand and respect local cultural and social conditions in organizing its democracy programmes? Did the UN sufficiently understand local political balances and dynamics in organizing its democracy programmes?
- Was the UN's involvement impartial, or did it have an impact upon political balances, political agendas or political opportunities for certain groups/interests above others?
- Were the timing and modalities of electoral activities optimal?
- To what extent did the international community genuinely build local capacity for self-governance? To what extent is the UN "staying the course" from transition to consolidation, by going beyond electoral assistance to political reconstruction and indigenous capacity building?
- Did the institutional arrangements put in place encourage any forms of power sharing? Did they promote the development of programmatic political parties?
- Did the activities encourage politics to form around broad cross-cutting issues rather than along narrow sectarian lines?
- Were any alternatives to elections considered as a means of involving local actors in the immediate process of reconstruction?
- In which sectors was the UN most effective: for example (but not necessarily limited to) electoral assistance, establishing rule of law, strengthening civil society, assisting political parties, or generating economic development?

Preliminary Conclusions

A number of preliminary observations and conclusions can be made. Inevitably, the ethics of intervention must be confronted. This is an issue that goes beyond the work of the United Nations, but given the role of the UN to represent the worthiest ideals of humanity, the ethical dilemmas are particularly acute when addressing the UN's role. A possible conclusion is emerging that the goal of consistency with the UN's response to societies in crisis and in need of assistance and democratization may not be feasible. Every decision taken by the international community is subject to individual influences and its own *zeitgeist.* The decisions tend to build on previous decisions and results on the basis of a shifting political logic that is often difficult to discern.

Another set of conclusions is emerging concerning the role of the external actor in bringing lasting changes to a particular society. The challenge is to achieve positive and sustainable change without embedding the external actor as an indispensable part of the local political scene.

This raises questions about the role to be played by the UN, its duration and its aftermath. Clearly, there is a facilitative role welcomed by the locals. The term "circuit-breaker" describes the role played by the external actor, a role clearly beyond any combination of local forces or individuals. Putting a halt to a downward spiral of distrust among the various local forces may often be the UN's key contribution. The challenge is then to establish a space for the reconstruction of civil society and democratic governance.

There is a critical need to work with local civil society and prepare it to take over some of the roles being undertaken by the external actor. Capacity building, based upon extensive local consultation, is therefore an essential part of the UN's work. The existence of civil society in societies suffering some sort of trauma cannot be taken for granted. Civil society is a delicate creature, particularly vulnerable in its infancy. The external actor needs to recognize and accept its role – and, indeed, to nurture it. While civil society has difficulty taking root in authoritarian societies, there are encouraging examples of people under foreign domination cooperating and thus laying the groundwork for the development of civil society. Again, this underscores the importance of local consultation.

It is also becoming clear that the mandate the UN is assigned and the terminology used in the enabling instrument will have a significant impact. This is clearly an iterative process as each situation builds on the terminology and actions of previous work. The research project will examine the process of interpretation in implementing the enabling instructions.

We should be realistic about what can be achieved in democracy assistance. The goals set by the international community require the establishment of viable forms of democratic governance able to address problems of reconciliation, nation building and poverty alleviation. These are, of course, very long term goals subject to variables over many of which the UN and other external actors have minimal influence. This tends to place attention on the existence of a process that can be said to lead to the required long-term goals. While members of the UN staff are fully aware that the holding of a transition election and the resulting establishment of a government with international and democratic legitimacy is only an early step in this process, there has nevertheless been a tendency to view this as the point at which the UN's role is evaluated and, often, truncated.

The timing and modalities of electoral assistance are also critical. Elections represent a key step in a broader process of building political institutions and legitimate government. Variations in electoral procedures can play a key role in determining whether the locus of political competition evolves along extremist or centrist lines and, hence, in developing moderate and broad-based political parties.

There are three main areas of variation that are crucial influences on the shape of post-conflict politics in most countries.

- First, there is the question of timing: Should post-conflict elections be held as early as possible, so as to fast-track the process of establishing a new regime? Or should they be postponed until peaceful political routines and issues have been able to come to prominence?
- Second, there are the mechanics of the elections themselves: Who runs the elections? How are voters enrolled? What electoral formula is used? And so on.
- Third, there is the often under-estimated issue of the effect of the elections on political parties. Especially in cases of weak civil society, political parties are the key link between masses and elites, and play an absolutely crucial role in building a sustainable democratic polity. Hence, the interaction between parties and the electoral process is itself crucial. Are the political parties contesting the election narrow, personalized, sectarian or ethnically exclusive entities, using the political process to pursue their wartime objectives? Or are they broad, multi-ethnic, programmatic organizations with real links to the community? And how can the former be discouraged and the latter promoted?

More generally, there is the overarching issue of under what circumstances elections help to build a new democratic order, and under what circumstances they can undermine democracy and pave the way for a return to conflict. For example, elections are part of the broader process of democratization, but ill-timed, badly designed or poorly run elections can actually undermine the broader democratization process.[2]

Considerable attention also needs to be paid to the UN's ongoing (and, often, less visible) role in assisting societies to maintain and improve their democratic processes. Accordingly, it is important to examine more technical elements of the UN role concerning design of electoral systems and processes, and assistance in implementing electoral commissions and other bodies charged with holding future elections. There are many factors involved in the process of democratic consolidation, and it is beyond the scope of the project to examine them all.

The process of democratization is ongoing. The UN is likely to be involved in this work for decades to come. The need for research and analysis is clear. The project hopes that the results will assist the UN in its future endeavours.　　　　　　　　　　　　　　　　W

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2 The comments on electoral issues draw upon Ben Reilly's participation in the project.

Refugee Movements as Grounds for International Action*

By Gil Loescher

One of the greatest challenges confronting the international community in the years to come will be to link the task of refugee protection and human security to the broader defence of human rights. In recent years, traditional notions of security and sovereignty have been challenged, placing refugee issues much higher on the global agenda and creating new opportunities for international action. While international responses to humanitarian crises remain, more often than not, reactive, self-interested and based on *ad hoc* initiatives, there is growing international awareness of the linkage between human rights abuses, forcible displacement of civilian populations and international security. Forcible displacement is a major factor in conflict and the continuation of conflict, requiring policy responses that recognize this.

The sobering experiences with interventions in protracted humanitarian and security crises over the past decade underscore the fact that humanitarian measures alone are seldom enough to deal with refugee problems. A wide range of actions, most of them far short of military action, can be taken to avert large-scale refugee crises. An intervention continuum, ranging from the use of "good offices," diplomacy and "shaming" of states to the employment of sanctions and the use of military force, now exists. Sustained political and diplomatic initiatives, development assistance, human rights monitoring and the strengthening of civil societies through the building of democratic institutions are all measures that, if initiated early and given sufficient economic resources and political support, could help prevent the outbreak of violence and the mass displacement of populations. Some international agencies have, in the past, promoted the concept of "soft intervention" to prevent situations from degenerating into violent conflicts. However, in internal situations where armed hostilities have already broken out and are accompanied by widespread violations of human rights, other, more "hard" forms of intervention, including military action, may be necessary to bring such violations to a halt.

Acting early to avert refugee crises can be demanding, but it is considerably less expensive than dealing with the fallout of a full-blown and protracted crisis. What we have seen in recent years has not been an attempt to stop or prevent genocide and refugee movements by full-scale use of force. Rather, international action has, on most occasions, attempted to limit these crises and to provide relief after the damage has been done. It does not make sense for the international community to continue to pour resources into emergency relief and post-crisis rehabilitation and neglect basic causes that produce terrible upheavals and mass displacements.

The thesis of this argument is that human rights abuses that uproot entire communities engage the national security interests of states, particularly when internal conflicts result in wider regional wars and when the spillover of refugees destabilizes neighbouring countries. A large-scale movement of people across national borders, under duress, internationalizes what might otherwise be purely domestic issues related to the causes of that movement. I argue that this is becoming a norm, in theory and in practice, that is increasingly accepted as grounds for international action, including armed intervention, against the state generating the refugee flow.

Refugee Flows as Threats to Peace under Chapter VII of the UN Charter

In recent years, refugee movements have played an unprecedented role in international politics and have repeatedly had a central role in relation to a succession of international crises, from the Kurdish uprising in northern Iraq in 1991 to the mass exoduses from Kosovo and East Timor in 1999. Refugee movements have been frequently cited by states and international organizations as a basis for action regarding both civil and international conflicts.

There has been increasing recognition that massive refugee flows do, in fact, constitute a threat to international peace and security, and that they therefore invoke the enforcement powers of the United Nations. As a threat to peace and security, the imposition of refugees on other states falls under Chapter VII of the UN Charter and therefore legitimizes enforcement action not subject to the limits of purely humanitarian action. As early as 1986, the report of a Group of Governmental Experts on International Cooperation to Avert New Flows of Refugees recognized the "great political, economic and social burdens [of massive flows of refugees] upon the international community as a whole, with dire effects on developing countries, particularly those with limited resources of their own." Accordingly, it recommended intervention by the international community through the good offices of the Secretary-General, refugee prevention actions by appropriate UN bodies (including the Security Council), and better use of aid programmes to deter massive displacements. The report was subsequently endorsed by the UN General Assembly, which explicitly defined such flows as a threat to peace and security, thus opening the door to action by the Security Council under Chapter VII several years later.

It should be pointed out that Article 2(7) of the UN Charter, protecting the domestic jurisdiction of Member States, specifically exempts from this protection enforcement actions taken under Chapter VII. In short, a country that forces its people to flee or takes actions which compel them to leave in a manner that threatens regional peace and security has, in effect, internationalized its internal affairs, providing a cogent justification for policy makers elsewhere to act directly upon the source of the threat.

These arguments are accompanied by changing conceptions of "threats" and "security" in interstate relations. Certain internal acts and policies – especially those triggering mass expulsions or refugee movements – are increasingly regarded as threats to others, particularly by their neighbours. From this perspective, grievous human rights abuses are not an internal matter when neighbouring states must bear the cost of repression by having refugees forced on them. In recent years, the Security Council itself has taken an increasingly inclusive view of "threats to peace" where actual hostilities remained limited largely to the territory of a single state. The UN Security Council's Summit Declaration of 1992 included "nonmilitary sources of instability in the economic, social, humanitarian and ecological fields" as threats to international peace and security, while specifying "election monitoring, human rights verification, and the repatriation of refugees" as "integral parts of the

Security Council's efforts to maintain international peace and security." As Rosemary Rogers and Emily Copeland note, "these expanded notions of what constitute threats to international or national security have important implications for the issue of forced migration: they make it easier to classify forced migration flows or the presence of forced migrants in a host country as security threats."

This new thinking ties in with changing ideas of national sovereignty. While sovereignty is still regarded as a cornerstone of the international political and legal system, domestic matters previously shielded from outside interference have become open to comment and action. Since the most elementary justification for the modern state is its ability to provide reasonable security for its citizens, states that force these same citizens to flee call into question the very basis of their sovereignty. There is notably greater revulsion on the part of the international community toward using "sovereignty" to shield gross patterns of persecution, and notably less hesitation in employing pre-emptive (as opposed to reactive) approaches to such problems. Finally, there is the question of whether "sovereignty" is a consideration at all in the increasingly frequent case of "failed states" or "crises of authority" when there is no generally recognized government exercising effective authority over a state's territory. In such cases, the absence of an invitation is hardly determinant; what we need are reasonable criteria for when a state ceases to be a state, transferring to the international community not only the right but also the duty to intervene.

Intervening in refugee-producing situations on the basis of a threat to peace and security, rather than on a purely humanitarian basis, also changes some of the considerations and conditions in execution. "Proportionality" would remain a condition as in any sanctioned use of force, but the calculus would proceed on a different basis. Intervention would be aimed not just at the immediate relief of victims, but also at rectifying the conditions that comprise a continuing threat to the peace of other states. Obviously, such an "enforcement" mission could require broader changes, including in the extreme case removal of the offending government.

Secondly, the "disinterest" often specified for humanitarian interventions is not possible, since intervention to prevent refugee flows is justified precisely *because of* the impact on other states. The fact that this is a case of states acting in their own interest is, in fact, one reason to hope that such actions will be more effective than some actions have been in the past. This leaves, however, the issue of how interveners can be prevented from exploiting such situations for particular gains unrelated to the refugee flow that justified their action. The obvious answer would be to require multilateral legitimization and execution as much as possible; in a crude sense, "interest" would provide the motive power for such justified interventions while multilateral mechanisms would provide the steering and control.

Intervention in Practice

In addition to the increasing recognition of the link between refugee flows and security, international intervention as a response to refugee flows quietly, albeit haltingly, has become a *de facto* norm in state declaration and practice. In a number of recent crises, refugees came to serve as an index of internal disorder and as *prima facie* evidence

of the violation of human rights and humanitarian standards. No other issue, perhaps, provided such a clear and unassailable link between humanitarian concerns and legitimate international security issues. As a result, the Security Council, under pressure from Western governments and their publics, increasingly authorized interventions for the enforcement of global humanitarian norms under Chapter VII of the UN Charter. Mass movements of people in northern Iraq, Liberia and Haiti, to list but a few examples, consequently set precedents for international, regional and unilateral intervention into the internal affairs of states.

Despite fundamental changes in attitude and action, international responses to human rights and refugee crises remained, more often than not, reactive, self-interested and based on *ad hoc* initiatives. There was no guarantee that states would intervene in situations where it was desperately needed, as in Rwanda in 1994. Bruised by their failure to restore stability in Somalia, the world's major governments and the UN chose to do nothing in the face of wanton mass killings in Rwanda. The major lesson drawn from the Somalia operation, particularly by the United States, was that the interventions of the early 1990s had overextended the UN, and that in the future interventions should be much more limited and essentially restricted to the most strategically important areas of the world. In Rwanda, the real problems over intervention were not legal and conceptual. Rather, those states with the capacity to intervene chose not to put their soldiers' lives at risk in a country of which their electorate knows little. As Kofi Annan acknowledged in his annual report to the UN General Assembly in 1999: "the failure to intervene was driven more by the reluctance of Member States to pay the human and other costs of intervention, and by doubts that the use of force would be successful, than by concerns about sovereignty." Similar concerns prevented Western governments from committing sufficient ground forces to Bosnia with an enforcement mission to defend the so-called "safe areas," including Srebrenica. Indeed, no Western government intervened to defend human rights in the 1990s unless it was confident that the risk of casualties to its soldiers was almost zero.

By the end of the 1990s, it was also true that few governments were prepared to support intervention in the absence of express Security Council authorization. In Kosovo, NATO went to war because important security interests were perceived to be at stake, including the credibility of the Western military alliance, and the use of air power meant that almost no soldiers' lives would be at risk. While the US and its NATO allies justified intervention in Kosovo and Serbia on the grounds that morality should trump legality in exceptional situations where governments commit massive human rights violations within their borders, other states strongly opposed the claim that NATO's action was lawful. Fearful that states might lose their claim to protection under the principle of non-intervention, and concerned that humanitarian claims on the part of the West constituted a cover for the pursuit of selfish interests, Russia, China and India, among others, argued that intervention without UN Security Council authority jeopardized the foundations of international order and contravened UN Charter principles of sovereignty and non-intervention. There was concern that without the restraint of the Security Council veto, the principle of non-intervention would be softened, and the international community

would be on a "slippery slope" leading to a dramatic increase in interstate use of force in the form of interventions to resolve internal conflicts.

Moreover, NATO's intervention in Kosovo was widely criticized for undermining the humanitarian objectives of the intervention. Rather than preventing a humanitarian disaster, NATO's air campaign led to an acceleration of Serb ethnic cleansing and to the deaths of thousands of Kosovar Albanians. The escalation of the initial air campaign resulted in the bombing of a range of civilian facilities that were claimed to constitute legitimate military targets, leading to further loss of life among civilian bystanders. Thus, the Kosovo operation underlined the fundamental problem of what to do when the permanent members of the UN Security Council are divided and how to reconcile conflicting UN Charter principles of sovereignty, non-intervention and the protection of human rights. Above all, Kosovo demonstrated the lack of enthusiasm among many states for legitimizing interventions not authorized by the UN Security Council.

Despite growing acceptance of the links between refugee movements, human security and intervention, the attachment to the principle of state sovereignty remains strong, especially among several of the most powerful Western states, and others like Russia, China, India, Iran, and many developing and non-aligned states. Moreover, state perceptions of the probability for success and considerations about costs remain significant barriers to frequent use of intervention. Finally, but not least, the veto and voting procedure in the UN Security Council represent a strong restraint against a dramatic increase in intervention. Consequently, it seems likely that intervention on human rights grounds, even when there is a clear link to security, will continue to be a highly contested issue among states. At a minimum, as Nicholas Wheeler has pointed out, it seems intervention will only be considered legitimate when it operates with the authorization of the Security Council.[1]

▌Need for New and Different Responses

Ignoring the linkage between human rights, refugee movements and security will simply lead to greater isolation and deprivation, breed terrorism and political extremism, and pose yet new threats to regional and international security and order. Political realism demands that higher priority be given to combating human rights violations because of their propensity to cause regional and international instability and hence refugee movements. This will require incorporating, in current re-evaluations of state security doctrine, greater international attention to human rights violations.

The history of the past decade demonstrates that it is not always easy to get widespread international agreement on the use of force to resolve refugee problems. Therefore, some steps are needed in the short term to deal with the problems associated with mass forcible displacements of people. At a minimum, these include the establishment of an international rapid reaction capacity, along with credible safe-haven policies to respond to refugee emergencies, and the promotion and building of civil society infrastructure and human rights monitoring in local communities in conflict.

The establishment of a force of volunteers to be sent to crises at

short notice or of multilateral brigades to be dedicated to the world community for intervention purposes is an essential component of a more effective future international response to genocide and mass murder leading to refugee outflows. The world community also needs to take steps to strengthen its capacity for deploying civilian crisis management facilities, including civilian police, and legal, judicial and prison systems in post-conflict situations. Similarly, future effectiveness in dealing with internal crises leading to refugee outflows will depend on the way the European Union develops its Common Foreign and Security Policy and implements its emerging rapid reaction capability. Even with new machinery available for intervention, there will still be the need to find ways to convince Member States of the Security Council, especially the permanent members, that there should be restrictions on the use of the veto in exceptional cases where genocide and mass killings occur. A key question for the future will be whether it is possible to achieve consensus on situations when it is permissible for intervening states to override the power of the veto.

Currently, the United Nations and the international system more generally are not well equipped to deal with human rights violations and state-building responsibilities. If the international community hopes to respond more effectively to the global problem of refugees and internal displacement, it must also strengthen the UN's capacity to monitor developments in human rights issues. Governments must guarantee a meaningful funding base to the specialized human rights bodies of the UN and withdraw the political constraints on human rights action.

Until the time when the capacity of the UN human rights regime is fully developed, NGOs (especially human rights NGOs) will have to assume a larger share of responsibility for ensuring the protection of forcibly displaced people. In order to accomplish this, human rights NGOs need to establish a continuous presence in regions experiencing conflict. The UN needs to support NGO efforts to train independent human rights monitors and place them in regions where they can provide liaison with local organizations and to assess the protection needs of refugees and the internally displaced.

Relief NGOs, likewise, have an essential protection role to play. Many NGOs today are far more willing and able to address protection issues than they have been in the past. Their presence in most civil war situations makes them important sources of information that is crucial for human rights monitoring, early warning of conflicts and refugee crises, and preventive diplomacy, and they should institutionalize procedures to manage and report information on human rights abuses by their own personnel in the field. At a minimum, NGOs, with the assistance of UN agencies, should train their staff regarding human rights principles and protection techniques to be used in the field. Efforts should also be made to improve both the channels of communication and the readiness to act on human rights information at high political levels.

In countries where central government itself is weak or non-existent, and therefore unable to protect its citizens, the key issue will be not only how to bring together contending groups, but how to build institutions of governance. In such situations, such as post-Taliban Afghanistan, economic development and social stability are inseparable. Rehabilitative relief and development activities must be

1 Nicholas Wheeler, *Saving Strangers: Humanitarian Intervention in International Society,* Oxford: Oxford University Press, 2000.

accompanied by support for civil society in order to be effective. Sustainable progress can only be achieved if built on a strong civil foundation that allows the gains made to be consolidated throughout society. Without this foundation, relief and development activities will constitute a one-time consumption of resources that will result in little long-term change. The development of civil society is also related to the avoidance of violence. Violent political conflict generally can be avoided only in a context in which the citizenry is able to participate meaningfully in the political decisions that affect their lives by holding the persons and institutions that exercise power over them accountable for their actions. W

The Challenge of Human Rights in Societies in Transition*

By Albrecht Schnabel and Shale Horowitz

Human rights are typically discussed in descriptive and moral terms. A depressing catalogue of violations is followed by condemnations of the perpetrators and moral appeals to the international community and international public opinion. Of course, developing awareness in public and official circles in this manner is a necessary and important first step in advancing the cause of human rights. However, it is also necessary to add to this a thorough understanding of both the causes of human rights violations in transitional and post-conflict societies, and their consequences for political, economic and cultural transition. Such insight has to evolve from a careful examination of how human rights are defined and understood, and how such understanding compares with existing practical approaches to monitoring, publicizing and influencing human rights practices.

It has been 50 years since the United Nations adopted the Universal Declaration of Human Rights (UDHR). Yet, recently, there have been strong challenges to accepted definitions of human rights, both in the developed world and by a number of Asian and Middle Eastern governments. At the same time, there has been an explosion of new additions to the traditional list of human rights. How can these developments be reconciled? How are rival conceptions of human rights reflected in the ways that the UN system, regional organizations, individual sovereign states and non-governmental organizations address human rights issues? How does public opinion reflect and, in turn, influence this range of ideological currents and practical initiatives?

To answer these questions, human rights practices must be addressed in their real-world environments, as outcomes with typical root causes and typically wider political and economic consequences. Beyond looking at particular cases of regimes guilty of human rights violations, one must examine the relative importance of economic structures and interest groups, political institutions, and cultures in explaining cross-national variations in human rights practices. Similarly, human rights practices have an impact far broader than their immediate humanitarian effects.

What is the relationship between human rights practices and the factors typically taken to explain conflict resolution, democratization and economic development? For example, how does observance of human rights practices constrain elites that are materially or ideologically interested in perpetuating conflicts? How do human rights practices affect the ability of different interest groups or social strata to develop confidence, or lose faith, in democratic regimes? How do human rights practices relate to the efficient mobilization of capital and labour resources in the economic development process?

In the larger study, investigation of causes and consequences focus on a broad and representative array of societies in transition. These are developing countries in the process of important political, social and economic transformations. Relevant regions and countries include East Asia (particularly China and Southeast Asia), the Middle East (Israel, the Palestinian Authority, the Arab countries, Iran and Turkey), Africa (particularly Rwanda, the Great Lakes Region, and Southern Africa), the former Soviet Bloc (particularly the former Yugoslavia and the Transcaucasus) and Latin America. The results of the study culminate in country- and region-specific recommendations for state, non-state and intergovernmental actors actively involved in assisting political, social and economic transition processes. The following findings and recommendations are drawn from these more detailed case studies.

Causes and Consequences of Human Rights Practices in Societies in Transition

Knowing the consequences of human rights violations creates an understanding of their cost – to societies that are directly and indirectly affected. Positive human rights practices promote political stability and economic development. Negative human rights practices cause the opposite. The international community's engagement with the causes of human rights violations in societies in transition has a positive impact on human rights practices in these societies, benefiting those who suffer from the consequences of social, economic and political change.

The international community and its intergovernmental and nongovernmental organizations are called upon to give more attention to human rights violations that characterize societies in transition. They are called upon to monitor human rights practices, to consider involvement in protecting and defending human rights, and to address commitments made by signing and supporting the Universal Declaration of Human Rights and its Covenants. To do so, information on the causes and impact of human rights violations must

be collected and disseminated. This is accomplished through publicity, denunciation and investigation, through campaigning, lobbying, media and action: Human rights practices, both inside and outside of those societies, must be investigated; violations must be denounced and protections must be praised. In the process, official as well as public audiences must be educated about human rights practices in societies in transition, raising awareness about violations and sparking discussions of the most appropriate and effective responses.

These tasks require special efforts by national governments, regional organizations, the UN and civil society towards joint actions to contribute to the consolidation of positive human rights practices in societies emerging from social, political and/or economic upheaval.

Recommendations for National Governments

Support of humanitarian intervention
Governments must support the authorization of humanitarian intervention in cases of crimes against humanity. They must support an international consensus on the right and obligation to undertake humanitarian interventions where states cannot avert grave destruction and suffering from their populations. Such support has to be based mainly on the humanitarian benefits of intervention, not the strategic self-interests of interveners. Governments must support international calls for UN-sponsored intervention in failed states, and they need to penalize those who abuse humanitarian intervention to serve their own strategic purposes.

Education of the public
States must educate the public about the benefits of humanitarian operations. They must educate the public about the Universal Declaration of Human Rights and other manifestations of human rights law. They must emphasize human rights education in the curriculum at all stages of the educational system. National governments must educate, socialize and persuade subgroups to reach standards on human rights that are already promoted by progressive national elites and governments.

States and NGOs
Some countries are moving to restrict space for human rights NGOs and increase control over them. This should be addressed by the international community and intergovernmental bodies. States must provide space, through legislation, for domestic and international NGOs to lobby, campaign and stage non-violent protests to call for and monitor improved human rights practices. Donor governments need to assist domestic NGOs in establishing mechanisms to ensure less dependency on foreign funds – and political agendas – by providing seed money to initiate moves towards self-sufficiency.

The dilemma of relativism
The focus on the alleviation of relativism's impact on human rights should be as much part of the dialogue with traditional and authoritarian societies as are "enforcement" procedures. Serving a multitude of interests and often-heterogeneous societies, national governments tend to be less relativistic than internal subgroups. Yet, subgroups must be shown respect and given ownership in the development of national strategies concerning issues affected by relativism (such as AIDS or the role of women and children).

Priorities
Governments should continue to invest in negative/blocking rights. These include physical security rights; freedom of speech, association and religion; and due process rights. To the extent of available resources, governments should promote cultural, social and economic rights, such as work, housing, health or education. Governments need to match resources to rhetoric, by optimizing available resources and attention. They need to embrace long-term perspectives, pursue realistic expectations, and assure that the link of human rights practices to economics is not forgotten.

Governments and their commitment to the UDHR
Governments should seek to implement the UDHR in their national context; i.e., implement the Bill of Rights through national Bills of Rights. Newly drafted constitutions should follow the model or standard set by the UDHR. Societies in transition countries should take heart from the fact that the Declaration includes social, economic and cultural rights with which they often struggle. Moreover, the Declaration is based on the premise of international as well as subnational cooperation: national governments thus need to address the rights of members of minority groups, often particularly sore points for societies in transition.

Recommendations for Regional Organizations and the UN

Key tasks for regional organizations
Regional organizations need to work with governments to promote best practices in human rights policy. They need to establish, encourage and enforce human rights commitment throughout the region. They need to establish regional standards for best human rights practices and norms, create and foster development towards the building of security communities, and foster regional trust and balance among their member states. Regional organizations must embrace regional responses (diplomatic, economic and military, if necessary) to deal with free riders and rule breakers. Given the international disagreements over human rights, it may be less difficult to achieve consensus and willingness to act at the regional level. However, regional approaches should serve as bridges to more effective international measures.

Key tasks for the United Nations
The UN must hold major and great powers responsible to human rights standards, despite their political weight in the Security Council and other UN organs. The UN must ensure that major powers do not abuse humanitarian operations to their advantage. The UN must collaborate more effectively with regional organizations in promoting human rights and human security-driven domestic and foreign policies. It must foster principled responses, act as the champion of regions with weak regional organizations, and channel funds to regional and subregional organizations and NGOs to provide early

warning, early assistance and involvement in humanitarian emergencies. Moreover, the UN must support regional organizations in peacebuilding activities. It must discourage states from involving themselves in other countries' internal conflicts; and it must rebuke states and regimes that support conflict and war in other countries.

Collaboration with NGOs

International organizations must focus on capacity building and enhancement of domestic NGOs. They need to provide space for domestic NGOs to lobby and influence regional organizations and the UN. They must allow domestic and international NGOs space and provisions to participate in proceedings and forums of IGOs. They must establish forums that allow for cross-national exchanges between domestic NGOs. It is crucial that international organizations emphasize human rights education as a critical investment in the consolidation of human rights protection. They can play crucial roles in assisting domestic NGOs in generating income to make them less dependent on annual foreign funding from government sources.

Some intergovernmental organizations have realized that they need to collaborate with civil society organizations (CSOs) to advance human rights on the ground. The United Nations already offers some opportunity for cooperation, but many regional organizations, such as the OAU, do not. Moreover, access is much more difficult for local NGOs than for international NGOs. Thus, international NGOs' support of local NGOs needs to go beyond tokenism.

Reconciling relativism

Regional organizations and the UN can take leading roles in advancing the multifaceted approaches to the accommodation of relativist and universalist positions in national policy. This can be done by finding joint approaches to concrete weak areas of human rights practices, including the risks of children and women, people with AIDS, and religious minorities. Moreover, strategies that have an impact on traditional thought and practice, including economic development, need to receive greater attention.

Human rights promotion and education

There needs to be more focus on rights that have yet to be developed. Regional human rights regimes need to be strengthened by establishing more rigorous human rights reporting requirements. Human rights commissions need to be established that have the authority to investigate human rights abuses, report on them and advise governments. Human rights educational commissions need to be established with the purpose to promote human rights education among school children, university students, police, the military or government officials.

While an inter-civilizational dialogue is taking place at various levels (i.e., the Carnegie Foundation or UNESCO), inter-societal dialogues are less evident. Public education that seeks to bring traditional societies and subgroups into greater compliance is weak. The approach of the international community to public education often appears minimalist and half-hearted. UNAIDS organizations have accumulated considerable experience and insight. These must be disseminated globally and given even greater support than so far.

Promoting the Universal Declaration of Human Rights

Regional organizations and the UN should seek to play a mediating role between the UDHR as a mostly abstract statement and national domestic efforts already taken by Europe, Latin America and Africa to approximate the protections afforded by the UDHR. This would also help in assisting the UN to address issues of cultural and regional relativism more successfully. All regions should have and/or develop their regional Charters of Human Rights. An Asian Charter of Human Rights, for example, would force the members of the region to engage in frank and thorough discussions on divergent and similar approaches to human rights and their practices, and on acceptable degrees of such diversity. This should result from subregional and regional consultations and be followed up with subregional and regional cooperation in assuring the implementation of good human rights practices globally.

Recommendations for Civil Society

Collaboration with other actors and other CSOs

Civil society actors must collaborate with regional organizations and the UN in advocating and promoting good human rights practices, and in monitoring human rights improvements. They need to curb turf fights and, instead, coordinate efforts with other NGOs. International NGOs need to train and build capacities of domestic NGOs.

Education

CSOs need to continue and strengthen their focus on public/mass education for tolerance, respect and protection of rights. CSOs need to emphasize peace and human rights education inside and outside schools and universities. Schools and universities need to do more to educate their citizens on human rights. In turn, an educated citizenry will place greater pressure on its own government to respect human rights at home and to monitor/intervene abroad to prevent human rights tragedies.

Monitoring

CSOs need to encourage opinion makers, educators, and faith-based organizations and movements to support peaceful resolutions to conflict, rather than incite adversity. They must monitor government policies and the field activities of regional organizations and the UN. They must monitor activities of other NGO actors, thus offering some much-needed legitimacy and accountability for NGOs.

Human rights promotion

NGOs working at local and international levels need to make governments aware of human rights abuses by their "peers," advocate the ratification of human rights conventions, and promote human rights legislation and education. In countries where torture is a problem, CSOs could create human rights legal associations to defend pro bono persons who are being prosecuted for exercising fundamental human rights. In essence, NGOs need to work to reduce the gaps between those who have and those who do not have access to political, economic and legal resources within society.

Transparency and accountability

Local and international NGOs need to assure transparency and accountability of their work and procedures to reduce accusations of paternalism and corruption. Mutual codes of conduct are crucial in that effort. They need to emphasize professionalism, non-partisanship and independence.

Greater focus on social and economic rights

CSOs need to be more comprehensive in human rights work: They must focus not only (or mostly) on political and civil rights, but also on social and economic rights (second-generation or preservation rights). Particularly, local NGOs need to be more multicultural, through norms, practice and personnel, to stem the loss of credibility among some parts of the population and elite and to gain deeper understanding of the wide range of issues affecting all social or ethnic sectors of transitional societies.

Funding

Local NGOs must strive to become less dependent exclusively on foreign funding by establishing membership fees and engage in local fundraising. Local and international NGOs need to establish broader bases of membership for credibility.

Addressing relativism

More than at present, civil society actors must engage issues heavily affected by relativism. In this context, they need to play a critical role in social dialogue and persuasion, and search for constructive joint positions with traditional subgroups on issues of basic human rights. In collaboration with states and intergovernmental organizations, they should give more attention to an evolving universalist consensus that does not incorporate all human rights but distinguishes a rational core that reaches civil, economic and social rights.

Embracing the Universal Declaration of Human Rights

Civil society actors can and do look at the UDHR (more so than at the covenants) as their "bible." International and local CSOs need to embrace the UDHR in their mission statements. Moreover, they need to accept the whole of the Declaration and not merely civil and political rights.

▌ Taking Human Rights Violations More Seriously

Engagement with human rights practices in societies in transition highlights persistent relativism (i.e., interpretations of human rights in the context of, and dependent on, particular – often community or regionally based – norms, values, rules and attitudes) as a major cause of violations in both Western and non-Western states and societies. It highlights the inconsistencies of Western human rights preferences and practices, impeding universalism in regard to the death penalty, international criminal court, free expression and hate speech, and more. More serious implications of relativism are rooted in traditional and authoritarian societies – in particular, in the context of, among others, the treatment of women and children, AIDS and transitional justice.

Engagement with human rights practices highlights the most predictable root causes of human rights violations in societies in transition, such as: basic competition for limited political and economic resources; high population density; high population growth rates; the existence of, and competition between, ethnic, religious or racial groups; history of dictatorial or one-party rule; low GNP per capita; limited international trade; the absence of norm-setting and norm-enforcing regional and international organizations; or leaders' and public national self-image.

Serious engagement with, and responses to, human rights violations in societies in transition may deter some states, groups or individuals from violating human rights. Cases in point are the International Criminal Tribunals for the former Yugoslavia and Rwanda.

Thus, serious engagement with human rights violations in societies in transition may serve as a deterrent, highlighting international norms on human rights and the consequences of violations of such commitments. It forces the international community to consider and *reconsider* shared norms, apply them at early stages and, by doing so, prevent crises and avert much suffering. Then, human rights violators can be prosecuted and punished, human rights standards can be enforced, and human rights law can be (re)established. Democratization can be fostered and reinvigorated, economic development can narrow the inequality gap, and violent conflicts can be addressed and prevented. And, thus, conflict-related violations can be reduced. **W**

Ethics in Action? Assessing the Activities of Human Rights and Humanitarian INGOs*

By Geneviève Souillac and Daniel A. Bell

The Issues

This article explores some of the core issues underlying the activities of international non-governmental organizations (INGOs) in human rights. Transnational human rights and humanitarian non-governmental organizations are major players on the world stage. The impact of transnational NGOs is undeniably expanding. This is generating a new type of political power, of which the purpose is to voice ethical concerns related to the welfare of human beings and the appropriate behaviour of governing bodies.

INGOs fund projects designed to promote human rights, actively participate in human rights and humanitarian work, and/or highlight human rights violations abroad. They work in cooperative networks with each other, with local NGOs, and with international organizations. They consult and lobby with the UN, local governments and international organizations, sometimes participating in high-level negotiations and diplomacy for global policy development. Finally, they must cooperate and negotiate with the same international economic and political organizations in the field, for the implementation of their projects, whether this be in the form of monitoring or assistance.[1]

In this sense, INGOs fit into the broader ethical and political challenges posed by humanitarian and human rights intervention in general. This is implemented as a coordinated effort on the part of supportive governmental as well as non-governmental actors, yet the resistance of local governments or transitional political groups must be taken into account.

Good intentions are not always sufficient to produce effective results. There are various challenges facing INGOs today, which are caused by different structural aspects of a "global" context. In an imperfect and unpredictable world, transnational human rights NGOs must think carefully about normative frameworks and strategies of implementation. These have been articulated at the juncture of ethical and political considerations. Politics is the field where ethical standards may or may not be implemented. In the case of INGO work, the difficulties are multiplied, as contexts of implementation of aid programmes or human rights monitoring vary from one programme to the next.

A first important challenge lies in the increasingly obvious fact of the high concentration of INGOs in the West. With their executives and offices centralized in key Western cities, programme officers and coordinators are then sent to the field. As Alex de Waal notes, "in its basic structure, the ethics business is like many global businesses [with] its headquarters in an handful of Westerns centers, notably New York, Washington and London."[2] There is an ideological aspect

to this, but from a more practical point of view, this poses problems, as detailed knowledge of different linguistic, social, cultural and economic circumstances is more likely to ensure success.[3] However, INGO workers are not always familiar with these, or trained beforehand to face unexpected complications as well as subtle behavioural nuances of the people they are working with in the field, who have their own social and political customs.

Another aspect of the difficult juncture of ethics and politics in INGO work lies in the internal structural characteristics of INGOs. Clearly, as INGOs' legitimacy has dramatically increased in the past twenty years,[4] the need for their accountability has become more pressing. INGOs are not democratically structured, and their leaders, appointed. Furthermore, the increasingly centralized nature of their executive power structures, coupled with more legitimacy, is accompanied by an increase in sheer political power. This can take the form of lobbying, and reduce the universalist and unificatory agenda of the implementation of human rights worldwide. INGOs' own acknowledgement of their lobbying and negotiating power with sovereign governments reached a turning point when, as Alex de Waal points out, "the human rights movement...endorsed the military-humanitarian interventions in Somalia, Haiti and the former Yugoslavia."[5]

Another issue that concerns internal INGO debates is in the definition of their mandates, with respect to their own codes of conduct, their ethical principles and their common understanding of what constitutes their human rights goals. This is especially the case as concerns typically "monitoring" human rights groups, such as Amnesty International (AI) and Human Rights Watch. On 16 August, representatives of AI met in Dakar in a very large conference to discuss changes to its mandate to include economic and social rights, or so-called "second-generation rights." If this were the case, then AI action would probably have to limit its actions to reporting cases of extreme violations of some of these rights (for instance, gross inequalities in wages between women and men). The implications, however, are significant for the governments which would come under scrutiny, in terms of measuring the extent of their obligations, and the concrete measures needed for the implementation of such rights.[6] This leads to the question of the language of human rights and humanitarian campaigning, since "rights talk" implies and hopefully generates a stronger sense of moral obligation than mere "humanitarian talk." Thus, humanitarian agencies are now considering couching their campaigns – for instance, for health – as human rights campaigns.[7]

The existence of these internal debates clearly reveals the

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1 See Michael Edwards, *Future Positive: International Cooperation in the 21st Century,* Earthscan, 2000.
2 See Alex de Waal, "The Moral Solipsism of Global Ethics Inc," *London Review of Books,* 23 August 2001, pp. 15–18. Alex de Waal is a participant in the UNU project.
3 See Daniel A. Bell, *East Meets West: Human Rights and Democracy in East Asia,* Princeton, 2000.
4 As Larry Cox stated, "Twenty-five years ago, when Amnesty started talking about torture victims, everyone thought we were ridiculous, out of our minds." See "Righting Wrongs: Special Report Human Rights," *The Economist,* 18–24 August 2001, pp. 18–20.
5 Alex de Waal, op. cit., p. 15.
6 "Righting Wrongs," p. 18.
7 See, in particular, the WHO's latest efforts to point out the obligation of states to ensure a health-related rights consciousness among their people ("A Human Rights Approach to TB") in "Righting Wrongs," p. 19.

difficulties faced by INGOs to reconcile their ethical standards with shifting political climates and demands. Various human rights and humanitarian NGOs have responded to these challenges in diverse ways. Internal debates within transnational NGOs have led to certain outcomes and not others. Human rights and humanitarian NGOs have identified areas of success that lead them to focus on certain core areas, and they have changed their own approaches in response to various constraints and setbacks. Some important human rights and humanitarian work has been set aside due to lack of funding or lack of institutional support. Cultural misunderstandings have occasionally produced undesired outcomes. Finally, techniques of negotiation and methods of cooperation with governments, other international organizations and the UN have sometimes led to the marginalization and/or weakening of the legitimacy of NGOs' activities. In the end, INGOs must come to terms with their increased political power, redefine their ethical standards and goals, and situate themselves in the global "intervention" debate.

The Project and Its Aims

The project on human rights and humanitarian INGOs draws on the experience of transnational NGOs for the purpose of systematically describing and analysing the relative merits of the diverse approaches adopted by human rights and humanitarian NGOs, as well as the tensions and dilemmas confronting their work in promoting human rights and/or humanitarian values. Two workshops gather high-level representatives of influential transnational human rights and humanitarian NGOs that are active in developing countries, and academics of various inclinations and disciplines, to comment upon their perspective. Academics of developing countries are particularly important to provide the much-needed balance in perspective regarding what inevitably amounts to "intervention" by INGOs.

Our distinctive contribution is to refine thinking on the relative merits of approaches adopted by transnational human rights and humanitarian NGOs. These organizations are often viewed as either "good" counterweights to authoritarian state power or "bad" agents of liberal capitalism and Western values. We are aiming for a more nuanced understanding of transnational human rights and humanitarian NGOs that delineates the constraints and obstacles they face in their attempts to promote justice in a non-ideal world. The idea is to see what kinds of distinct questions and problems emerge when one thinks about justice and care from the perspective of people or organizations who have to make choices about how to pursue justice and care in concrete contexts, rather than simply from the perspective of abstract theory or even general policy recommendations. The project is innovatively based on the assumption of a dialogic exchange between field-based practitioners and academic theorists. The point is to articulate the most pressing ethical and political issues regarding the implementation and enforcement of human rights globally, whether it be through exposure of violations, development of rights-based institutions or care assistance projects.

The project takes two main angles to approach and attempt to clarify the issues laid out earlier regarding the sometimes complex intersections between ethics and politics, ideas and action, in a more systematic fashion.

The *first strategy* of the project is to clarify the normative framework of INGOs and delineate the causes and conditions for some successes. The criteria used to select concerns and strategies, and to measure successful outcomes and the mechanisms in place to monitor success, first need to be elucidated. More detailed discussion of one example of a "success" in "intervention" empirically supports the theoretical dimension. This may refer to an example where the original plan led to desirable human rights or humanitarian consequence, as expected. More interestingly, perhaps, this may refer to an example where new circumstances led to an unexpectedly desirable consequence, which may in turn have led the organization to modify its normative framework. This may include a discussion of what "success" means: Even if the NGO did what it was supposed to do, did this have any real world impact and, if so, how can this be measured?

The *second strategy* of the project is to disentangle the issues arising out of the trade-offs and compromises faced by INGOs. This is a more complex and more demanding task. All organizations operate within certain constraints, and it is imperative to clarify the trade-offs and compromises involved in the setting of goals and strategies within an organization. Empirical evidence of internal debates within the organization as well as particular contributors' own reflections are particularly relevant here. To what extent are the members of the organization conscious that, by choosing to define the mission in one way, they are excluding other possible ways of pursuing their goals? What reasons do they offer for choosing to define this in one way rather than another?

Various types of "potentially conflicting demands" may thus be identified. First, the potentially conflicting demands between focusing on civil and political rights and focusing on social and economic rights are a crucial issue to address in this respect. For example, human rights critics may choose to focus primarily on exposing violations of civil and political rights, thus foregoing, to a certain extent at least, the possibility of constructive engagement on the ground necessary for building the long-term relationships and institutions that help to protect social and economic rights. Conversely, an actor that aims to assist in development activities may have to forego a sharply critical perspective on the regime or local authorities in order to secure the government's cooperation (or at least tolerance) for the projects that it wishes to support.

A second important issue is the potentially conflicting demands between relying on rights-oriented approaches and employing humanitarian care-oriented approaches. Funders and actors may choose to rely on a rights-oriented approach that emphasizes the use of rights language and practices. This might have the consequence of reducing access to some cultures, inhibiting dialogue with governments, creating divisiveness and marginalizing care in local communities. On the other hand, those groups that place an emphasis on a humanitarian care-oriented approach might leave some rights highly vulnerable and certain injustices unchallenged.

Another issue is whether INGOs should rely on familiar and reliable personnel or on local personnel. One type of human rights funder may choose to rely on programme officers from developed countries to manage and dispense funds in less developed countries. Another type of funder may rely more on local actors, thus finding itself susceptible to being associated with certain circles or political

groups and facing accusations that it is "taking sides" in local politics.

The conflicting demands between catering to the interests of the funder and catering to local needs are also in need of clarification. For example, human rights or humanitarian actors may not be able to raise funds for what they consider to be the most pressing human rights or humanitarian care problems. Another possibility is that the funder is closely tied to the interests of large private organizations that may not be favourable to local interests.

Finally, promoting human rights or humanitarian care may challenge local cultural norms. The local government and/or substantial portions of the local population may not agree that this or that practice constitutes a human rights violation or a failure of humanitarian care. Or, they (the critic and the locals) may have different interpretations of the priority of particular human rights, or of the fundamental relative priority between justice and care.

Conclusion

The project's more practical and policy-relevant aims are to promote mutual learning and self-reflection among key human rights actors in today's global arena. Providing a forum in which the actual experience of human rights and humanitarian NGOs can be exposed and discussed sheds light on the advantages and disadvantages of diverse approaches by transnational organizations that try to promote justice and care in a non-ideal world. By bringing researchers and representatives of NGOs together, we aim to provide an empirically informed, systematic description and analysis of the different approaches to promote justice and care that may be useful for actors as well as theorists.

The beneficiaries of this project are many. Mutual learning through encouragement of inter-INGO communication is already under way via such organizations as the Carnegie Council on Ethics and International Affairs and the International Council on Human Rights Policy. Our plan is to further contribute to this process. Transnational human rights and humanitarian NGOs will be able to draw on this work to reflect on and improve their own goals and strategies. Governments and inter-governmental organizations such as the UN will potentially learn valuable lessons that will help to determine funding priorities. For policy makers, the balanced aspect of the project's investigation will provide a platform of ideas to see what kinds of distinct questions and problems emerge when one thinks about justice and care from the perspective of people or organizations who have to make choices about how to pursue their goals in a concrete context rather than simply from the perspective of abstract theory or even general policy recommendations.

For both practitioners and researchers, this project will also be an attempt to explore ethics in action – that is, to explore the kinds of ethical questions that emerge for people who are trying to advance an ethical agenda through concrete actions in the world. A UNU based project offers, in addition, the thoroughness of an academic angle to address complex issues. Ultimately, it is our hope that our project will highlight the most salient ethical and political issues facing the practice of transnational NGOs today. We hope to tease out the nature of the ethical dilemmas facing non-governmental human rights practices in their widest sense, including the ways in which they intersect with traditionally "politically-neutral" humanitarian practices.

Humanitarian and human rights consciousness and practice is not merely a "goal"; it is also a complicated process implicating a myriad of ethically relevant choices. It is now time that the relative merits of diverse INGO strategies – both theoretical and practical – be made explicit, transparent and, in the end, accountable. **W**
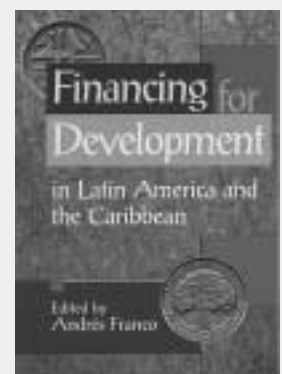
Civil Society and Global Finance: Contributions and Challenges*

By Jan Aart Scholte

Introduction

How can, or should, civil society become involved in global finance? How may inputs from civil society contribute to and/or detract from effective governance of global finance? This article seeks to address these questions.

The discussion first briefly describes the globalization of finance. The second set of remarks reviews the complex network of agencies that make up the governance of global finance, as well as the main challenges that the governance of global finance faces. The third section briefly surveys the rise of civil society initiatives on global finance. The fourth section notes the various positive potentials and negative possibilities in civil society engagement of global financial governance.

The overall argument here is twofold. First, civil society is an arena of growing importance in global financial governance. Second, we should neither romanticize nor demonize civil society involvement in global finance. This activity is not inherently good or bad. The challenge is to maximize the benefits and minimize the downsides.

Financial Globalization

The financial sector has shown far-reaching globalization in recent history. Huge amounts of savings and credits now flow in a world-scale reservoir where territorial distances and territorial borders exert substantially fewer constraints than they once did. Electronic communications allow money, bank deposits, loans, securities, derivatives and other financial dealings to move between any points on the planet in no time. The principal financial companies have organized themselves as global enterprises. Investors look to the world as a whole as their field of investment.

Of course, this is not to say that territorial geography has lost all importance in contemporary finance. Nor is it to imply that the globalization of finance has touched all parts of humanity to the same extent or with the same effects. The point is that growing "supra-territorial" aspects of economic geography have substantially altered the spatial character of finance, and this change has far-reaching implications for the way that we govern the sector.[1]

The globalization of finance is evident in many areas. For example, certain money forms circulate in a transworld sphere. Various currencies like the dollar and the yen are used in transactions that never touch the soil of the issuing country. Foreign exchange trading reached an average daily volume of $1.5 trillion in 1998. Global credit cards (Visa, etc.) have become a regular means of payment for several hundred million people.

Banking has also substantially globalized. The world total of bank deposits owned by non-residents of a given country rose from $20 billion in 1964 to $7,900 billion in 1995, including several trillion dollars' worth of offshore accounts. Electronic payments through the

Society for Worldwide Interbank Financial Telecommunications (SWIFT) averaged more than $5 trillion per day in 1999. Outstanding balances on syndicated transborder bank loans rose from under $200 billion in the early 1970s to over $10,000 billion in 1990. Other global lending has occurred on a notable scale through official financial institutions such as the International Monetary Fund (IMF) and the multilateral development banks.

Contemporary securities markets have also acquired substantial global attributes. For example, the largely supra-territorial Eurobond market has grown from its inception in 1963 to a level of $371 billion in new borrowings in 1995. The two main clearing houses for transborder securities trading, Euroclear and Clearstream, together reached an annual turnover of nearly $60 trillion in 1999.

Additional globalization has occurred with respect to the financial derivatives business, an industry that has burgeoned since the early 1970s. At the end of 1999, the notional amount of outstanding over-the-counter financial derivative contracts (thus excluding exchange-based derivatives) reached $88 trillion. Much insurance business has also gone global.

In short, much contemporary finance has a global character that was barely, if at all, evident before 1960. The sums involved are staggering, dwarfing the numbers associated with sales turnover in other sectors of the global economy. It is understandable in this light that many worries regarding "globalization out of control" have concerned finance.

Global Financial Governance

All sectors of the economy are governed, operating with norms, established procedures, technical standards and definitions. So it is with global finance as well. There are rules for foreign exchange dealing, for transborder bank deposits and loans, for global bond and equity business, for derivatives markets, for transworld insurance.

This is not the place for details, but we should note the general point that the governance of global finance is multilayered and diffuse. It is multilayered across national, regional, global and local levels, involving state, interstate, trans-state, suprastate and substate agencies. It is diffuse between a plethora of institutions in both the public and the private sectors. The soup is thick with acronyms: G7, G10, G24, G20, BCBS, FATF, FSF, OECD, IOSCO, IAIS, BIS, IMF, UN, WTO, ISMA, IASC and more.

Almost no one argues that current regulatory arrangements for global finance are satisfactory. There are efficiency problems, in terms of data deficits and market concentration, and a worry that global finance capital diverts investment from the real economy. There are also stability problems, with a widely held view that global financial markets are inordinately volatile. There are human security problems, in the sense that global financial regimes can operate – perhaps unintentionally – to exacerbate poverty or environmental damage. Then there are equity problems, as current structures of global finance often arbitrarily favour Northern countries, big corporate players, high-income groups and men. Finally, there are democracy problems. Current arrangements of global financial governance are widely felt to be insufficiently participatory, consultative, representative, transparent and publicly accountable.

Mounting concerns about these various policy challenges have

1   This general analysis of globalization is developed further in the author's *Globalization: A Critical Introduction,* Basingstoke: Palgrave, 2000.

generated much discussion in recent years about change in the so-called "global financial architecture." Innumerable suggestions have circulated to establish new principles, new policies and new institutional mechanisms to govern global finance. It is likely that the coming years will bring change in global financial governance, though its extent, speed and direction remain to be determined.

Civil Society Initiatives on Global Finance

What can civil society contribute to alleviating the problems of global finance and its governance? The notion of "civil society" is open to multiple interpretations, but for present purposes it can be defined as a political space where voluntary associations deliberately attempt to shape the rules that govern social life. These efforts involve all manner of groups: local and global, formal and informal, status quo and revolutionary. Civil society includes – but is not limited to – NGOs (nongovernmental organizations).

The main sectors of civil society that have engaged with questions of global finance are business forums (like the Institute of International Finance), development NGOs (like Oxfam), environmental NGOs (like Friends of the Earth), trade unions (like the International Confederation of Free Trade Unions), policy research institutes (like the Overseas Development Council) and faith-based groups (principally connected to Protestant and Roman Catholic churches).

These associations have addressed five main concerns in global finance:

- First, some of the most high-profile civil society activity of recent years has concerned the transborder debt problems of poor countries. The "Jubilee 2000" campaign, with affiliates in over 60 countries, has stood out in this regard in recent years.
- Second, many civil society groups have lobbied on the social and environmental aspects of project loans by multilateral development banks, especially the World Bank.
- Third, various civil society initiatives have, since the early 1980s, addressed structural adjustment lending, mainly from the IMF and the World Bank.
- Fourth, certain civil society organizations have given attention to the workings of commercial global finance – for example, with proposals for a Tobin tax and so-called "ethical investment." On the whole, however, NGOs, religious bodies and trade unions have accorded surprisingly little priority to commercial global finance, in spite of its huge proportions as described earlier.
- Finally, in recent years some civil society organizations have joined debates on the so-called global financial architecture.

True, we should not exaggerate the scale of these activities. Moreover, the forms and intensity of civil society activism on global finance have varied considerably between different parts of the world. These qualifications noted, however, it is clear that civil society has become an important dimension of the politics of global economic governance. Should we welcome or deplore this development?

Drawing Up a Balance Sheet

As noted at the outset, this assessment seeks neither to celebrate nor to denigrate civil society involvement in global finance. Both positive and negative potentials can be identified.

In terms of positive contributions, civil society engagement might yield at least seven types of benefits:

- One is public education. Civil society organizations can raise citizens' awareness and understanding of global finance and its governance.
- A second positive effect is participation. Civil society can provide a venue for stakeholders to make inputs to policy processes. In particular, civil society can open opportunities for participation to social circles that are otherwise excluded from public decision-taking on global finance.
- Third, civil society associations can fuel debate about global finance. Effective governance rests on vigorous, uninhibited discussion of diverse views. Civil society can promote that diversity and spark critical, creative policy debate.
- Fourth, civil society can contribute positively by increasing public transparency around global finance. Civil society actors can push financial markets and regulatory authorities to be more open about their operations, thereby enhancing both efficiency and democracy.
- Fifth, civil society involvement can raise public accountability in the way that global finance is governed. Civil society can push regulatory agencies in global finance to take public responsibility for their actions.
- Sixth, civil society organizations can contribute positively in respect of welfare. Service delivery through CSOs can help to counter the economic and social fallout of financial difficulties.
- Through these various means, civil society can, seventh, enhance the legitimacy of global financial governance. Civil society activities can allow people to feel that they "own" the process of global finance, and that it works in their interest.

So civil society has considerable positive potential in the area of global finance. However, there are also potential problems, whereby civil society might actually detract from, rather than enhance, effective governance of global finance. Five such negative points can be mentioned:

- First, there is the potential problem of "uncivil society." Civil society organizations may pursue special privileges rather than public interests, and they may employ harmful means in pursuit of dubious goals.
- Second, civil society initiatives on global finance might suffer from low quality. The campaigns can be poorly conceived and/or ineptly executed.
- Third, problems of low quality may also arise in official circles. That is, governance institutions may prove to be poorly equipped to handle civil society inputs, in terms of resources, procedures and attitudes.
- Fourth, civil society inputs may be compromised by undemocratic practices. In other words, civil society groups may in their own operations be insufficiently participatory, consultative, transparent or accountable.
- Finally, civil society can have representation problems. Involvement in civil society mobilization on global financial

issues may be biased, for example, to the North, to wealthier circles, to men, to whites, to Christians and/or to urban dwellers.

Drawing these various positive and negative possibilities together, we can ask (as many commentators of late have done): Is civil society activity in respect of global finance *legitimate*? Do civil society associations have a right to exert authoritative influence in the politics of global financial governance?

The answer can be yes if civil society inputs to global financial governance meet one or more of three grounds:

- First, civil society actors may have *performance legitimacy.* That is, their right of involvement and influence may derive from their information, knowledge, competence, expertise, cost effectiveness and so on.
- Second, civil society actors may have *democratic legitimacy,* in two senses: they may advance public participation and public accountability in global financial governance; and they may fulfil democratic criteria in their own operations.
- Third, civil society actors may have *moral legitimacy,* in terms of noble objectives and playing the role of a global conscience.

So there are reasons to accept – and, indeed, to be enthusiastic about – civil society engagement of global finance. There are also reasons to be cautious. The challenge ahead is to identify the situations and the practices where we maximize the promises and minimize the pitfalls of civil society involvement in global finance. ⓦ

Non-Traditional Security and the Environment in Northeast Asia*

By M. Shamsul Haque

In the contemporary age, the state-centric and military perspective of security has lost both practical relevance and intellectual credibility in the context of a number of historic forces and events. These include the end of the cold war, global integration of national economies, erosion of national identities and cultures, the shift in priority from military rivalry to economic competition, and the diminishing role of the state as the dominant actor in international politics. On the other hand, there have emerged diverse new issues – ranging from poverty to refugee crises, information privacy to cyber-terrorism, environmental problems to natural disasters – which require non-state and non-military policies and strategies. These newly emerging security concerns have been characterized as non-traditional, and are now considered a major component of "comprehensive security."

It is within this context that the environmental question has gained worldwide significance as a security issue. In fact, environmental security stands out as perhaps the most widely debated issue, especially due to its all-pervasive nature, cross-national scope and inter-generational implications. Some of the major environmental disorders that may pose a challenge to security include transborder pollution (air and water), resource scarcity (energy and food), resource degradation (land and forest), biodiversity loss (animal and plant species) and natural disasters (global warming and sea-level rise).

The growing significance of environmental security is quite evident in major international forums. Some well-known examples include the UN Conference on the Human Environment (1972), Ottawa Conference on Conservation and Development (1986), United Nations Conference on Environment and Development (1992), World Summit for Social Development (1995), and UN Symposium on the Global Environment in the 21st Century (1997). These conferences and symposia eventually resulted in various international conventions and protocols for environmental protection or security, such as the Vienna Convention for the Protection of the Ozone Layer, the Montreal Protocol on Substances that Deplete the Ozone Layer, the Convention on Biological Diversity, the Framework Convention on Climate Change, the Convention to Combat Desertification, and the Kyoto Protocol.[1]

In order to enforce these conventions and protocols, there emerged institutions like the United Nations Environment Programme, the United Nations Commission on Sustainable Development, the Secretariat of the Convention on Biological Diversity, the Secretariat of the Convention to Combat Desertification, the Climate Change Secretariat, and the International Centre for Trade and Sustainable Development. The increasing significance of environmental security is also evident in the expansion of environment-related programmes by international agencies such as the World Bank and the IMF; in the creation of ministries, agencies or commissions for the environment by national governments; and in the proliferation of environmental NGOs at the national and international levels.

Lester Brown, in his classic paper titled *Redefining Security,* identifies some of the major forms of environmental security, including climate change, threats to biological systems, energy scarcity, food insecurity and so on.[2] In the case of Northeast Asia, the main forms of environmental disorder – which represent a threat to environmental security and often lead to transborder tensions – include the emission of hazardous gases causing greenhouse problems

1 See M. Shamsul Haque, "The Fate of Sustainable Development Under the Neoliberal Regimes in Developing Countries," *International Political Science Review* 20/2 (1999), pp. 199–222.
2 Lester Brown, *Redefining Security,* Worldwatch Paper No. 14, Washington, DC: Worldwatch Institute, 1977.

and acid rain, pollution of water harming marine resources, and extensive deforestation worsening land degradation and biodiversity loss. Moreover, there are certain major factors, including excessive economic growth, industrial and urban expansion, and population pressure, that are largely responsible for such environmental disorders.

Indicators of Environmental Disorder

First, among the regions responsible for emitting greenhouse gases (especially carbon dioxide) that cause global warming, Northeast Asia shares a significant part of global responsibility for this emission of hazardous gases. More specifically, due to the highly industrialized and urbanized nature of countries such as Japan, Taiwan and the Republic of Korea, they have been emitting greenhouse gases for many decades.

Second, Northeast Asian countries are also responsible for emitting a considerable amount of chlorofluorocarbons (CFCs) that account for depletion of the ozone layer. This is more critical today, due to a massive increase in the consumption of "luxury" electronic goods such as refrigerators and air conditioners that emit CFCs in the process of their production and use. In fact, Japan, Taiwan and the Republic of Korea have been well known for producing these electronic goods and exporting them to countries all over the world.

Third, there are various sources of marine pollution in Northeast Asia – including industrial waste, oil spills, radioactive waste, agricultural chemicals and heavy metals – that have severely affected the Sea of Japan, the Yellow Sea, the South China Sea and the East China Sea.

Fourth, countries in Northeast Asia have been infamous for causing deforestation, which is considered a major cause of environmental and ecological threats such as soil erosion, land desertification and biodiversity loss. The rate of deforestation has increased in the region, especially due to the increasing demand for forest timbers in Japan and the Republic of Korea, and more recently in China. Between 1990 and 1995, the total area of deforestation was 130 km^2 in the Republic of Korea, 132 km^2 in Japan and 866 km^2 in China.[3]

Exacerbating Factors

It is widely recognized that one of the most critical dangers to environmental security has been modern industrial civilization guided by the fetish for economic accumulation. Despite the adverse implications of industrial expansion for environmental problems such as air and water pollution, carbon emission and global warming, toxic waste, and resource depletion, Northeast Asian countries – especially Japan, the Republic of Korea and Taiwan – have pursued massive industrialization since the 1950s and 1960s. In particular, these countries have used environmentally hazardous coal, oil and nuclear energy in this process of industrialization, which worsened these various forms of environmental disorder. Industrialization has thus been a major factor behind environmental degradation in these advanced industrial countries. Recently, China has been aggressively pursuing rapid energy-intensive industrialization, which is more

3 World Bank, *World Development Report 2000/2001,* New York: Oxford University Press 2001, p. 291.

catastrophic because of the colossal scope of such industrialization given the vast demographic and territorial size of the country.

Associated with this industrialization is the rapid pace of urbanization in Northeast Asian countries, especially Japan, the Republic of Korea and Taiwan, which is also detrimental to the environment, because it intensifies pressure on wetland, forest and coastal habitat, and worsens the problems of pollution and non-biodegradable toxic waste.

Second, one most commonly cited threat to environmental security is human population pressure on the earth's biological systems such as forests, fisheries, grasslands and croplands. This population pressure is a serious concern in Northeast Asian countries – especially in China, where the amount of arable land is insufficient for its massive peasant population. Such increased population pressure endangers the environment by depleting natural resources, degrading land through overcultivation, destroying forests for fuel and cultivable lands, multiplying slums, and polluting air and water. Despite this challenge of population to environmental security, it has increased in Northeast Asia. The adverse impact of population pressure on the environment becomes even more damaging when there is serious poverty and inequality within the population.

Concluding Remarks and Proposals

As we see, Northeast Asian countries suffer from various forms of environmental disorders – such as land degradation, marine pollution, acid rain, the greenhouse effect, sea-level rise, radioactive waste and biodiversity loss – that are often caused by factors like increased population pressure, expansive economic growth, intensive industrialization, rapid urbanization and rising consumerism. These disorders, which themselves represent serious environmental insecurity, often lead to interstate tensions in Northeast Asia, including tensions generated by "resource scarcity" (e.g., cross-border migration, territorial claims and maritime disputes) and those created by "spill-over effect" (e.g., pollution of coastlines, dumping of radioactive waste, nuclear accidents and acid rain).

In relation to these environmental disorders and environment-led tensions, various environmental protection measures have been adopted at the national, regional and international levels. However, these existing measures are inadequate to ensure genuine environmental security in Northeast Asia.

This last section attempts to outline some policy alternatives to achieve an authentic environmental security. In this regard, the article takes an incremental but holistic approach that incorporates environmental concerns into economic and foreign policy issues.

National policy options

First, Northeast Asian countries need to rethink their current agenda for expanding economic growth based on environmentally hazardous industrialization, which largely accounts for the emission of carbon dioxide (causing the greenhouse effect) and sulfur dioxide (causing acid rain), use of nuclear energy (requiring disposal of radioactive waste), pollution of water sources (endangering marine species) and so on. Industrialization for higher economic growth in Japan, the Republic of Korea and Taiwan has caused considerable environmental damage during recent decades, although the economic

performance of these countries is admired globally. Thus, it is crucial for the governments in Northeast Asia to reexamine the growth-oriented policies related to industry, trade, market and consumerism in terms their environmental costs.

Second, the economically poorer countries in Northeast Asia – especially China, Mongolia and the Democratic People's Republic of Korea – must address another environmentally harmful factor, which is poverty and inequality. Environmental protection initiatives at the national and regional levels may be rendered ineffective if the millions of rural poor become more dependent on environmental resources (virgin forests, marginal lands, marine resources) while the rich continue to expand the production and consumption of hazardous industrial goods that cause pollution, acid rain, the greenhouse effect and ozone depletion.

Another factor requiring immediate attention is the increasing population in Northeast Asia, which represents a primary cause of environmental degradation in the form of overexploitation of marine and forest resources in the region.The problem is more serious in China, with the largest population of the world. Although China has extensive policies and programmes to control population, it needs to go beyond the traditional top-down, and often coercive, policy agenda, and adopt more motivational programmes in terms of providing adequate health care and basic education, and ensuring access to information about family planning.

Regional policy options

Due to the cross-boundary nature of environmental issues, it is essential to build interstate cooperation to achieve environmental security – which, in turn, requires states to overcome traditional conflicts and security perceptions. We cannot address environmental challenges in isolation from these broader security issues.

In the case of Northeast Asian countries, first, it is crucial to transcend the legacy of negative images and perceptions about each other, including those emerging from historical conflicts. It is often these images and perceptions, based on mutual distrust rather than the actual reality, that shape the interstate relations among these countries. Subjective constructs such as the "China threat" and "Japan's military resurgence" are often used to rationalize a militaristic security perception in the region that needs to be questioned. In the process of reexamining or deconstructing such negative mutual perceptions, the governments in the region need to deploy serious confidence-building measures, information exchanges, and frequent informal meetings and dialogues.

Second, after reexamining negative perceptions, putting behind past rivalries, reassessing the US factor, and building mutual confidence, the stage may be set for Northeast Asian countries to get involved in adopting mutually binding conventions and treaties based on equality and transparency. In order to enforce such conventions and treaties, these countries must create adequate institutions with equal participation of member countries while bestowing sufficient authority and power upon these institutions to oblige each member country to comply with agreed-upon treaties and conventions. These legal and institutional measures of regional collective security in Northeast Asia must represent a comprehensive security framework encompassing all major domains of interstate relations, including the military, economic and environmental spheres, and involve both the state and non-state actors. Although the national initiatives and bilateral agreements are important, they should be articulated within this multilateral framework of regional cooperation and collective security. Multilateralism is especially essential for security issues such as the environment, which involves multiple sectors and stakeholders.

Finally, once the misperceptions are removed, mutual trust and cooperation are built, and legal and institutional structures of collective regional security are created among Northeast Asian countries, they can easily reduce the scope and size of the defence sector in terms of budget, personnel and weapons. As far as environmental security is concerned, this reduction in defence buildup and budget is very crucial: it not only saves the environment from hazards caused by arms production, especially by radioactive waste from nuclear arsenals or programmes (in China and the Democratic People's Republic of Korea), it also releases a considerable amount of resources from the defence sector, which can be used to expand social programmes and mitigate environmentally harmful poverty.

Northeast Asia represents one of the most expensive regions of the world in terms of defence budgets. If the colossal amount of military spending in Japan, China, the Republic of Korea and the Democratic People's Republic of North Korea can be reduced on the basis of regional cooperation and collective security, the consequent peace dividends can easily eradicate poverty, reduce the need for excessive economic and industrial growth, and thus create a better prospect for environmental security in the region. Without such a deconstructive, multidimensional and collective approach to regional security, the existing piecemeal measures are unlikely to achieve any form of long-lasting security, including environmental security, in such a complex region. Northeast Asia is still characterized by conflicting historical legacies, political ideologies and external alliances, and the environmental agenda is inseparable from this. ◼

Corporate Social Responsibility: Developing a Framework for Assessment of Indirect Responsibility and Complicity*

By Lene Bomann-Larsen, Gregory Reichberg, Henrik Syse and Oddny Wiggen

Towards a Responsible Engagement

How to conduct business in a responsible manner with regimes and in countries where human rights abuses are widespread, where war is being fought, or where the environment is being degraded, is among the most substantial challenges for the business community today.

Many companies are starting to realize that the financial spin-off of engagement is not sufficient to justify their presence in conflict zones. The claim that engagement is *per se* constructive in conflict zones is open to question. Such a claim tends to only take into account the direct, positive effects of engagement. However, cleptocratic regimes may enrich themselves on revenues while social spending is low, and revenues are often spent on military equipment used to suppress minorities or political opponents. Active measures must be taken if engagement is actually to be constructive. However, as there will always be uncertainties attached to whether engagement will turn out to be constructive, expectations should be that at least certain moral considerations have been made, and, hence, that companies choose a responsible approach with regard to all the effects of their operations.

The Global Compact Initiative

In July 2000, UN Secretary-General Kofi Annan formally launched the UN Global Compact initiative to address the negative impact of globalization and promote corporate social responsibility in the global marketplace. The Compact calls on companies to embrace, support and enact nine principles regarding human rights, labour standards and the environment, drawn from the Universal Declaration of Human Rights, the ILO's Fundamental Principles on Rights at Work, and the Rio Principles on Environment and Development.

The Global Compact is not designed as a regulatory instrument, but has adopted a voluntary learning model wherein the private sector is invited to work with the UN, international labour organizations and NGOs to identify and promote good corporate practices based on universal principles. The objective of the Global Compact is to provide a global framework for promoting sustainable growth to ensure that the benefits of globalization accrue not only to multinational corporations and developed countries but to all citizens of the global community.

The second principle of the human rights section of the Global Compact initiative contends that corporations should "make sure they are not complicit in human rights abuses." Understanding and clarifying the ramifications of this principle, especially as it relates to zones of violent conflict, is a task of major importance and of considerable interest, practically as well as academically.

The Challenge for Companies

As the Global Compact initiative recognizes, human security is linked to business in many ways, and the process of globalization increases the challenges. How can corporations avoid exacerbating conflict and negative trends? How can excessive profiteering and exploitation be avoided? What standards should international and multi-national corporations follow?

These questions have practical significance for the companies in question, but there are certain normative and conceptual implications that need clarification. These relate to how to construe the corporation as a particular kind of moral agent, and hence to theories of agency, notions of intention, action, cause and effect, and, not least, normative conceptions of moral responsibility, accountability and culpability. The moral world in which we act can be construed as constituted and delineated by several factors:

i)   norms and obligations (which may conflict),

ii) empirical facts particular to each situation (changing, and not always easy to assess), and

iii) the structure of our actions (which may have several effects, not all of which we desire, and which often impose upon us dilemmas that force us to "choose between evils").

How do we implement the Global Compact principles? The problem is perhaps not so much identification as compliance: One may know which human rights are at stake, and be strongly committed to them, yet find it difficult to choose an adequate course of action to promote and protect them (especially when involved in a dilemma, or when in danger of becoming unwillingly complicit to the wrongdoing of others). Nor is corporate social responsibility a simple task: How far should it reach? That corporations themselves ought not be directly involved in human rights abuses is evident, but how far does a company's responsibility reach when it comes to the abuses carried out by others? To what extent is it the business of business to "save the world" – or, in a more limited sense, to advance the quality of life of those touched by its business dealings?

Behaving responsibly is not a simple matter. However, some courses of action are more readily justified in moral terms than others, and some decisions are more responsible than others. Being responsible involves attempting to foresee and predict, and deliberating on possible effects and on the means that should be taken in order to minimize negative ones. Responsible behaviour involves a knowledge of the particular situation, and the exercise of ethical judgment.

Within the business community as well as in NGOs and research environments, we see an increasing awareness as to the significance of corporate social responsibility, especially in relation to "tough areas" of conflict and human rights abuse. Various initiatives are being developed, and codes of conduct are increasingly being adopted by corporations. Still, lacking a common framework for assessment, the range and content of such policies are left to each company's discretion. This may pose a problem for companies who wish to make a commitment to corporate social responsibility.

Some Conceptual Clarifications

We keep referring to corporate social responsibility (CSR), but it is not entirely clear what the concept entails, nor is there any universally accepted definition of CSR. Rather than attempting to produce yet another definition, we will instead provide a few conceptual clarifications.

There are different categories of responsibilities as regards corporations: corporate, legal, moral, environmental and social. Many of these partly overlap, but should nonetheless be briefly distinguished from one another.

Corporate responsibility pertains to the obligations a company has towards its shareholders – i.e., those responsibilities that lie in the structure of the corporation as such (for example, creating a financial return). *Legal responsibilities* pertain to the legality of the company's operations. *Moral responsibility* concerns the effects the activities of the company have on other stakeholders, and is encompassed by the principle "do no harm." Since the environment can be perceived of as a stakeholder in its own right, *environmental responsibility* may be included in the category of moral responsibility; "do no harm" does not necessarily apply only to harm to people.

Finally, there is the category of *social responsibility.* Often, it is interpreted in the classical sense as being responsible for the local community, in the sense of taking care of it, through charitable activities and social investments. Social responsibility in the classical sense constitutes supererogatory acts in addition to the obligatory principle "do no harm."

Often we see that, in the broader sense of CSR, moral responsibility (for people) is often included, while the "environment" is an issue of its own (as in the "triple bottom line" that includes financial, social and environmental performance). Even more broadly, it includes all kinds of responsibilities that transcend purely corporate and legal responsibilities. Since the term "corporate social responsibility" is commonly used and accepted within the business community, while the term "moral" is not as readily embraced by the corporate culture, we prefer to use the term CSR, but in the broader sense that includes classical social, environmental and moral responsibility.

It should be clear that "do no harm" cannot cover only direct, intended harm-doing, but must also cover indirect, unintended causing of harm – either by being complicit in the harm-doing of others, or by causing unintended yet foreseeable and clearly harmful effects. How to address the issues of indirect responsibility and complicity is the most pressing challenge for a company wishing to make a commitment to CSR, and the most difficult to assess and manage. It pertains to *taking responsibility for what one does not wish to bring about, for something one has not desired.*

The lack of a coherent understanding of the concepts of complicity/indirect responsibility, as well as to how they should be addressed in practical decision-making, leaves many companies otherwise committed to CSR bewildered as to what is the morally responsible course of action as well as how to meet unfair criticisms, threats of boycotts and demands to withdraw from certain areas.[1]

Research Questions

It is incumbent upon researchers to work out the theoretical foundations regarding these issues. Some select questions can give direction to the task:

- What kind of agent is a corporation, and how does the nature of its agency determine the scope of its responsibilities (i.e., how do we delimit the responsibility appropriate to business purposes and activities)?
- How should the categories of complicity and indirect responsibility be understood in relation to the corporation as a particular kind of agent?
- How do we draw the line between the effects corporations may justly be held responsible for, and those for which it may not?
- How do we go about deciding under what conditions it is legitimate to enter into or continue to operate in a conflict zone or any other detrimental situation?
- What measures should be taken in order to secure responsible/morally acceptable engagement?

Towards a Normative Theoretical Foundation

It is essential once again to emphasize the need for a context-sensitive approach to these problems. What seems the responsible thing to do in one situation may be downright irresponsible in another. However, a purely case-related approach may produce arbitrariness. In a normative assessment of cases – i.e., from the perspective of "what ought to be done in this particular situation?" – a framework of conceptual coherence and consistency is required. Such a framework must be flexible enough to be adapted to the situation in question without ignoring its singularities, but also theoretically sound so as to be justified in more general moral terms. Hence, normative theoretical considerations and arguments provide a fundamental basis for practical assessment.

When entering into a conflict zone or finding oneself in a place where conflict breaks out, one inevitably becomes involved in the conflict (at least in the sense of being a bystander, a role that may also entail responsibilities). However, there are several differences between entering into a conflict zone and simply being there when conflict occurs: There is difference in the degree of responsibility, difference as to the responsibilities of being a passive bystander compared to being materially or formally active towards the parties of the conflict, and difference between the responsibilities of corporations and individuals.

By entering a conflict zone in order to operate, then, one must be prepared also to enter into the conflict. The "just war" tradition, representing two-thousand years of philosophical thought on the moral justifications of warfare and conduct in war, may be suitably adapted to fit these kinds of decisions – both before entering as well as what to do when already in. The notions that are worked out within the tradition (such as right intention, proportionality and reasonable hope of success) can be utilized when deliberating whether or not to

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1 This is not to be read as implying that all such criticisms are unfair; sometimes they are appropriate, and sometimes they are not. The point is that it would be helpful for all parties to have a shared language to decide on the matter.

enter or leave a certain area, as well as for making decisions concerning how to act if one decides to stay. As the "just war" tradition relates to states, however, the attempt to apply it requires careful rethinking and adapting to theories of corporate agency, the purposes of businesses and the scope of their activities and responsibilities. This is an academic task to be carried out before presenting a revised and adapted theoretical framework of "just business" that can be fruitfully implemented by corporations.

Philosophically, it is also interesting to consider the analogy between business practices and warfare. As enterprises, they both seem to suffer from a lack of legitimacy in public opinion. Further, the ethicist approaching either one will often meet arguments of the realist type: that the enterprises are not subject to moral considerations, but are rather to be conceived of in terms of game theory, as something foreign to or beyond morality. This view is certainly in a process of revision and can be challenged on several grounds, but the point here is merely to establish certain similarities between business and war that make it interesting and plausible to review one in the terms of the other. There is also the international aspect: The "just war" tradition is designed to deal with ethics at an international level in search of a common idea of justice that transcends cultural differences and still keeps its relevance.

Hence, the analogy between war and business can be fruitful in a discourse on how to establish more binding and relevant international legislation; the "just war" tradition, which has had a strong influence on international regulations of military activity, can serve as a model for legislation on international business practices. Finally, the potential of both enterprises for harm-doing, combined with the fact that they seem unavoidable in the present world, points toward a strong moral expectation that they be carried out in a responsible manner – for the right reasons, and with the least possible harmful effects.

For the purpose of understanding indirect responsibility and complicity, the most interesting concept worked out within the "just war" tradition is the Doctrine of Double Effect (DDE). DDE allows for certain actions to be carried out even though one knows they may produce negative, unintended side effects, provided certain conditions are met. However, it also assigns responsibility for these side effects and demands that they be prevented or minimized to the extent possible. The Doctrine has the merits of allowing, to a proportionate degree, good actions that produce some unfortunate effects (as opposed to abandoning such actions altogether and, in consequence, prohibiting the intended good effects from coming about). On the other hand, it prevents circumvention of responsibility for such effects on the grounds that they were not in the agent's intention.

To work out a theory of responsibility for such effects on the basis of the DDE and attach it to theories of corporate agency and purpose would be a significant contribution to the task of establishing a viable framework for assessment. The revised corporate DDE, in turn, may serve as a practical tool for decision makers in the corporate world.

Methodology

Methodological approaches to the problem should take into account the conceptual task of working out normative theoretical foundations as well as selecting and assessing relevant case studies. The latter is

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United Nations University Press

United Nations Peacekeeping Operations: Ad Hoc Missions, Permanent Engagements
Edited by Ramesh Thakur and Albrecht Schnabel
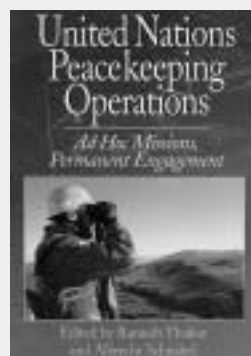
Peacekeeping has always been one of the most visible symbols of the UN in international peace and security. Disappointment with the performance of peacekeeping operations became symbolic of the UN's failure to emerge from the ashes of the cold war as a rejuvenated key player in international (and, increasingly, internal) peace and security. This book explores the evolution of peacekeeping, reflecting some of the thinking, experiences, frustrations and hopes of the past decade, and examines the differences among academics, international civil servants and military leaders.

Contributors: Yasushi Akashi, Vere Hayes, Margaret P. Karns, John McFarlane, S. Neil MacFarlane, Roger MacGinty, Mark Malan, William Maley, Karen A. Mingst, Satish Nambiar, Michael O'Connor, Gillian Robinson, John Sanderson, Hisako Shimura

ISBN 92-808-1067-7; US$29.95

New Millennium, New Perspectives: The United Nations, Security, and Governance
Edited by Ramesh Thakur and Edward Newman

This book analyses a number of pressing international challenges relating to security and governance in a policy-oriented, forward-looking manner. The authors address a number of overarching questions – such as the impact of globalization, key challenges in the short and medium terms, the manner in which national governments and the international community might more broadly address the challenges, and the comparative advantage enjoyed by the United Nations in working with the international community to address the challenges – and find points of commonality in problem-solving ethos and methodology.

Contributors: G. Shabbir Cheema, Christine Chinkin, Michael Edwards, David Forsythe, Trevor Findlay, Brian Job, Sakuntala Kadirgamar-Rajasingham, Inge Kaul, Samuel Makinda, David M. Malone, Chantal de Jong Oudraat, Elisabeth Sköns, Paul Stares, Mounir Tabet

ISBN 92-808-1054-5; US$34.95

motivated by the need to illustrate the theory as well as to demonstrate its practicality. However, case studies are also meaningful in themselves, as they display the actual challenges.

The importance of producing case studies is part and parcel of the recognition that responsible engagement cannot be defined by sharp and absolute division lines (i.e., rigid rules for right and wrong conduct to be implemented equally on all occasions). Hence, assessing concrete cases, such as oil-extracting in Angola or pipeline building in Burma, in relation to the issues of indirect responsibility/complicity in conflict and human rights abuse is an important part of addressing the problem.

▌Preliminary Conclusions

A company is a legal entity established for limited purposes. However, as presupposed here, while not being a full moral "person," the corporation is still to be regarded a moral "agent," i.e., with the capability of intentional action. Its intended objectives as well as the means it chooses for its ends are all under moral scrutiny. It is to be held responsible, not only legally, but also morally.

Still, a corporation is not an end in itself, but a means for human purposes.[2] The scope of its responsibilities must therefore be distinguished from the scope of responsibilities belonging to a human being, and this will have consequences for its social (moral) responsibilities, especially as regards the supererogatory ones. On the other hand, as we have seen, "do no harm" must also include unintended harm-doing. The Doctrine of Double Effect demands that when harmful side effects are unavoidable if the intended goal is to be achieved, a number of measures must be taken to minimize such side effects.

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2 See, for example, Richard T. DeGeorge, in H. Curtler (ed.), *Shame, Responsibility and the Corporation,* Haven Pub. Corp., 1986

Hence, certain kinds of activities that may be *prima facie* perceived of as supererogatory acts may in fact turn out to be obligatory, lest harmful and preventable side effects come about. As an example, an oil company which by its operations in a troubled area keeps the country dependent upon its natural resources and contributes to its lack of motivation to develop other, more sustainable resources for wealth creation ("the Dutch Disease"), may be obliged to help develop agriculture and technological skills, and provide education in the community – not as a supererogatory (charitable) act, but as a means of minimizing the negative effects of its operations.

It is important that responsibility is tied to intentions, although we hold the corporation as being responsible even for unintended effects. The unintended effects must follow from an action of the corporation, directed towards a desired end, if the company is to be held responsible. Hence, a corporation is not normally to be held responsible for something another company will do, in the case of its own withdrawal. Further, a company is not responsible as such for human rights violations on behalf of a corrupt government; the government must take its own responsibilities. The company is only to be regarded as (indirectly) responsible if its operations are making a situation worse, or sustain a bad situation.

Yet it may be, to a limited extent, held responsible for the effects that follow from its withdrawal or divestment. Divestment is not always for the best. A consideration of proportional effects, related to a reasonable hope of success and measures taken for harm-prevention and minimizing of negative side effects, may on some occasions be more responsible. When and where it is so depends on the context in question and must be displayed through case studies. Cutting large parts of the developing world off from financial investments and operations will be constructive for neither party, nor is it the morally responsible thing to do. **W**

The United Nations Intellectual History Project: Documenting the UN's Contributions to Development Discourse and Practice*

By Thomas G. Weiss and Tatiana Carayannis

Ideas and concepts are a driving force in human progress, and they might arguably be the most important legacy of the United Nations (UN) for economic and social policy and development. In the first year of the twenty-first century, for instance, many ideas debated and negotiated in UN corridors over previous decades – including the redistribution of wealth, the necessity for power-sharing and transparency, the benefits of market liberalization, and the need for sustainability – resurfaced in headlines and media images about the revival of the Group of 77 in Havana in April 2000. Protests, first at the World Trade Organization (WTO) Summit in Seattle in December 1999, and then at the spring and fall 2000 Meetings of the World Bank and International Monetary Fund (IMF) in Washington and Prague, and the parade of public and private voices around the Millennium General Assembly in New York, in September 2000, added a variety of perspectives to this discourse.

However, as Ngaire Woods has noted, "ideas, whether economic or not, have been left out of analyses of international relations."[1] The dearth of attention to the role of ideas promoted by or born under the UN is perplexing. The cold war's end led to a substantial growth of scholarly and policy interest in the security activities of the UN. Until now, however, there has been no such increase of interest in the UN's work in the economic and social arena. In our view, it is time to begin to right the balance.

The United Nations Intellectual History Project (UNIHP), established in May 1999, reflects the conviction that it is time to analyse the UN's contribution to global economic and social policy and to development discourse and practice. This short essay briefly describes the work of this multi-year research effort.[2]

When mention is made of the Nobel Peace Prize, most people think primarily about the UN's political and security institutions and individuals – including the most recent recipient, Kofi Annan, along with Ralph Bunche, Dag Hammarskjold, UN peacekeepers and the UN High Commissioner for Refugees. But two UN development organizations – UNICEF and the International Labour Organization – also have won the Peace Prize, and eight Nobel laureates in economics have spent a substantial part of their careers either in UN service or contributing to major ideas associated with the world organization: Jan Tinbergen, Gunnar Myrdal, Wassily Leontief, James E. Meade, Arthur Lewis, Lawrence Klein, Richard Stone and Amartya Sen.

The United Nations has no comprehensive written history and no in-house historians. There are two or three institutional histories, along with scattered and partial historical documents, but there has been no systematic effort to document a compelling story of the sources, evolution and impact of UN development ideas. There is no adequate study of the origins and evolution of ideas cultivated within

the United Nations or of their impact on wider thinking and international action. Certain aspects of economic and social policy and development have, of course, been the subject of books and articles. But there is no comprehensive intellectual history of the world organization's contributions to setting past, present and future international agendas for global economic and social policy and development.

A better understanding of the sources, evolution and impact of key UN ideas could improve the world organization's future contribution to economic and social discourse as well as development policy and practice. More specifically, a better comprehension of the UN as an intellectual actor and of the processes in the multilateral marketplace of ideas could lead to improved strategies and different tactics. In the longer run, we should, as social scientists, be in a better position to shed light on some of the boundary conditions as to when, where, why and how ideas matter to the making of international policy, and the contribution of multilateral institutions.

Research Products: Books and Oral Histories

The United Nations Intellectual History Project's two main outputs are books and oral history interviews. These are linked and mutually reinforcing. The project co-directors are either authors or editors for about one-third of the volumes. Volumes are being written by one or more professionals, carefully selected for their scholarly credentials and intimate knowledge of the topic to be researched. All the books are being published as a special series by Indiana University Press.

Fourteen studies, each focused on well-defined economic or social areas of United Nations activity or on key ideas and norms linked to international peace and security, have been commissioned, and three others are under consideration. The project's first book was published in May 2001. *Ahead of the Curve? UN Ideas and Global Challenges* was authored by the project's three founding directors – Louis Emmerij, Richard Jolly and Thomas G. Weiss – with a foreword by Secretary-General Annan. It puts forward tentative propositions about possible lessons from the UN's past efforts to shape ideas and norms that could be applied to ongoing and future global economic and social challenges.

Other volumes include *Quantifying the World: UN Contributions to Statistics,* an assessment of the UN's contribution to international efforts to standardize national statistics, being written by Michael Ward. *Perspectives on Development: Views from the Regional Commissions* is an examination of how development ideas were developed and implemented within the world's main regions, as seen through the lens of the UN's regional commissions. This is being edited by Yves Berthelot, with chapters by Adebayo Adedeji, Yves Berthelot, Leelananda de Silva, Gert Rosenthal and Blandine Destremeau.

A Critical History of Human Rights at the United Nations, by Roger Normand and Sarah Zaidi, is an assessment of the revolutionary idea of human rights at the UN. *Women Enrich Development: UN Contributions to the Gender Revolution,* an

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1 Ngaire Woods, "Economic Ideas and International Relations: Beyond Rational Neglect," *International Studies Quarterly* 39 (1995), p. 164.

2 For more information, see also http://www.unhistory.org.

examination of the evolving UN role in fostering changes in values and policies toward women, has been undertaken by Devaki Jain.

The Eye of the Storm? The UN and Transnationals is a study of the evolution of controversial ideas debated at the UN to manage the activities of transnational corporations. It is being written by Tagi Sagafi-nejad, in collaboration with John Dunning and Sanjaya Lall. Nico Schrijver has undertaken *The United Nations and Global Resource Management,* an analysis of the contribution of international organizations to the idea of sustainable development.

Richard Jolly, Louis Emmerij, Dharam Ghai and Frederic Lapeyre are writing *The Contributions of the United Nations to Development Theory and Practice,* an overview of the UN's role in the evolution of post-World War II ideas on development. *International Trade, Finance, and Development,* by John Toye and Richard Toye, is an assessment of the UN's role as intellectual actor in the fields of trade, finance and development. *International Development Assistance,* by Olav Stokke, is an assessment of the UN's role in conceptualizing and advocating policies for the transfer of public resources.

UN Ideas: Voices from the Trenches and Turrets, presently being written by Weiss, Emmerij and Jolly, contains excerpts and insights from the oral histories. *UN Ideas of Economic and Social Development* will be the final synthesis volume to be published at the end of the project, and will be written by the three project co-directors.

The duration of the project was originally estimated to be five years. It may be extended, if funding is mobilized, to about six in order to respond positively to a request from UN Secretary-General Kofi Annan, and commission three additional volumes on international peace and security. Unlike the ideas linked to the world economy, the UN's contributions to international peace and security have been the subject of considerable case research and some oral history, although this has not focused upon ideas and norms.

The volumes on *Human Security* and *Global Governance,* discussed below, have been part of the UNIHP's plans since the outset. Earlier, however, they had been conceived mostly in terms of economic and social issues. They now include not only these dimensions, but political and military ones as well.

A Critical History of Human Security, being written by S. Neil MacFarlane and Yuen Foong-Khong, examines the evolution of the concept of human security. *Collective Security and Peacekeeping, Pacific Settlement of Disputes and Conflict Prevention,* and *Humanitarian Intervention* will be commissioned once funds are available. *Global Governance* has already been commissioned by UNU Vice Rector Ramesh Thakur and Weiss. It will be a critical review of the UN's evolving conceptualizations of the need for regional and global governance, and of contemporary thinking about international organizations and non-state actors (especially NGOs and the private sector) in the provision of global public goods.

The second main activity of the project is conducting oral history interviews with key participants in the evolution of UN ideas. Oral history is a method of research for preserving and creating knowledge of historical events as recounted by participants in those events. It allows project researchers and authors an opportunity to identify ideas that never made it beyond closed-room discussions, and to explore the debates about and circumstances of their demise.

The project uses the oral history method both to better understand the UN's contribution to development discourse and practice, and to produce an archive of approximately some 75 personal testimonies and recorded life narratives of individuals who served the world organization in key positions as staff members, consultants, researchers, diplomats or chairs of commissions. Thus, not only do the interviews serve as inputs to the research, they also constitute an important product in themselves.

There are, of course, shortcomings in concentrating on "elite" history, but we are interviewing older and prominent participants first because they have frequently been opinion leaders and set agendas. Later, and with more resources, it would be desirable to broaden the interview base. One of the justifications for the effort is to rectify a woeful lack of attention to learning from the past. However, we acknowledge that there cannot be a single narrative and offer merely one, albeit critical, perspective.

To date, about fifty interviews (ranging from two to twelve hours) have been conducted with the following persons: Francis Blanchard, Max Finger, Johan Kaufmann, Surendra Patel, Leticia Shahani, Hans Singer, Mary Smieton, Brian Urquhart, Celso Furtado, Jan Pronk, Gamani Corea, Don Mills, Jacques Polak, Michael Zammit Cutajar, Ignacy Sachs, Bernard Chidzero, Victor Urquidi, Stéphane Hessel, Mihaly Simai, Robert Cox, Vladimir Petrovsky, Kurt Waldheim, Margaret Joan Anstee, Gerry Helleiner, Cornelio Sommaruga, Gert Rosenthal, Janez Stanovnic, Paul Berthoud, Dharam Ghai, Alister MacIntyre, Adebayo Adedeji, I.G. Patel, Leila Doss, John Ruggie, Elise Boulding, Boutros Boutros-Ghali, Mostafa Tolba, Sven Hamrell, Julia Henderson, Virginia Housholder, Paul Streeten, Guido de Marco, Oscar Schachter, Juan Somavia, Conor Cruise O'Brien, Just Faaland, James O. C. Jonah, Sartaj Aziz, Enrique Iglesias, Shridath Ramphal, Lawrence Klein, Jack I. Stone, Noeleen Heyzer, Richard Gardner, Peg Snyder, Devaki Jain, Sadako Ogata, Maurice Bertrand, Kofi Annan, Samir Amin, Javier Perez de Cuellar, Nafis Sadiq, Paulo Sergio Pinheiro and Lourdes Arizpe, The remaining interviews (Klaus Sahlgren, Henrique Fernando Cardoso, Virendra Dayal, Angel King, John Lewis, Stephen Lewis, Jacob Mosak, C.V. Narasihman, Maurice Strong) are scheduled to be completed by autumn 2002.

The importance of this archival collection of taped memories cannot be over-emphasized, as there is precious little institutional memory at the UN (since most do not record their memoirs on retirement) and even fewer resources to capture the historical record. These interviews will be made widely available in electronic form at the conclusion of the project.

▌Organizational Structure

The organizational structure for this ambitious and complex project consists of an independent secretariat – based at the Ralph Bunche Institute for International Studies of The Graduate Center of The City University of New York – directed by Emmerij, Jolly and Weiss. A liaison office, headed by Yves Berthelot, has been established in Geneva to serve as a base of operations for project researchers needing to consult documents and archives in the UN Library in Geneva.

The secretariat oversees the progress of the project volumes and

conducts oral history interviews. It also issues periodic progress reports, organizes research workshops, sponsors conferences to build substantive bridges across parts of the proposed work programme, and updates the project's web site to reflect on-going work. To date, ten private and public donors have invested in this effort.[3]

Oversight is provided by the International Advisory Council. Eleven distinguished individuals with diverse backgrounds provide this guidance: Galal Amin, Margaret Joan Anstee, Lourdes Arizpe, Eveline Herfkens, Enrique Iglesias, Andras Inotai, Thandike Mkandawere, Gert Rosenthal, John Ruggie, Makoto Taniguchi, and Ramesh Thakur.

▌ The Research Agenda

Five central questions, addressed in different ways in the studies and oral histories, sustain our approach to examining the interface among ideas, multilateral institutions and international public policy. Even partial answers to these questions could help increase the UN's relevance for economic and social discourse as well as on development policy and practice.

What are the economic and social ideas of the UN, and which key ones should be analyzed? – The answer to this is, in many ways, necessary background for the other central questions. For us, "ideas" are defined as normative or causal beliefs held by individuals that influence their attitudes and actions toward economic and social development. They are analysed when they intersect with the UN – that is, when they appear as major thoughts or concepts in UN background documents, speeches or conferences. Key ideas are identified for each of the broad and essential themes in the project's publications series.

We organize two types of ideas within each theme: normative and causal ideas. Normative ideas are broad, general beliefs about what the world should look like, while causal ideas are more operational motives about what strategy will have a desired result or what tactics will achieve a particular strategy. At the UN, causal ideas often take an operational form, such as the target of 0.7 per cent of GNP to be contributed as overseas development assistance (ODA).

The motivation behind a single category of normative ideas comes from the inherent difficulty of separating principled ideas from the world view in which they are grounded. Analysts do not employ world views to explain policy outcomes; indeed, some analysts have gone so far as to argue that disaggregating ideas at any level is problematic, as what is normative in one instance can be causal in another. To illustrate this typology, we can look to the *United Nations Development Decade: A Programme for International Cooperation,* which was approved in 1961 by General Assembly resolution 17 (XVI). An example of a normative idea would be its call for narrowing the gap between industrialized and developing countries –

more specifically, that the international community bears a moral responsibility to promote social progress and better standards of living in all countries. Causal ideas that followed from this normative assertion were the operational prescriptions, albeit in very general terms, for achieving this goal: greater international cooperation; "industrialization, diversification and the development of a highly productive agricultural sector" (paragraph 4a); and the target of "a minimum annual rate of growth of aggregate national income of 5 per cent at the end of the Decade" (paragraph 1).

What are the sources of these ideas? – We locate some sources of ideas within international secretariats: individual leadership, UN research, reports of eminent commissions, global conferences and inter-agency tensions. If a particular idea was developed within the UN, did a key individual bring it with him or her and subsequently lobby effectively for its organizational adoption? Or was the idea the result of ongoing group negotiating processes? Was there a two-way street, or were international secretariats more independent purveyors of ideas than groups of countries?

We also examine what ideas originated outside the UN system, perhaps from expert groups, NGO activists, and national decision makers as well as international secretariats, or in response to a particular event or crisis. Some ideas originated within an elite, whereas for others, such as the Universal Declaration of Human Rights, there was a "mass base" and rather widespread popular support for it.

What happened to particular ideas within the UN? – Thus, we examine why a particular idea was adopted, distorted or discarded. In some cases, we try to determine if the discarded idea became the property of another agency. In tracing the sources and distortion of an idea, we explore the importance of leadership within the UN and specialized agencies as well as the importance of contributions by international civil servants. We also look at the importance of institutional rivalries or coalitions, particularly tensions within the UN system and between it and the Bretton Woods institutions. The impact of rivalries, or even outright hostilities, within and among diplomatic coalitions is another important and under-documented variable. We also seek to determine how the "culture" of the world organization – for example, its institutional style and hiring practices – determined the decibel levels surrounding ideas, and thus influenced what ideas could be heard and eventually implemented.

What impact, if any, did particular ideas have? – Once adopted in original or distorted form, did ideas make a difference outside of the UN? If so, how? Potentially, even partial answers to this question could constitute an essential research finding. For even if ideas are one of the main legacies of the United Nations, harsh critics may well ask, "So what?" We propose to reply with examinations of four ways that ideas can have a substantial influence on policy.

First, they can at times transform the intellectual environment, or at least change the nature of international public policy discourse. For example, ideas about dependency and the concept of "centre-periphery," which were developed by Latin American economists within ECLA in the 1970s, fundamentally altered the discourse on

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3 The first formal commitment came in the form of a challenge grant from the Government of The Netherlands. This was followed by commitments from the Rockefeller Foundation, Carnegie Corporation of New York, Government of the United Kingdom, Ford Foundation, Government of Sweden, Government of Canada, Government of Switzerland, Government of Norway, and Republic and Canton of Geneva. Assistance with conference costs has also been received from the Rockefeller Brothers Fund and Dag Hammarskjöld Foundation.

modernization. *Second,* ideas can provide a tactical guide to policy and action when norms conflict, or when sequencing or priorities are disputed, and thus help states define their interests. The necessity to balance belt-tightening with the requirements for a "human face" on structural adjustment is one such dispute where UNICEF's ideas provided a roadmap to navigate between conflicting priorities and needs. *Third,* ideas can make possible new combinations of political and institutional forces, thereby altering prospects for forming new coalitions. For example, UNCTAD's early call to take seriously the Prebisch-Singer thesis about declining terms of trade and the context of the NIEO became the veritable glue of G77 solidarity. *Fourth,* ideas can become embedded in institutions, and thus perhaps challenge not only the founding principles of those institutions but also set future agendas. The establishment of new agencies – for example, the UN Environment Programme (UNEP) or the International Fund for Agricultural Development (IFAD) – is one manifestation, as is "mainstreaming" of issues and the creation of new units within established organizations.

What can we conclude about the role of the UN in generating and disseminating ideas? – Finally, we explore whether the UN has unique attributes or a comparative advantage in creating, nurturing and diffusing ideas, or if it has anticipated global challenges and responded earlier than other institutions.

In short, we contend that the ideas held by individuals as well as trans-national groups of experts and activists influence UN economic and social activity; that the UN and its institutions influence national elites and their policies by developing policy paradigms around which such elites are socialized; and that the UN learns and adapts through a collective and often anonymous decision-making process, which produces new ideas and at times silences or resuscitates older ideas.

Failures are as important as successes in order to understand the UN's role in facilitating consensus, and in perpetuating or exploding myths and orthodoxies. The effort to document UN ideas – both the "successes" and the "failures" – is one means to foster more fruitful international discussions, negotiations and common approaches. **W**

United Nations University Press

Enhancing Global Governance: Towards a New Diplomacy?
Edited by Andrew F. Cooper, John English and Ramesh Thakur
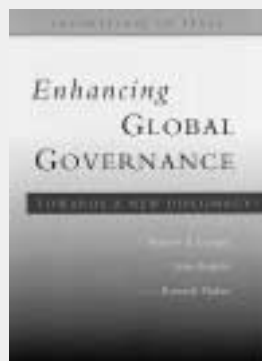
Enhancing Global Governance analyses the means by which global governance has been promoted through innovative diplomatic practices. What makes this dynamic particularly compelling and worthy of study is that the impetus for a new diplomacy has not emerged on a "top-down" basis. Rather, the innovative drive has been animated by sources "from below" in the international architecture via a series of cross-cutting coalitions between and among "like-minded states" and civil society. The question of how these alternative leadership forms have been expressed through the United Nations system, together with an evaluation of the impact they have achieved, is the fundamental theme that binds together the individual contributions to this collection.

Contributors: Maxwell Cameron, Alistair Edgar, Virginia Haufler, Brian Hocking, Dominic Kelly, Andy Knight, Mark Malan, William Maley, David Malone, Philip Nel, Iver Neumann, Kim Richard Nossal, James Reed, Deidre van der Merwe

ISBN 92-808-1074-X; US$31.95

States, Markets, and Just Growth
Edited by Atul Kohli, Chung-in Moon and Georg Sørensen

This book explores the common concerns of developing countries in the quest for just growth, while also emphasizing special regional needs. The opening chapters provide an overview of the pressing shared imperatives of globalization, democracy, poverty and inequality. The chapters that follow analyse the record of different regions and countries in achieving just growth. The contributions are linked by a common thematic thread, as each author addresses four specific issues: To what extent should states intervene in the market to promote growth? How much emphasis should development strategies put on deliberate redistribution and/or poverty alleviation? What constraints, as a result of globalization, do developing countries face when choosing their development paths? Can democracies successfully reconcile economic growth with distribution?

Contributors: Yun-han Chu, Dickson Eyoh, Robert R. Kaufman, Michael P. Moore, Rani D. Mullen, Ziya Ønis, Richard Sandbrook, Barbara Stallings, Howard White

ISBN 92-808-1076-6; US$21.95

From Civil Strife to Civil Society: Civil and Military Responsibilities in Disrupted States
Edited by William Maley, Charles Sampford and Ramesh Thakur
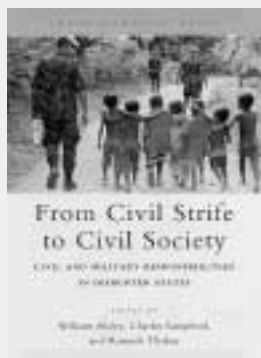
The 1990s saw the United Nations, the militaries of key Member States, and NGOs become increasingly entangled in the complex affairs of disrupted states. Whether as deliverers of humanitarian assistance or as agents of political, social and civic reconstruction, whether in Somalia, Bosnia, Kosovo or East Timor, these actors have had to learn ways of interacting with each other to optimize the benefits for the populations they seek to assist. The challenges have proved daunting: civil and military actors have different organizational cultures and standard operating procedures, and are confronted with the need to work together to perform tasks to which different actors may attach quite different priorities. This book explores the nature of these challenges, blending the experience of scholars and practitioners.

Contributors: Reginald Austin, Frederick M. Burkle, Jr., Simon Chesterman, Paul F. Diehl, Helen Durham, Lorraine Elliot, Martin P. Ganzglass, Michael Kelly, Samuel M. Makinda, David M. Malone, Sadako Ogata, Mark Plunkett, Cees de Rover, Amin Saikal, Thomas E. Seal, Fiona Terry,

Raimo Väyrynen, Adrien Whiddett

ISBN 92-808-1070-7; US$33.00

Conflict Prevention: Path to Peace or Grand Illusion?
Edited by David Carment and Albrecht Schnabel

This volume brings together a diverse group of individuals involved in conflict prevention activities. Contributors evaluate the institutional record on conflict prevention, identify current trends in conflict prevention practice and (in reference to the EU, OSCE and NATO) make recommendations on improving organizational capacity. They further show how informational and analytical needs can be used to enhance the quality of conflict analysis and its policy relevance. Drawing on experiences in Africa and the Americas, the volume concludes with reflections on the efforts and challenges of building regional capacity in the developing world.

Contributors: David Carment, John Cockell, Abdul-Rasheed Draman, Simon Duke, Hans-Georg Ehrhart, Bruce Jentleson, Troy Joseph, Osvaldo Kreimer, David Last, Natalie Mychajlyszyn, Dane Rowlands, Albrecht Schnabel, Andrea Talentino, Raimo Väyrynen

ISBN 92-808-1081-2; US$33.00

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(Continued from page 1)

significant – but under-studied and often misconstrued – role in human rights, governance and security. In addition to NGOs, Lene Bomann-Larsen, Gregory Reichberg, Henrik Syse and Oddny Wiggen consider how private commercial actors are also an essential part of the security landscape. Shamsul Haque argues that the natural environment should likewise be brought onto the "non-traditional" security agenda.

The events of 11 September 2001 and the "war on terrorism" amply demonstrate the complexity of this agenda. The causes and methods of terrorism – and the responses to it – have triggered a debate that many are describing as a turning point. Did the world change on 11 September 2001? In a sense, yes: the vulnerability of the undisputed global hegemon was brutally exposed. Global reach and engagement – and with this, global interests – bring with them unique hazards. Borders are violable and prove no defence against an unconventional enemy. And security cannot be achieved through superior firepower alone. At the same time, terrorism is nothing new for thousands of people around the world in various trouble spots; it is a daily reality.

Governance, security and economic development are, in many ways, indivisible. Good governance is essential for peace and development if they are to be sustainable. This means that we have to consider the root causes of insecurity – and, as a corollary, the foundations of security. To give an extreme example, recent experience in Afghanistan has shown how corrupt, unstable, ineffective and repressive governance was a cause of misery for millions in that country: human rights, development and education (amongst other things) all ranked around the worst in the world. At the same time, such a terrible state of affairs can also be a breeding ground for violent grievance and terrorism, the effects of which have a far wider impact upon international peace and security. Most of the ideas and policies directed towards Afghanistan's post-Taliban reconstruction can be defined as issues of governance. The ambitious task ahead is nothing less than the reconstruction of civil institutions, broad-based government, development and human rights.

Edward Newman and Roland Rich argue that the UN's activities in the promotion of democracy are an important aspect of the UN's broader role in post-conflict reconstruction. In fact, it should be recognized as a key factor in the UN's mission of upholding international peace and security. Human rights is also a key issue – and perhaps even indispensable to the consolidation of peace – in

transitional societies, as Albrecht Schnabel and Shale Horowitz describe. An important point that underlies many of these issues is the need to understand complex ideas and processes. Yet, as Thomas G. Weiss and Tatiana Carayannis observe, there is a dearth of attention to the intellectual contribution of the UN to global problems. In response to this, the United Nations Intellectual History Project reflects the conviction that it is time to analyse the UN's contribution to global economic and social policy, and to development discourse and practice.

– The editor

United Nations University Press

Democracy in Latin America: (Re)Constructing Political Society
Edited by Manuel Antonio Garretón M. and Edward Newman

This book examines democratic transition and consolidation in post-authoritarian and post-civil war Latin America. Its central premise is that the fundamental prerequisite of democracy is the existence of a "political society" – something that has been weak or under threat. It covers a range of issues, including human rights abuses, the integration of societies into global market economies, the role of civil society, the perennial "indigenous issue," and the manner in which external actors have conditioned or facilitated democracy.

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ISBN 92-808-1068-5; US$31.95