Chapter 2
The Quest for Peace: What Are We Learning?

2.1 Introduction[1]

I have long believed that we have learned much more about building peace in the Twentieth Century, through research and practice, than we normally tend to apply. As a result, on several occasions I have attempted to summarize this learning process and to produce an inventory of the peace tools that have emerged (Alger 1987, 1989, 1996). This effort has had several purposes. The first is to illuminate a broad array of peace tools that should be examined while developing peace strategies and tactics. Too often we are inclined to employ first tools that are most readily available, ones that have been used successfully on other occasions, ones which require the knowledge of our personal profession or discipline, or even ones whose application make us feel good. The second is to suggest, for those employing specific tools, the way in which those in use by others are linked to, and affecting, their efforts. The third is to show clearly the progress that has been made in the quest for peace (Alger 1998a). As new tools have been devised for probing deeper into the causes of peacelessness, we have at the same time greatly expanded our aspirations. One reflection of this expansion is the way in which global dialogue has been defining, and redefining, key global values. Peace now includes not only stopping the violence (negative peace) but also building peaceful relations shaped by social justice (positive peace). For many Development now includes fulfillment of human needs and human capacities for all the people, and must be sustainable. Definitions of Human Rights are now inclined to include civil, political, economic, social and cultural dimensions. As the definitions of these key global values have been defined, and redefined, the dimensions of each has expanded. In pursuit of their attainment, our aspirations have been enlarged.

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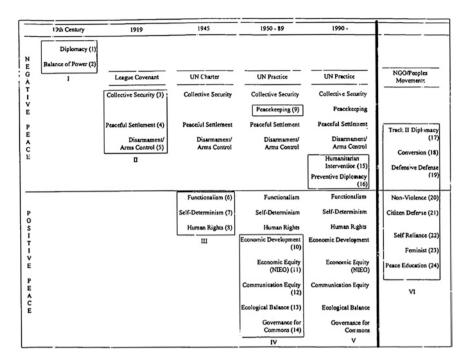
Fig. 2.1 The emergence of peace tools

Because I have for years focused much of my attention on the UN system, my understanding of this learning process has been significantly shaped by the quest for peace in these organizations. In many respects this is a quite appropriate "laboratory" because of the growth of the United Nations to a membership of 185, including virtually all states. This means that agendas, debates and dialogue are open to contributions from all states, increasingly supplemented by contributions from civil society around the world, thereby enhancing the global relevance of results. The evolving emergence of peace tools presented in Fig. 2.1 is obviously a very simplified version of a very complicated process. Innovation in history is very complex. We are never completely certain when a new idea first arose. Nevertheless, the Figure offers a useful beginning effort to provide an inventory of the emergence of a growing array of peace tools. Minimally it will challenge others to devise their own effort that arises out of their own experience.

This figure has been fully explicated elsewhere (Alger 1996, 22), so only a brief recapitulation will be provided here. It is useful to do this by pointing out several main trends. One has been the development of peace tools for implementation by a multilateral organization, as exemplified by provisions for Collective Security (3), Peaceful Settlement (4), and Disarmament/Arms Control (5) by the League of Nations Covenant. Before this time, the prime tools were Diplomacy (1) and Balance of Power (2), employed by individual states and coalitions of

states. A second trend has been supplementing negative peace tools (stop and prevent violence) with positive peace tools (build peaceful relations among states). Three tools emerged out of League of Nations experience, and were incorporated into the UN Charter as Functionalism (6) (economic and social cooperation), Self-Determination (7) and Human Rights (8).

A number of tools have evolved out of UN practice, including Peacekeeping (9), a negative peace strategy. Others represent the extension of positive peace tools through UN practice. The third trend reflected growing understanding that Functional cooperation is very difficult in a world in which there are a few wealthy states and many poor states. This first led to Economic Development (10) programs, both bilateral and multilateral. Economic Equity (11) then emerged out of understanding that development is constrained not just by factors internal to states but also by the nature of the international economic structure, hence a demand for a New International Economic Order. The fourth trend reflects the impact of new technologies on global relations and institutions. The emergence of Communications Equity (12) reflected a challenge to the belief that "free flow of communications" will necessarily contribute to peace. The demand for a New International Information and Communications Order (NIICO) is based on the fact that "free flow", particularly when spurred by new communications technology, produces predominantly one-way flow, from the "North" to the "South". As a result, a few cultures come to dominate the rest, and those who dominate are deprived of the opportunity to acquire full understanding of the rest of the world. This does not build a foundation for world peace. The emergence of Ecological Balance (13) and Governance for the Commons (14) (oceans, outer space and Antarctica) are a result of the impact of new technologies on ecological balance and on the deep penetration of human activity into the commons.

The fifth trend reflects the growing involvement of actors other than states in the pursuit of peace, identified in different contexts as non-governmental organizations, peoples' movements and social movements. Presently all are included in what is now referred to as "civil society." Figure 2.1 indicates that eight peace tools have largely been created by actors in civil society. These include Track II Diplomacy (15), Conversion to civilian production (16), Non- Violent movements for social change (18), Defensive Defense—development and employment of strictly defensive weapons and strategies (17), Citizen Defense—employment of non-violent techniques for national defense (19), Self-Reliance—development rooted in the satisfaction of individual human needs (20), Feminine Perspectives with respect to social relations and visions of alternative futures (21), and Peace Education (22). These tools have largely been developed and implemented without government support but have nonetheless had some impact on individual governments and multilateral organizations, as reflected in programs emphasizing the role of women in development and recognition of the significance of peace education by UNESCO.

It is important to point out that our figure is intended to provide a relatively simple means for obtaining a snapshot of available peace tools, with some insight on how the array has gradually grown in this century. It does not illuminate the historic roots of the ideas incorporated in these tools, nor those responsible for placing

them on the public agenda. For example, it is clear that both human rights and ecological balance were placed on the agenda of the UN system, and member states, largely as a result of the initiatives of civil society organizations, and that present efforts to implement standards incorporated in treaties and normative declarations on human rights and ecological balance are largely driven by these organizations.

It is the purpose of this chapter to continue our effort to provide a succinct over-view of the development of peace tools by offering our assessment of the present development, and proposals for strengthening, four tools. We have chosen two that have been successfully established: self-determination and peacekeeping, and two that are now being designed through practice: humanitarian intervention and preventive diplomacy. First, self-determination, was rather tenuously inserted in the UN Charter, successfully developed through practice, and effectively applied in the largely non-violent breakup of overseas empires. But then it fell into decline because of failure to adapt it to a new era of self-determination challenges. Second, peacekeeping, invented in the UN laboratory, has been successfully implemented in many challenging situations and has been importantly adapted and strengthened through practice. Third, evolving development of humanitarian intervention has required overcoming Charter prohibition of intervention "in matters which are essentially within the domestic jurisdiction of any state". Justification of its application has often been based on another Charter tool, human rights. Fourth, advocacy of preventive diplomacy has been based largely on the belief that tendencies to react, rather than take preventive action, has led to avoidable chaos, and unnecessary violence. Because it is rarely applied by the Security Council and its most powerful members, there are a plethora of proposals for developing preventive diplomacy in the UN context. These four tools will be discussed in this order: peacekeeping, humanitarian intervention, self-determination and preventive diplomacy.

2.2 Peacekeeping

The United Nations has demonstrated remarkably creative elaboration of peace tools that fall between two mainstays of the Charter, collective security and peaceful settlement. Collective security (Chap. VII) permits "action by air, sea, or land forces as may be necessary to maintain or restore international peace and security". It was primarily intended to deter military aggression across the borders of states. Peaceful settlement (Chap. VI) can involve a variety of third party roles, including mediation, conciliation, arbitration and judicial settlement. Peacekeeping was invented to fill a perceived gap between the two, with the traditional multilateral peacekeeping force tending to patrol a cease-fire line, employing small arms used for defense only, and having the permission of states on whose territory they patrol. Thus it has frequently been referred to as Chap. VI V2. How far we have come since the Charter was written is dramatized by the fact that peacekeeping forces, as exemplified by the UN Emergency 1 Force (UNEF, 1956–1967) in the Middle East, and the UN operation in the Congo (ONUC,

1960–1964), were challenged as violations of the Charter by the USSR, France, and other members. But their claims were turned aside in an Advisory Opinion of the International Court of Justice in 1962.

Steven R. Ratner quite aptly refers to peacekeeping as "the ongoing experiment of the international community." (Ratner 1995, 9) Beginning in 1947 with the UN Special Committee on the Balkans (UNSCOB), monitoring the Greek border, Robert Johansen lists forty-nine peacekeeping operations through 1997 (Johansen 1998, 119–122). Impressive is the fact that forty-two of these operations were placed in the field after the 1960 constitutional challenge to this application of the "doctrine of implied powers" to the UN Charter. Twenty-eight of these operations (57 %) were put into operation in the 1990s. Seventeen far flung operations still existed in May 1997, Arab–Israeli, India-Pakistan, Cyprus, Syria-Israel, Lebanon, Iraq-Kuwait, Western Sahara, Georgia, Liberia, Tajikistan, Bosnia and Herzegovina, Macedonia, Croatia(2), Angola, Guatemala, and Haiti (UN. DPI/1634/Rev.6, May 1997).

But much more noteworthy than the number of operations is the expansion of roles performed by these operations beyond the so-called classic functions of monitoring a cease-fire. These include monitoring elections, verifying military disengagements of force reductions or demobilizations, monitoring cantonment of military forces and equipment, maintaining internal security conditions essential for conducting elections, temporary or transitional administering of government ministries, repatriating refugees, providing humanitarian assistance to refugees, protecting UN personnel and humanitarian relief workers, fielding committees of reconciliation, and monitoring economic sanctions (Johansen 1998, 93). Impressive is the array of types of personnel assigned to single operations. For example, the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES), in former Yugoslavia, has an authorized strength of 5,000 troops, 100 military observers, 600 civilian police, 480 international civilian staff, 720 locally recruited staff, and 100 UN volunteers. If we browse through the authorized strength of the more recent operations in the 808 page third edition of the United Nations review of peace-keeping operations, Blue Helmets (1996), we also find these personnel categories: military liaison officers, military observers, mine-awareness personnel, military support personnel, medical officers, electoral observers, security personnel and logistic support personnel.

As amazing as the array of roles now performed by peacekeeping forces is the array of nationalities involved. For example, the United Nations Confidence Restoration Operation in 1 Croatia (UNCRO) has participants from 38 countries, the United Nations Protection Force (UNPROFOR) in former Yugoslavia, from 36 countries, and the United Nations Advance Mission for Rwanda (UNAMIR) from 40 countries. These forces draw participants from Africa, Asia, Europe, Latin America, Oceania and North America.

Johansen (1998, 93) concludes, "despite the growing number of functions, most remain within the classic peace-keeping formula of not using force offensively and of relying on the consent of local authorities to cooperate with the UN mandate." Nevertheless, it is instructive to examine the exact dimensions of "mission creep."

Some of the enumerated functions, such as verifying military disengagements and demobilizations, and monitoring economic sanctions, would appear to be logical refinements of Chap. 6 VI. But fielding committees of reconciliation are closely related to peaceful settlement activities described in Chap. VI. Thus it might be said that their responsibilities are creeping toward Chap. VI, suggesting that they look more and more like Chap. VI 1/4 This is reflected in the tendency to expand the number of civilian personnel.

Particularly notable is the extension of operations into internal political affairs, such as monitoring elections, maintaining internal security conditions essential for conducting elections, and administering government ministries. Others perform local police functions, such as protecting UN personnel and humanitarian relief workers. Still others perform local social services such as repatriating refugees and providing humanitarian assistance to refugees. Thus we see here the incorporation of political and economic aspects of peace building into peacekeeping operations. More specifically, peace tools such as human rights are being combined with peacekeeping into peace building strategies.

Overall, particularly in the 1990s, the capacity of the UN to create peacekeeping forces, the willingness of member states to have their personnel involved, and the creative extension of functions has been very impressive. On the other hand, great difficulties have been encountered, and criticism of performance has been widespread. To those evaluating these shortcomings, Johansen offers this advice: "UN observers need to exercise care to avoid being drawn inadvertently into great powers' scapegoating the United Nations for ineffectiveness while depriving it of the wherewithal to be effective." (1998, 96) He, and others, attribute many peacekeeping deficiencies to the ad hoc procedures employed in deploying and managing the forces. In response, Johansen says that eight problems must be addressed:

1. Insufficient force size, as in Angola, Bosnia, Burundi, Cambodia, Georgia, Rwanda and Somalia.
2. Inability to respond rapidly in a crisis. More rapid deployment in Iraq in 1990 and Rwanda in 1994 could have played important preventive roles.
3. Lack of staying power, as in early withdrawals in Angola, Cambodia, Bosnia, Croatia and Somalia.
4. Uneven training, particularly lack of training for coordinated response by nationally separate contingents.
5. Uncertain command, as when units await for orders from their own national commanders.
6. Unreliable and inadequate financing.
7. Inadequate UN staff.
8. Diffusion of cumulative learning, as when useful precedents are forgotten and not passed on to new units (Johansen 1998, 100–102).

The potential of these Chap. 6 1/4–6 1/2 forces, with their array of military, police, political and economic roles, and their tendencies to link peacekeeping to peace building, has engendered a number of proposals for strengthening their potential. There have been a number of proposals for creation of a UN volunteer

force, including the recommendation for a UN volunteer force of 10,000 by the Commission on Global Governance. It is believed that the availability of this force would serve as a deterrent, and that it could be useful in facilitating negotiation and peaceful settlement of disputes. The Commission carefully points out that they do not see this force as a substitute for peacekeeping forces or forces made available by member states, nor for military forces held on call under agreements that might be made in the future under Article 43 of the Charter (Commission on Global Governance 1995, 112).

Johansen has made a somewhat more ambitious proposal for a permanent, individually recruited, UN police or constabulary force that would be responsive to most of the problems enumerated above. It would consist of individually recruited persons from many countries, starting as a force of 10,000–20,000 and could grow to ten times that size. It would have the merits of "rapid deployment, reliability and effectiveness, impartiality, equitable burden-sharing, ease of coordination among UN agencies, ability to address inter-state and intra-state conflicts and 'teaching' effectiveness." (Johansen 1998, 105–106) It would emulate a highly effective transnational police or constabulary force. Like the Commission, he sees that this volunteer force could overcome problems arising from delays encountered in deploying ad hoc forces.

Childers and Urquhart recommend a different kind of volunteer force that would also hasten UN competence to cope with domestic strife. It would be a UN Humanitarian Security Police that would protect UN and NGO emergency personnel, their transport and their supplies. "This force would consist of contributed volunteering national police agreed by their authorities to be on standby for rapid formation and deployment to emergencies whether or not UN military forces may be deployed." The force would be trained in humanitarian security work in courses prepared in consultation with humanitarian relief NGOs. The force would have special rules of engagement, with a graduated range of weapons including armored transport. It would be able to act without the presence of UN military forces (Childers and Urquhart 1994, 204).

Of course, none of these, and other, proposals for strengthened UN rapid competence to cope with disruptive conflict within states would be feasible without adequate financing. In the light of current arrears in payment of assessments by member states, and caps placed on budget growth, there are numerous recommendations for alternative sources of funding. They include levying surcharges on arms sales, on transnational movement of currencies, on international trade, and on international air and sea travel. Johansen proposes a tax on the roughly $900 billion daily international exchange of currencies. He estimates that a tiny tax of 0.01 % would produce $28 billion annually, "enough to finance all UN peacekeeping operations and assist in subsidizing some preventive diplomacy and peace building operations" that he has proposed (Johansen 1998, 24).

There are proposals that would circumvent the present United Nations financial constraints. Boulding and Oberg (1998, 137) assert that "the civilian arms of UN peace-keeping missions—the civil Police and Civil Affairs—are grossly understaffed." They support their argument by drawing attention to three UN documents

that recognize the growing importance of the civilian component of peace-keeping and the importance of better coordination between military forces and humanitarian and other civilian aspects of peacekeeping. The first is a report from the Special General Assembly Committee on Peacekeeping Operations, (GA Doc. A/49/136, 2 May 1994), the second is a resolution of the General Assembly (A Res./48/42, 14 March 1994) and the third is a Report of the Secretary-General to the Security Council and the General Assembly (A/48 403 S26450, 14 March 1994) (Boulding and Oberg 1998, 129) Boulding and Oberg propose further development of the civilian component of peacekeeping. Their proposals build not only on the growing civilian component of UN peacekeeping forces, but also on the historical experience of a number of small civilian forces around the world, including the Gandhi Peace Brigades in India; a Peace Army recruited by European pacifists in the 1930s; the World Peace Brigade, now active in Sri Lanka, the Sudan, the Balkans, Haiti, and other places; Witness for Peace groups in Central America; and Christian Peacemaker Teams in Haiti, the Sudan, the Gaza Strip and elsewhere.

Boulding and Oberg propose that an independent coalition of NGOs substantially strengthen the civilian component of peacekeeping operations by providing trained, unarmed peace teams. This effort would build on the coalition-building leadership already provided by London-based International Alert in its effort to create an early warning system based on NGO networking. Their goal would be to create a "UN peace army" with an array of competencies:

1. Conflict mitigation, mediation, and communication with official local bodies and other groups.
2. Economic and social reconstruction, rebuilding agriculture and human services.
3. Demobilization and retraining of soldiers to participate in reconstruction.
4. Social healing for the traumas of war suffered by women, men and children.

For performing these tasks, they would supplement the UN peacekeeping Blue Helmets, with White Helmets and Green Helmets. The Blue Helmets, supported by civilian police and civil affairs staff, would carry out demilitarization and disarmament and prepare the way for the civilian administrative infrastructure. The White Helmets would be active in community dialogue, negotiation and social problem-solving, and Green Helmets would form reconstruction and environmental development teams. In addition, humanitarian service organizations, such as Medicins Sans Frontieres, Catholic Relief Services and the International Red Cross, would continue to provide emergency assistance and "rebuild the health, education, and social services…" (Boulding and Oberg 1998, 142). They envisage a clear-cut division of labor between UN forces under military command and the NGO teams, and they would see peace teams expanding their activities as the armed forces diminish theirs.

This proposal by Boulding and Oberg, complementary to proposals of Kumar Rupesinghe, of International Alert (Rupesinghe 1998), is an intriguing effort to speed up response to the learning process underway in peacekeeping "laboratories" that has gradually extended civilian participation and very slowly explored possibilities for employing peacekeeping as a foundation for peacemaking and peace building. It parallels other efforts by NGOs to supplement underfinanced and understaffed UN

efforts, as exemplified by NGO contributions in implementing human rights and environmental standards. Obviously these NGO efforts raise very important questions about the nature of emerging global governance. Are the White and Green Helmets perceived as temporary—eventually to be replaced by the UN if resources become available? Would they become a permanent form of cooperation between the UN and civil society in an evolving new style of global governance? If self-selected NGOs are permitted to build economic, social and political institutions in troubled countries, does this undermine the emerging democratic nature of global governance?

2.3 Humanitarian Intervention

Humanitarian intervention has emerged largely unannounced because it has often been called peacekeeping—as exemplified by interventions in Somalia and Rwanda—although it is a fundamentally different kind of peace tool. Humanitarian intervention differs from peacekeeping in that it may take place without the permission of the state involved, thus it is occasionally referred to as Chap. VI 3/4, placing it between peacekeeping and Chap. VII enforcement. Recent humanitarian interventions include the UN Observer Mission in Haiti (UNMIH), UN Mission for Rwanda (UNAMIR) and UN Operation in Somalia (UNOSOM). In these operations the Security Council authorized a group of states to deploy military forces outside the UN context. But in other cases, including Somalia and Yugoslavia, enforcement was entrusted by the Security Council to the Secretary General or another international organization such as NATO. Arend and Beck (1993, 113–114) define humanitarian intervention as "the use of armed force by a state (or states) to protect rights violations there." It occurs within the borders of the target state without their explicit consent. Vayrynen, after citing the Arend and Beck definition of humanitarian intervention, reports that there is growing opinion that international law permits access to crisis areas in which egregious violation of human rights override domestic jurisdiction. Here, of course, he refers to the provision in Article 2(7) of the Charter: prohibiting intervention "in matters which are essentially within the domestic jurisdiction of any state" (Vayrynen 1998, 61–62).

But humanitarian intervention can also be used to prevent escalation of a domestic dispute that would jeopardize the security of other states. In this case, support of the Charter is easier, since these cases would seem to come under Article 39 of Chap. VII which applies to "threats" to the peace. In the case of application of enforcement measures under Chap. VII, Article 2(7) does not apply. But some might say that humanitarian crises seem to "endanger" peace rather than be a "threat" to it, calling for use of Chap. VI. By using Article 39, "threat" to the peace, N.D. White thinks that the Security Council has stretched the concept, and developed a new political and legal justification for quick enforcement against "rogue" states or to meet humanitarian needs (White 1993, 38–49, cited by Vayrynen 1998, 63).

Although the development of humanitarian intervention as an acceptable peace tool is still in process, it seems to be widely acceptable that the limits of Article

2(7) have been considerably narrowed in practice, and in legal definitions. Lori Damrosch succinctly describes the change that has taken place:

> In a few short years the terms of debate have shifted dramatically. Instead of the view that interventions in internal conflicts must be presumptively illegitimate, the prevailing trend today is to take seriously the claim that the international community ought to intercede to prevent bloodshed with whatever means are available (Damrosch 1993, 364).

Vayrynen clearly discerns the development of a new peace tool. He concludes:

> despite the practical intermingling of collective enforcement and humanitarian intervention, they should be considered separate legal and political categories. …The international community should agree on a set of rules defining the goals, means and limits of admissible humanitarian interventions. They should also be given realistic mandates in which objectives, resources, and rules of engagement match each other (Vayrynen 1998, 65, 67).

There is widespread agreement that mandates should be more clearly matched with objectives, resources and rules of engagement. On the other hand, there is much less certainly about how the rules defining the goals, means and limit of humanitarian interventions should be developed. Farer notes that the Security Council "enjoys a kind of legislative supremacy as long as it commands the support of, if not the great majority of states, then the great majority of states that count in international relations." But he is not fearful of this "supremacy" because he believes, as attested by "the slaughter in the Balkans," that "the threat to a humane international order consists not of Council hyperaction, but rather of no action at all." In these circumstances, he is fearful that some states "may experience an almost uncontrollable impulse to intervene." Therefore, he would require that these impulses be channeled through subglobal institutions. But he would require that interventions by these institutions be submitted to the Security Council for review, "…while prior authorization should not be necessary, any intervention should be reported to the Council and justified at the time it occurs" (Farer 1993, 330–333).

Damrosch believes that deterrence of unacceptable behavior within states would require clarification by the international community of its expectations in two respects. It must identify its thresholds, and it must clarify the responses that will be forthcoming. Recognizing that this would not be easy, "Nonetheless, attention to developing and implementing international mechanisms analogous to domestic law enforcement should help deter violations of community norms in internal as well as international conflicts." But she sees tension resulting from the fact that the same organ, the Security Council, fulfills both the function of preserving impartiality and neutrality, and of enforcing norms. As a result, she fears that it may end up failing at both" (Damrosch 1993, 354–355).

This leads her to concerns that thoughtfully illuminate how peace tools have been developed, either explicitly or tacitly. She notes the value of incorporating emerging norms of intervention into treaty but believes that

> …any attempt to address the general problem of intervention in internal conflicts by purporting to codify a consensus that is necessarily still in the process of formation not only would be premature, but could even be counterproductive. Rigid formulations could retard necessary evolution and work against flexibility.

Instead, she would "favor allowing trends to continue to develop and precedents to accumulate, without any explicit move in the near term to change existing legal texts.…interpretation can accordingly be dynamic and teleological rather than static and literal" (Damrosch 1993, 358–359).

Instead of writing new law defining humanitarian intervention, Damrosch would enhance its legitimacy by treating like cases alike, and by developing case by case consensus in the Security Council, in a process that builds on each new precedent. This would be supported by improving the consultation and transparency in Security Council deliberations and by reforming Council membership so that it is more representative of member states. At the same time, she would strengthen implementation of humanitarian intervention along the same lines of those who would strengthen UN peacekeeping, i.e., by creating a standing UN force that "could enable effective responses to international conflicts where the objective circumstances call for serious treatment, but where no major power has sufficient interest to initiate action" (Damrosch 1993, 361–362).

As we have already noted, this new tool can be perceived as a second delineation of a tool that falls between third party intervention and enforcement in response to aggression across state borders. The first was peacekeeping which, in a sense, introduced a third party with defensive weapons—peacekeeping. But humanitarian intervention would seem to be much more than Chap. VI 3/4 because it is basically a means for stopping violation of human rights within states. Thus, in UN Charter terms, it is actually a tool created by grafting together Chap. VI 3/4 with the seven Charter references to human rights, which are not mentioned specifically in either Chaps. VI or VII. Vayrynen believes that the Security Council has developed new legal interpretations to meet political needs imposed by public opinion and media calling for proactive measures in response to humanitarian crises. His emphasis on the role of the media and public opinion in the emergence of humanitarian intervention is very important in that it suggests that our tool number 12, communications, is quite relevant here. It would seem quite likely that without worldwide reporting, particularly on TV, of events in Somalia, the former Yugoslavia, Rwanda, and other places, public demand that "something must be done" would not have occurred. Evidence of this is the fact that equally disturbing violations of human rights are occurring in many other places, such as the Sudan and Afghanistan, but without humanitarian intervention. This suggests that we are in need of proposals through which comprehensive knowledge of gross violations of human rights could be widely disseminated. This would be preferable to the present state of affairs in which an arbitrarily selected small set of cases are the subject of temporary media avalanches, while other equally gross violations of human rights are ignored—by the media, by the international community, and by the Security Council.

2.4 Self-Determination

In the Twentieth Century the state system has been remarkably successful in developing multilateral standards for self-determination, creating institutions for fulfilling these standards, and then implementing procedures for peaceful movement

toward self-determination—in the case of colonies of overseas empires.[2] These developments are reflected in three dramatic steps, between 1920 and 1960. First, the League of Nations Covenant signified that a dramatic change in acceptance of overseas colonies was taking place when the victorious states found it prudent not to seize outright the colonies of the defeated states. Instead fourteen territories were made League of Nation Mandates. Although seven of the victors (Australia, Belgium, France, Great Britain, Japan, New Zealand, and Union of South Africa) supervised these Mandates, they were required to report to the League and to justify their treatment of peoples in the territories. The Mandates were placed under the Council of the League, which established, and appointed members of, a Permanent Mandates Commission composed of experts in colonial administration. The Committee received annual reports from the Mandatories and received petitions from indigenous inhabitants, although they had to pass through the Mandatories. Furthermore, the Committee did not have the authority to make on-the-spot investigations of the reliability of reports. Thus, "In summary, the whole mandate system was under the shadow of the philosophy of 'White Man's Burden' and consisted primarily of colonists judging themselves and other colonists" (Chen 1979, 154).

Second, the UN Charter built upon League practice by establishing a Trusteeship Council responsible for ten Trust Territories, composed partly of states administering Trusteeships and partly of those who did not. Extending the powers of the Permanent Mandates Commission, the Council was given power to directly receive oral and written petitions, and to send visiting missions, which it did every 3 years until all Trust Territories became independent. Because the Trusteeship Council was made up of half administering states and half nonadministering states it was judged to have "a tendency to be conservative with regard to colonial problems." (Chen 1979, 15) But the Charter also significantly broadened the United Nations' concern for overseas colonies beyond that of the League, in Chap. XI: Declaration Regarding Non-Self- Governing Territories. Although only a declaration, it signified escalating unacceptance of overseas colonies by indicating that all states administrating seventy-four non-self-governing territories were obliged "to develop self-government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions In fulfillment of Article XI the General Assembly established a Committee on Information from Non-Self-governing Territories. Modeled on the Trusteeship Council it had an equal number of administering and nonadministering members, but it was not empowered to receive petitions or to visit territories.

Third, 15 years later, following the seating of sixteen new members from Africa in its historic 1960 session, the General Assembly passed a Declaration on the Granting of Independence to Colonial Countries and Peoples. This resolution passed 89 to 0, with 9 abstentions by eight colonial powers and the Dominican

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[2] This section includes extracts from Alger 1998a.

Republic. Although the United States abstained, a member of the delegation, Zelma George, an Afro-American from Cleveland, added to the drama by standing and joining the thunderous applause throughout the hall that greeted the vote. Plano and Riggs see this vote as a significant chapter in decline of the legitimacy of overseas colonies.

> It was an ideological triumph. The old order had not merely been challenged and defeated in the field—its adherents were no longer willing to be counted in its defense (Plano and Riggs 1994, 195).

In fulfillment of this Declaration, the Assembly established a Special Committee of Twenty-Four to replace the Committee on Information. Consisting of an anti-colonial majority, this committee extended all of the powers of the Trusteeship Council to all overseas colonies. Indeed, Plano and Riggs conclude: "For its terms of reference, the committee was given a blank check—a mandate to do whatever it was able to do in implementing the 1960 declaration" (Plano and Riggs 1994, 195).

This largely non-violent dissolution of overseas empires represents a significant achievement of the inter-state system and its first two experiments in global governance, the League of Nations and the United Nations. It offers an encouraging example of (1) incremental redefinition of a basic value, (2) in dialogue among an ever broader array of participants, (3) gradual development of new institutions for implementing this value, and (4) measured acceptance of a new value and new institutions by states who had power to hold out against them much longer than they did. Certainly the end of overseas colonies stands alongside the victory over slavery as an advance toward more humane governance. At the same time, it represents the most fundamental transformation in the state system in this century, although many scholars and policy makers, largely because of their immersion in the Cold War, have lacked the capacity to perceive it.

Nevertheless, when viewed from 1990s concerns for the "failure" of many of these newly independent states, this evolving drama of responsive statecraft is immersed in a larger sea of failure consisting of two key dimensions. The first has been failure of the major Western states to understand that this phase in the self-determination struggle, preceded by earlier ones, would most certainly be followed by others. After granting political independence to their arbitrary creations, they failed to take into account the broader implications of this successful self-determination struggle for the multi-nation states, and multi-state nations, that they had created, as well as for others throughout the world. Of course, most scholars joined them in this failure, as revealed by this statement in a leading international organization textbook as late as 1991: "The struggle for self-government is a revolution that has nearly run its course." (Bennett 1991, 371) The second failure was inability to perceive the importance of the institutions that had been created for shifting self-determination struggles from battlefields to the halls of parliamentary diplomacy. It now seems surprising that leading states have employed ad hoc responses to a new era of self-determination challenges instead of building upon institutions which they had created in the earlier seventy-year struggle. Some

scholars and former practitioners, admittedly with hindsight, are now advocating this approach. We will now review a number of proposals.

Halperin et al. offer a succinct justification for, and approach to, reform proposals. They advocate UN institutional reform that draws on past experience, basing their argument on three points. First, they strongly argue that "a more active self-determination policy cannot be premised… on a unilateral approach." (Halperin et al. 1992) Second, they noted that:

> Developments in the protection of minority rights, the promotion of democracy, and the law of recognition point, together with new perspectives on the law of self-determination itself, toward the evolution of a new regime of international law to govern self-determination claims (Halperin et al. 1992, 53).

Third, they conclude that "An approach that addresses self-determination claims only after a ruling government collapses or a wide-scale conflict is underway is dangerous… a better approach would be to develop a set of principles that can inform a timely response to the spectrum of self-determination claims: anti-colonial, sub-state, trans-state, those of dispersed or indigenous peoples, and representative." (Halperin et al. 1992, 72). We will present four proposed approaches to self-determination claims: (1) revive the Trusteeship Council, (2) give nations and peoples world legal status, (3) establish functional territories and (4) establish new modes of UN representation.

2.4.1 Revive the Trusteeship Council

Proposals for United Nations councils to deal with "failed state" issues obviously draw on experience in responding to the self-determination claims of overseas colonies. One proposal would give organizational recognition to the now wider self-determination agenda of the UN by transforming the UN Trusteeship Council into a clearinghouse for self-determination issues. A second proposal recognizes the intersection between self-determination issues, human rights and democracy by advocating a Council on Diversity, Representation and Governance.

Halperin et al. (1992, 113) propose transformation of the Trusteeship Council into a modern clearinghouse for self-determination, based on their judgment that "The Trusteeship Council is one of the lesser known success stories of the United Nations." This would be a forum in which self-determination movements could lodge claims, identify and understand their rights, negotiate with government authorities, establish just administration of their affairs, and peacefully work out realistic political and territorial arrangements for the future. The Trusteeship Council could work with member states to develop criteria for recognition of new states. Objectives of the Council would remain as in Article 76 of the Charter, "to further international peace and security, to promote progressive development toward self-government or independence, to encourage respect for human rights and fundamental freedoms, and to ensure equal treatment in social, economic, and commercial matters for U.N. member states and their nationals" (Halperin et al. 1992, 113).

Halperin et al. recommend also that it would be possible to create new "trust territories" that would be voluntarily placed into trusteeship by the government of a state for the purpose of resolving a self-determination claim. As provided for in the Charter, the administering authority could be "one or more states or the organization itself." (Article 81) "A trusteeship agreement would lock in the cooperation or acquiescence of the ruling government." (Halperin et al. 1992, 113) Noting that this procedure might seem to be implausible, the authors point out that, in the case of seemingly unsolvable dilemmas and bloody civil wars that imperil the existence of a government, this could be a way out. Eventually the area in question could be integrated into the original state, become an autonomous entity in that state, become independent, or become in some way affiliated with a neighboring state.

Halperin et al. also suggest that some new trust territories could be designated "strategic areas" under the Charter because of the threat of civil war. They would then fall under the direct jurisdiction of the Security Council, which could deploy forces or employ sanctions to prevent armed conflict. Halperin et al. don't underestimate difficulties. "But the current ad hoc manner in which self-determination is being addressed by the United Nations and other institutions urgently requires a more systematic process. If the international trusteeship system is not restored and modernized, some other mechanism will need to be devised" (Halperin et al. 1992, 114).

Childers and Urquhart, two former members of the UN Secretariat, also would build on the Trusteeship Council, in their broad and challenging volume, Renewing the United Nations. They offer a new "indicative title" of Council on Diversity, Representation and Governance. It is important that they position their proposal as the first of three in a "Human Rights" category. The other two would make the High Commissioner for Human Rights a Deputy Secretary General and establish an Independent Ombuds-Panel for monitoring compliance "of all major entities of the UN system with all Human rights instruments." They succinctly define the mission of their proposed Council:

> The chief recommendation concerns a set of problems arising from the weakening of the post-Westphalian nation-state, from unresolved legacies of the age of empires, and from the aspirations of cultural and ethnic groups (Childers and Urquhart 1994, 201).

This Council would have a composition and method of election similar to that for ECOSOC (fifty-four members elected by the General Assembly), but member states "should nominate experts in one or more of the disciplines involved in its mandate." (Childers and Urquhart 1994, 201) The last requirement recalls the expert composition of the Permanent Mandates Commission of the League of Nations.

Their proposal can be most succinctly presented under the two functions of the proposed Council:

Function 1: "The Council should have an exploratory and dialogue function without attempting the formulation of universal policies."

1. Accommodating cultural and ethnic aspirations.
2. Providing adequate domestic and international expression to groups hitherto treated as minorities within states but aspiring to such expression.

3. Adjusting exogenously established boundaries.
4. Offering creative options for the transition of societies from traditional central-
    ist nation-state structures.

Performance of this function would include invitation of learned papers and
dialogue with a wide range of specialists and non-governmental persons that
would come from all disciplines, and have a variety of experiences related to cul-
tural diversity, representation and governance. Its rules of procedure would facili-
tate open and congenial dialogue.

Function 2: "The Council should act as a forum of resort and petition by groups
seeking accommodation…"

1. Groups seeking help would be guaranteed, under relevant human rights instru-
    ments, that no harm would befall them for making their appeals.
2. Petitions could be referred to a relevant human rights body or to the High
    Commissioner for Human Rights.
3. In "exceptional instances where a collapsed state, by the ascertained wishes
    of its communities and their intact leadership systems, should be administered
    under a UN authority, the council would establish the guidelines, oversee the
    administration, and decide its termination." (Childers and Urquhart 1994).

The Childers and Urquhart proposal has four distinctive features. First is its
strong emphasis on a broad search for the widest possible input of information
and ideas for "peaceably accommodating cultural and ethnic aspirations" from
a "wide range of specialists and nongovernmental wise persons in all disci-
plines and experiences related to cultural diversity, representation and govern-
ance." Second is its emphasis on the importance of "dialogue in the most open
and congenial manner." Third, it explicitly links the work of the council to UN
human rights machinery. Fourth is the proposal that members of the Council,
although nominated by states, should "be experts in one or more of the disci-
plines involved in [the Council's] mandate." These features do not conflict with
the spirit of the Halperin et al. proposal. On the other hand, it must be noted that
the provision for "strategic areas" to be established under the Security Council
is not in the Childers and Urquhart proposal (Childers and Urquhart 1994,
201–202).

2.4.2 Give Nations and Peoples World Legal Status

In contrast to emphasis on wider definition of self-determination, to be imple-
mented by UN councils with wider authority, supported by enhanced capacity to
respond to early warning, Gotlieb focuses on the need of "the international legal
system" for "additional concepts and a richer vocabulary to accommodate the
national claims that cannot be expressed within existing state structures." (Gotlieb
1993, 45) He is concerned that "the international legal system lags behind the

political and social realities in many countries." In recognition of these realities, he advocates a "states plus nations" approach that would permit some external relations for nations while at the same time not undermining the integrity of existing states. He would also give formal recognition to "functional associations" that transcend state borders. These nations and functional associations would then have representation, as appropriate, in international organizations. No doubt many will perceive this approach as "unrealistic", but Gotlieb is actually trying to break through the exceedingly artificial simplicity of prevailing perceptions of the inter-state system. There is no doubt that nations are important actors in world politics-the literature on "failed states" is but one indicator. The question that must be confronted is how this reality should be recognized. At the same time, it cannot be disputed that functional associations transcend state borders throughout the world, as clearly illuminated by studies of border areas (Aykac 1994; House 1980).

Gotlieb's notion of "national home regimes" is meant to serve as "a comprehensive response to ethnic claims" while simultaneously maintaining "the integrity and the sovereignty of states" that have claims of national groups within them. It would also recognize that more than one nation can be located in a common territory, as in the case of Bosnia, and that some nations—for example, the Kurds—are divided by state boundaries. Essential would be distinction between the concepts of nationality and citizenship. Citizenship would be derived from the state and nationality derived from the nation. Thus, he could see the issuance of two sets of passports to the inhabitants of a state: national passports to the inhabitants of national-home areas and citizenship passports to the citizens of states. Inhabitants of different nations could carry the same citizenship passport. And a common national passport could be issued to persons of different citizenship. Unfortunately, Gotlieb does not describe the exact uses, nor give us examples of the uses of these different passports. Although administration of this system might be complicated, there is no reason to believe that citizens and nationals could not cope with their dual status. Most already do this, as they play a variety of roles in their daily lives: within their state, within their nation (sometimes across state borders) and in their inter-nation relations within their state. Multinational marriages, unions and business relations confirm this. Fifty-three years ago Harold Guetzkow offered scholarly insight to this kind of widespread phenomena in his still valuable study: Multiple Loyalties: Theoretical Approach to a Problem in International Organization (1955).

Gotlieb proposes that "the international legal community can be broadened beyond states and international organizations… Nations and peoples that have no state of their own can be recognized as such and endowed with an international legal status." (Gotlieb 1993, 39) Those that are politically organized would be given the right to be a party to treaties and to take part in international organizations. He believes that this could be done without challenging the sovereignty of the states in which these nations and peoples are located. Thus, "peoples organized on a nonterritorial basis" would have a status "similar to that of states, albeit limited to nonterritorial concerns." (39) Building on existing procedures for Observer Missions at the UN, these "new forms of participation" could be offered a status of "Associated People of the United Nations." Members could negotiate roles within

the UN which might include the right to address selected UN organs (without a vote) and to display symbols of nationality, such as flags. Gotlieb believes that "this can happen in a manner that, far from threatening the integrity of the states from which they hail, could reinforce their cohesion by providing a coveted outlet for the expression of national sentiments" (40).

2.4.3 Functional Territories

Gotlieb would further diversify the world system by establishing functional associations of peoples side by side with associations of states:

> A functional approach involves the demarcation of different layers of lines for different purposes. …lines drawn for security purposes need not coincide with other lines drawn for other purposes. The functional approach …encourages the redistribution of competence in land use matters to the local level in order to reduce their contentiousness at the level at which national sensibilities are the most acute (Gotlieb 1993, 46–47).

Gotlieb believes that creative solutions to territorial disputes can be achieved by extending concepts used in domestic territorial disputes to problems transcending state boundaries. Domestically title to territory often involves a bundle of rights in the land rather than ownership of the land. Thus, in cities owners of land can be constrained by regulations on density, residential and commercial use, architectural features, the height of buildings, maintenance of properties of historical interest. The need for specific kinds of regulations often transcends the boundaries of towns and cities. In response special agencies have been created such as historical districts, airport authorities, port authorities, bridge authorities, and park authorities. Gotlieb admits that similar kinds of special regimes transcend state borders but it is his concern that "the basic notions of territorial sovereignty continue to invite settlement of territorial disputes in terms of simple boundary lines" (Gotlieb 1993, 46).

Useful in illuminating not only possibilities, but actual experience with functional associations is Aygen Aykac's Analysis of Transborder Cooperation Structures in Western Europe. He informs us that there are over 30 transborder structures linking local and regional authorities in Western Europe. They are involved in an array of issues, such as tourism, education, regional policy and planning, communications and transport. One group is Working Communities that involve transborder cooperation based on a common historical and cultural past, as well as common economic and communications problems. They have a general assembly, executive committee, committees, and general secretariat. Delegations are composed of elected regional and local representatives. Examples include a Working Community of the Central Alpine Region (ARGELAP), piercing borders of Germany, Italy, Switzerland and Austria, and a Working Community of the Western Alpine Region (COTRAO) cutting across borders of Italy, France and Switzerland. Of special interest with respect to "failed states" is the Alpen-Adria Working Community, founded in 1978, that includes not only regions in Italy and Austria, but also Slovenia and Croatia (Aykac 1994, 1–14).

From one perspective, Gotlieb's contribution lies in his focus on an alternative, or complementary, approach to the UN Council approach that would centralize efforts to anticipate self-determination disputes and resolve them peacefully. His approach would find a new status for nations and functional associations through which they might directly participate in UN bodies. The insight that he contributes is based on the recognition that the realities of political organization are far more complicated than the artificially simplistic state-centered view of world politics. His proposals are based on the assumption that direct representation of nations and functional associations would often diminish the need for conflict resolution in UN Councils. Of course, this would not totally eliminate the need for these Councils. At times, Gotlieb's ideas could also offer Councils another approach to preventing disruptive violence.

2.4.4 New Modes of UN Representation

Gotlieb's proposals provoke speculation on possible forms of representation of nations in the UN reach even beyond his proposals. One possibility would be to give nations representation in state delegations to the UN General Assembly and the assemblies of the specialized agencies. This could, however, violate Gotlieb's desire not to threaten the integrity of the state. On the other hand, it would in some ways be similar to the tripartite mode of representation in the International Labor Organization, in which each member state has representatives from the state government, labor and business. A second possibility would be to admit nations to participation in specific issues and/or specific organizations in the UN system. For example, a persuasive case could be made for admitting nations to UNESCO deliberations on preservation of cultures and efforts to promote cross-cultural dialogue. A third option would be to have a second assembly of the General Assembly, and possibly of some of the specialized agencies, composed of nations, and perhaps also certain transnational functional associations. Over the years there have been numerous proposals for a second United Nations assembly, including ones composed of NGOs, of national legislators and of directly elected representatives. There have been several recent proposals, including the Childers and Urquhart proposal for a UN Parliamentary Assembly directly elected by universal adult franchise (1994, 171–181). But such an assembly, elected by a constituency of 6 billion people would not satisfy the desire of nations for representation. The role of an Assembly of Nations could be limited to certain issues. And, like a number of other second assembly proposals, it could initially be limited to an advisory role.

2.5 Preventive Diplomacy

There is widespread commentary declaring that one of the prime failures in world politics has been the tendency of states and inter-state organizations to respond to crises rather than to anticipate and work to prevent them. The growing number

of proposals for overcoming this failure are now increasingly called "preventive diplomacy." These proposals illuminate the fact that the institutions of multilateral diplomacy have created potential for monitoring world conditions, anticipating crises, and responding before they erupt into chaos and violence that has only been faintly developed. We believe that "prevention" deserves the status of a separate tool. In his Agenda for Peace, Boutros-Ghali (1995, 46–51) defines preventive diplomacy as "action to prevent disputes from arising between parties, to prevent existing disputes from escalating into conflicts and to limit the spread of the latter when they occur." Michael S. Lund (1996, 37) defines it as "action taken in vulnerable places and times to avoid the threat or use of armed force and related forms of coercion by states or groups to settle the political disputes that can arise from the destabilizing effects of economic, social, political, and international change." For Boutros-Ghali preventive diplomacy requires three elements: measures to create confidence, early warning based on information gathering, and informal or formal fact-finding. "It may also involve preventive deployment and, in some situations, demilitarized zones."

Kittani (1995) reports that Boutros-Ghali presided over major innovations for institutionalizing preventive diplomacy in the UN Secretariat. They include the creation of regional desks within the Department of Political Affairs (DPA) charged with responsibility of monitoring developments around the world, creation of Task Forces on peace operations, and interdepartmental working groups. But after drawing attention to these improvements, Kumar Rupesinghe nevertheless concludes that there are "severe constraints that hinder the United Nations' attempts to advance preventive diplomacy." These include inadequate Secretariat staff, lack of long-term commitment of professionals willing to undertake good office missions, inadequate financial resources for missions, and lack of political will on the part of Security Council members (Rupesinghe 1998, 164–165). It is indeed puzzling to compare the vast resources, effort and number of people that the more powerful members of the Council invest in unilateral efforts to collect information, plan and prepare for future contingencies, with the scant personnel, financial support and effort which these states direct towards UN efforts. Is there a more blatant failure to apply learning than that demonstrated by the failure of the Security Council to develop capacity for consistently employing preventive diplomacy?

The challenges confronted in recent UN response to disputes within states, and celebration of the Fiftieth anniversary of the United Nations, have produced a great number of preventive diplomacy proposals. Many of these proposals underline the degree to which the United Nations has been woefully unprepared to cope with new challenges thrust upon it in places such as Somalia, Cambodia, and Yugoslavia. Furthermore, as these demands on the UN have unfolded, it has been unable to build new capacity to cope with them because it has at the same time been experiencing requirements that personnel be cut and that budgets remain stable We shall first briefly present an array of proposals for fact finding and early warning, and a proposal for an International Monitoring Agency. We will then turn to proposals for strengthening the capacity of the UN to respond through mediation and dispute resolution, and enticements for demilitarization.

Not surprisingly, fact finding and early warning are emphasized by many practitioners and scholars. Some note the importance of information collected by the Secretary General in his contacts with governments, and with others, and his power to dispatch special envoys. (Boutros-Ghali 1995, 47–48) The Commission on Global Governance welcomes the greater freedom the Secretary General now has to dispatch missions, but is concerned that he does not have the resources for doing the job. (Commission on Global Governance 1995, 99) But there is increasing recognition that the kind of fact finding that is needed for competent early warning would have to draw systematically on the information resources of the entire UN system.

Boutros-Ghali has drawn attention to the valuable UN networks of information on environment, clear accident, natural disasters, mass movement of populations, threat of famine and threat of ease. He underlines the need to synthesize these sources with political indicators, to assess its to peace that they suggest, and to analyze action that might be taken. (Boutros-Ghali 1995, 48–49) The Independent Working Group proposes the creation of an Early Warning and eat Assessment section in the Secretary General's office. Noting the capacity of the Secretariat to collect and process data from public sources, they assert its need to "access first-d reports of internal conflicts and economic, social and humanitarian crises from governments, field representatives of UN agencies, specialized agencies and non-state actors." Particular note is taken of the need for early warning of growing tensions among ethnic groups, k significant aspect of this recommendation is that members of the Early Warning and Threat Assessment section would be seconded from UN functional agencies (Independent Working Group 1995, 17–18).

Complementary to this proposal is one by Robert Johansen for a UN International Monitoring Agency that would integrate diverse monitoring activities. Its monitoring tools would include high- altitude aircraft and satellites. In addition to monitoring arms agreements, it could monitor clandestine tests of missiles or warheads, cease-fire lines, economic sanctions, illegal shipments of technology and arms and covert operations to manipulate elections. Of course, early warning would be of little value without the capacity to quickly respond. Toward this end, Johansen suggests that the Security Council authorize the Secretary-General to employ more roving ambassadors to meet with those involved in festering conflicts. He would also establish standing conflict-resolution committees in each major region. These efforts would be supported by a UN Institute for Mediation and Dispute Resolution, "emphasizing early efforts at conflict resolution" that would mediate conflicts, and provide seasoned expertise to conflict resolution committees in each world region. An example of long range application of early timing information would be Johansen's recommendation that UN economic agencies be employed in providing economic benefits for violence prone societies in return for their willingness to lower military expenditures and demilitarize their societies (Johansen 1998, 102–1104).

There are also proposals for engaging NGOs more deeply in preventive action, as exemplified by Rupesinghe's proposal for the mobilization of peace constituencies within countries for designing early preventive action. This would include

forums of eminent persons d round table seminars involving NGOs, international organizations and states. (Rupesinghe 1998, 173) He would build effective NGO coalitions that focus on the non-military aspects of re-conflict peace building, early warning and prevention. (Rupesinghe 1998, 171) Two other examples illuminate searching efforts to more explicitly define future NGO institutions out of emerging NGO activity. Boulding and Oberg propose that peace researchers train both civilian and military practitioners in mediation, negotiation and conflict resolution. (Boulding and Oberg 1988, 150) A very far reaching proposal is Kumar's advocacy of a Global Coalition for War Prevention, including the United Nations, regional organizations, states, and popular movements, with NGOs as *catalysts* (Rupesinghe 1998, 179–180).

There are a plethora of recommendations for making more adequate military forces available in a timely fashion. Building on efforts to acquire early warning, Boutros-Ghali has recommended preventive deployment of forces "in conditions of national crisis… at the request of the Government or all parties concerned, or with their consent" (Boutros-Ghali 1995, 49–51). He notes a number of ways in which preventive deployment might alleviate suffering and limit or control violence. This could include humanitarian assistance, maintenance of security through military, police or civilian personnel and assistance in conciliation efforts. He would see the possibility of involvement of various agencies in the UN system and of non-governmental organizations.

NGOs have become increasingly involved in areas of intense conflict, particularly in humanitarian relief. As NGO involvement has reached beyond humanitarian relief, there are now numerous proposals that NGO involvement in these areas should be extended and more explicitly defined. For example, the Commission on Global Governance asserts that "The world community should recognize the important role—beyond humanitarian relief—that NGOs can play in situations of conflict", and that they should be given "access to conflict areas…" (1995, 100). One theme in definition of this larger role is for a larger and more explicit role for NGOs in conflict monitoring and early warning. After noting that there are "things NGOs… can do that the United Nations and its governments cannot do," Elise Boulding and Jan Oberg note that "conflict monitoring is an important contribution NGOs can make", through humanitarian agencies, conflict analysts, and local grass-roots peace-oriented groups. (Boulding and Oberg 1998, 147) The Commission on Global Governance (1995, 98) not only advocates an improved UN early warning system but also supports proposals "for an NGO Early Warning Service, in which the United Nations would work with relevant NGOs to develop early-warning consultative and operational mechanisms. In a complementary vein, Rupesinghe would integrate preventive action undertaken by the NGO community with preventive diplomacy of "states and state agencies." Noting that increasing involvement of the NGO community in humanitarian relief and post-conflict peace-building has brought states and NGO into "very close contact," he concludes: "What is missing, however, is a serous evaluation of the role of NGOs in conflict prevention" (Rupesinghe 1998, 172).

In response to input from conflict monitoring, Boulding and Oberg also recommend the development of NGO Rapid Response Teams of up to 100 persons

that would work with local groups in dampening escalating conflicts. This would be based on the development of an NGO coalition that would establish a coordinating body for training and deployment of peace teams. But they are careful to emphasize that this should not be done without efforts to train local people, and that outside trainers should not replace local peace makers (Boulding and Oberg 1998, 147–148).

2.6 Conclusion

We have reviewed four peace tools toward the end of obtaining a better understanding of their emergence and development. Two might be called "old tools". Self-determination was placed, but only as a Declaration, in the UN charter. Peacekeeping was invented in the UN "laboratory" in the 1950s. Both have been very successfully applied. Peacekeeping has provided a very useful tool that falls between Chaps. VI and VII. In practice it has developed a number of roles beyond patrolling cease-fire zones, including observation of elections, temporary administering of government ministries, repatriating refugees and fielding committees of reconciliation. Notable is the growth of civilian participation in peacekeeping operations. Self-determination was applied with great success in the largely nonviolent granting of independence to components of overseas empires. Beginning with the embryonic Permanent Mandates Commission of the League of Nations, successive councils and committees were created to carry out this function. But, surprisingly in retrospect, these procedures were not adapted for employment in more recent demands for self-determination—primarily by sub-units of states created by colonial powers. Proposals for reviving use of these institutions and procedures are largely coming from scholars, and former officials.

We have also examined two "new tools, humanitarian intervention and preventive diplomacy. Humanitarian intervention has risen substantially under the growing influence of another peace tool—human rights. This has involved a remarkable diminution of the scope of the "domestic jurisdiction" clause of the UN Charter. Preventive diplomacy is very much in the proposal stage. This judgment does not, of course, deny that the members of the UN Secretariat, state officials, and others, frequently work to prevent violence and other kinds of crises. But we mean by preventive diplomacy the development of strong institutions for sustained multilateral action. Here there has been only slight achievement, largely because of financial constraints, personnel limitations and lack of support for sustained multilateral action by the most powerful members of the Security Council. But potential is clearly delineated by numerous proposals coming from scholars, former officials, and also from the UN Secretariat.

Overall we have encountered a remarkable capacity to learn from experience and develop institutions and procedures responsive to that experience. This is particularly so in the case of peacekeeping, and in the application of self determination to overseas colonies. Overall we have encountered an impressive tendency to extend civilian roles and procedures that would serve as alternatives to military

roles. Disappointing, however, is the difficulty encountered in applying creative social inventions in preventive strategies. Limited personnel and resources, and limited support from powerful states still too often lead to ad hoc responses, rather than application of preventive measures.

Impressive has been evidence of the growing influence of human rights standards, as reflected by issues confronted in peacekeeping, self-determination, humanitarian intervention, and preventive diplomacy. Notable is the assertion that humanitarian intervention has been propelled by human rights violations perceived by the media and public opinion. On the other hand, we have noted that many equally brutal violations tend to go unnoticed. This suggests that proposed early warning and fact finding proposals should be accompanied by proposals for wide dissemination of their results. If the media and public opinion are to play a role, an effort should be made to provide, and disseminate, reliable information that gives equal attention to all systematic abuses of human rights.

Significant has been the growing involvement of organizations of civil society in the quest for peace, as well as the wide range of proposals for extending their participation. At times it has been frankly admitted by those advancing proposals that they are attempting to fill gaps created by UN institutions with limited personnel and budgets. These proposals, and the reasons that foster them, create a fundamental challenge to choices being made in evolving procedures and institutions for emerging global governance. When should extensive new roles for organizations of civil society be encouraged and supported? What criteria should be employed in making these decisions? To what degree should emphasis be placed on means for raising additional financial resources for the UN system, so it can more ably carry out some of these functions?

As we ponder participation of actors other than states in emerging global governance, Gotlieb challenges us to think beyond civil society, with his proposals for new "legal actors". His proposals for giving a legal role in world politics to nations and functional territories that transcend state borders are a creative challenge to simplistic notions of sovereignty. Nations and certain functional territories are actors in world politics, as well as the states in which those who also identify with nations and functional units reside. Why not recognize this fact, and admit their direct participation in the organizations in the UN system, and in other external relations, in ways that constructively complement the activities of states?

In conclusion, we have learned the twentieth century will be recognized as one in which our array of peace tools has been creatively extended. There are an increasingly impressive number of alternatives to violence in coping with problems that transcend state borders. In addition, a remarkable number of scholars and former practitioners are advancing numerous creative proposals based on their perception of additional potential for strengthening our quest for peace. As a result, the gap of what we know, and what we are able to apply is, unfortunately growing. This should definitely not be cause for pessimism. But it should heighten our determination to acquire deeper understanding of how knowledge can be more rapidly applied in action.

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