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**ZEF Bonn**  
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Simon Reich

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and Moral Entrepreneurs**

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The **CENTER FOR DEVELOPMENT RESEARCH (ZEF)** was established in 1995 as an international, interdisciplinary research institute at the University of Bonn. Research and teaching at ZEF aims to contribute to resolving political, economic and ecological development problems. ZEF closely cooperates with national and international partners in research and development organizations. For information, see: <http://www.zef.de>.

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## 1 Introduction: Two Purposes of this Paper

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This paper constitutes a component of a larger research project. The larger project attempts to address two issues in international relations—one substantive and theoretical, the second epistemological and ontological.<sup>1</sup>

The first issue, which will be the focus of this paper, considers the puzzle of variance in the successful application of global norms.<sup>2</sup> It seeks to explain the conditions under which global norms become part of the agenda of global governance and thus consequential to the actions of state and non-state actors alike.<sup>3</sup> In that sense, the paper focuses on the critical factors that explain variance in the adoption of norms onto the agenda of global governance, their widespread acceptance as legitimate, and their enforcement. I outline three explanatory variables and, according to their configuration, eight possible combinations.<sup>4</sup>

The second aspect of this project attempts to apply some of the theoretical aspects of the project to the case of the development of the norm of ‘preventative intervention’ in intrastate conflicts. In doing so I seek to understand both how, and the extent to which, the concept has evolved during the course of the last decade. Specifically, to what degree has the idea of preventative intervention become widely discussed and part of the policy agenda, and to what degree and how is it implemented?

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<sup>1</sup> For a discussion of these larger issues see Simon Reich, ‘Power, Institutions and Moral Entrepreneurs: When Do Norms Matter in the Context of Global Governance?’ Paper delivered at the Annual Meeting of the International Studies Association Annual Meeting’, New Orleans, March 6, 2002.

<sup>2</sup> Talcott Parsons defined norms as “generalized formulations — more or less explicit — of expectations of proper action by differentiated units in relatively specific situations”. Parsons is quoted in Charles W. Kegley Jr. and Gregory A. Raymond, *When Trust Breaks Down: Alliance Norms in World Politics*, (Columbia, SC: University of South Carolina Press, 1990) p. 14. Furthermore, Jepperson, Wendt and Katzenstein suggest that “Norms are collective expectations about proper behavior for a given identity” in Peter J. Katzenstein (ed.), *The Culture of National Security: Norms and Identity in World Politics* (NY: Columbia University Press, 1996), p. 54. In the same book Martha Finnemore maintains that norms “create permissive conditions for action” if not determinative of behavior, providing a standard against which policies are measured and behavior adjudged. See her chapter entitled ‘Constructing Norms of Human Intervention’ in *ibid.*, p. 158.

<sup>3</sup> O’Brien et. al. note that “Governance, according to the Commission on Global Governance, is the sum of the many ways that individuals and institutions, public and private, manage their common affairs. Since world politics is characterized by governance without government, the process of governance encompasses a broad range of actors. In addition to the public (interstate) economic organizations such as the IMF, World Bank and WTO, states retain a key decision-making role. Indeed, most of the international relations literature that deal with regimes view states as the only significant actor. Large scale private enterprises or multinational corporations also participate in governance by attempting to influence the activity of international organizations and states. In some cases private enterprises have created their own systems of regulation and governance.” See Robert O’Brien, Anne Marie Goetz, Jan Aarte Scholte and Marc Williams, *Contesting Global Governance: Multilateral Economic Institutions and Global Social Movements* (New York, NY, USA: Cambridge University Press, 2000) p. 2. See also The Commission on Global Governance, *Our Global Neighborhood: The Report of the Commission on Global Governance* (Oxford: Oxford University Press, 1995), especially pp. 2-7.

<sup>4</sup> Although, as I shall demonstrate below, some of these combinations are duplicated, reducing the actual outcomes.

## 2 The Substantive Puzzle

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The 1990s constituted a decade in which there was a hitherto unseen escalation in the propensity for intra-state war. Indeed, while some American commentators wistfully claimed that the end of the Cold War marked the demise of violent conflict, others forecast that the abandonment of a highly structured bipolar system would lead to a variety of ethnic conflicts.<sup>5</sup> Sadly, the less sanguine assessment proved to be more accurate. The overwhelming trend towards the renewal of ethnic conflicts engaged the United Nations in a greater number of peacekeeping operations than ever before in its history. Thirteen UN operations between 1948 and 1988 were subsequently exceeded in number, dwarfed in the size of troop commitments and costs, and far greater in terms of the variety of functions performed by peacekeepers, in the 1990s.<sup>6</sup> Indeed, by the mid-1990s alone, the number of UN troops committed had grown from 9,700 in 1988 to 73,000 in 17 missions, and an additional 21,000 were employed in a UN-endorsed but US-led multinational force in Haiti.<sup>7</sup>

The multiplicity, scope and breadth of cases of intra-state war across Europe and Africa raised a whole set of new issues for a new UN Secretary-General, Kofi Annan. His personal mandate — oft repeated in UN publications—was that the UN had to move from a ‘culture of reaction’ to one of ‘prevention’. He had repeatedly argued that inaction in the face of the threat to large numbers of civilians was morally indefensible.<sup>8</sup> Once in office, stimulated in large part by the perception that the West was relatively indifferent to the Rwandan genocide, Annan has consistently sought to move the organization towards measures designed to prevent such catastrophes.

Yet the norm of peacekeeping is by its very nature reactive and likely (based on evidence) to lead to slow and limited action only after the advent of a humanitarian crisis that, in the context of intra-state wars, may include (but not be limited to) the extensive loss of human life, systematic rape, displacement of the expulsion of populations, and widespread starvation. Such new complexities led critics to assert, by the middle of the 1990s, that the UN had lost its direction regarding peacekeeping and intervention in civil wars.<sup>9</sup>

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<sup>5</sup> For contrasting perspectives see the now-familiar Francis Fukuyama, *The End of History and the Last Man* (NY: Free Press, 1992) and John Mearsheimer, ‘Back to the Future: Instability in Europe After the Cold War’, *International Security*, Vol. 15, No. 4, Summer 1990, pp. 5-56.

<sup>6</sup> Mats Berdahl, ‘Whither UN Peacekeeping? An Analysis of the Changing Military Requirements of UN Peacekeeping with Proposals for Its Advancement’, Adelphi Paper 281, (London: International Institute for Security Studies), p. 3.

<sup>7</sup> Donald C.F. Daniel and Bradd C. Hayes (with Chantal de Jonge Oudraat), *Coercive Inducement and the Containment of International Crises* (Washington, DC: USIP, 1999), p. 10.

<sup>8</sup> *Ibid.*, p. 15.

<sup>9</sup> See Stephen John Stedman, ‘UN Intervention in Civil Wars: Imperatives of Choice and Strategy’, in Donald C.F. Daniel and Bradd C. Hayes, *Beyond Traditional Peacekeeping* (London: MacMillan, 1995), p. 40.

By extension, the logical question such accusations raised, therefore, is what is the norm (if any) that could either supplement or supplant the principles that under gird those of peacekeeping? What form could a new norm take consistent with the principle of a culture of prevention and under what conditions can (or could) it be implemented as policy? The successful development of a norm of preventative intervention has obvious and widespread implications for those potential victims most subject to danger. Yet, without years of reinforcement, the meaning and application of a norm is subject to manipulation (and always reinterpretation). The fledgling meaning of this norm is therefore precarious at best—as this paper will demonstrate.

Ultimately, examining this case raises a broader question: If we accept that the articulation, consolidation and application of global norms is essential to the development of global governance, why do some generally get accepted and enforced, while others never get on the agenda or are generally accepted in principle but simply not enforced?

### 3 Three Alternative Perspectives on Global Norms and Global Governance

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The Realist, Neo-liberal and Constructivist ontologies, epistemologies, assumptions and theories have been chronicled at length. So have their positions regarding the significance of global governance. Only a brief recapitulation is required here.

Realists would, argue for a narrow definition of the role of global governance. It is, at best, ephemeral to the processes of decision-making, heavily conditioned by the familiar theme of the need to assure state interest by maximizing power (or as a surrogate prestige).<sup>10</sup> Material power is the key explanatory variable in explaining behavior within the membership of international organizations.<sup>11</sup>

Neo-liberal institutionalism shares realism's rationalist base. It focuses on the role of material interest in the context of the institutions themselves as the central component of global governance. Global governance, often defined by neo-liberals more broadly in terms of regimes, is part of a research agenda that attempts to demonstrate that cooperation in addressing collective action problems is possible, even assuming an anarchical structure.<sup>12</sup> Actors are generally motivated, in the context of institutions, by self-interest—institutions here affecting uncertainty through reduced transaction costs and increased information flows.<sup>13</sup> Institutions can be formal or informal, enforce rules or rely on conventions, be created or evolve. They signify what is impermissible and the conditions under which certain actions are permitted, specifying the costliness of violation and severity of punishment.<sup>14</sup> Institutions relate to global governance because neo-liberalism aligns global institutions with the concept of regimes. Norms are part of the definition of regimes, a component along with principles, rules, and decision-making procedures, although how norms are operationally distinct from principles and decision-making

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<sup>10</sup> See Peter Katzenstein's discussion regarding constructivism and rationalism in the introduction entitled 'Introduction: Alternative Perspectives on National Security' to his edited book, *The Culture of National Security: Norms and Identity in World Politics* (NY: Columbia University Press, 1996). In this regard, Katzenstein notes the work of Stephen M. Walt, 'The Renaissance of Security Studies', *International Studies Quarterly*, 35, no. 2, (June 1991), pp. 211-239.

<sup>11</sup> Such views are epitomized in Stephen Krasner's noted analysis of regime theory in the *International Regimes* edited volume. See Stephen Krasner (ed.), 'Regimes and the Limits of Realism: Regimes as Autonomous Variables', in *International Regimes* (Ithaca, NY: Cornell University Press, 1983), especially pp. 355-358.

<sup>12</sup> There is an extensive literature on this issue. But see, for examples, Robert Keohane, *After Hegemony. Cooperation and Discord in the World Political Economy* (Princeton NJ: Princeton University Press 1984); Lisa L. Martin and Beth Simmons, 'Theories and Empirical Studies of International Institutions' *International Organization* 52 (4) 1998, pp. 729-757; Kenneth Oye, (ed.), *Cooperation under Anarchy* (Princeton, NJ: Princeton University Press 1986).

<sup>13</sup> Keohane, *After Hegemony*, op. cit.; Douglass C. North, *Institutions, Institutional Change, and Economic Performance*, (NY: Cambridge University Press, 1990) eg., p. 28. Constructivists challenge the notion that international organizations (defined as institutions) are efficient in the way conceptualized by neo-liberals. Rather, IOs develop pathologies and contribute autonomously to social learning. As Michael Barnett and Martha Finnemore suggest, "Because the neorealist and neoliberal arguments we engage have focused on intergovernmental organizations rather than nongovernmental ones, and because Weberian arguments from which we draw deal primarily with public bureaucracy, we too focus on intergovernmental organizations in this article and use the term international organizations in that way." See Barnett and Finnemore, 'The Politics, Power and Pathologies of International Organizations,' *International Organization* 53 (Autumn 1999), pp. 699-732 (the quotation is from footnote 3, p. 700).

<sup>14</sup> North, op. cit., p. 4.

procedures from rules remains unclear.<sup>15</sup> Collectively, suggests Oran Young, regimes are the central constituent units of global governance. According to Young,

*International regimes are institutional arrangements whose members are states and whose operations center on issues arising in international society. Transnational regimes, by contrast, are institutional arrangements whose members are nonstate actors and whose operations are pertinent to issues that arise in global civil society.....Global governance refers to the combined effects of international and transnational regimes.”<sup>16</sup>*

Whether applied to the preferences of states or non-state actors, it is regimes as institutions that most heavily influence preferences and thus provide the central rubric of global governance.

Where constructivism has devoted attention to global governance, the focus has predominantly been on the role of non-state actors in defining the agenda and interests of international organizations. In Martha Finnemore’s solely authored work she focuses on idea of the endogenous sourcing of preferences.<sup>17</sup> In her co-authored work with Katherine Sikkink, they suggest that the domestic or sociological roots of norms “are deeply entwined with the workings of international norms” as part of a two-level game.<sup>18</sup> In that sense, international institutions serve as organizational platforms through which norms are promoted, along with NGOs and larger transnational advocacy networks. As Finnemore and Sikkink state:

*Sometimes these platforms are constructed specifically for the purpose of promoting the norm, as are many nongovernmental organizations (NGOs) (such as Greenpeace, the Red Cross, and Transafrica) and the larger transnational advocacy networks which these NGOs become a part (such as those promoting human rights, environmental norms, and the ban on land mines or those that opposed apartheid in South Africa).<sup>19</sup>*

As conduits, international organizations play a crucial role in diffusing norms. For example:

*The structure of the World Bank has been amply documented to effect the kinds of development norms promulgated from that institution; its organizational structure, the professions from which it recruits, and its relationship with member states and private finance all filter the kinds of norms emerging from it. The UN, similarly, has distinctive structural features that influence the kinds of norms it promulgates about such matters as decolonization, sovereignty, and humanitarian relief.<sup>20</sup>*

Professionals, with legitimacy born of their expertise and access to information, influence the behavior of other actors, including states. Those within international organizations such as the World Bank or IMF have the benefit of the possibility of coercive leverage over states, while

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<sup>15</sup> Stephen Krasner, ‘Structural Causes and Regime Consequences: Regimes as Intervening Variables’, op. cit. p. 1.

<sup>16</sup> Oran R. Young, *Governance in World Affairs* (Ithaca, NY: Cornell University Press, 1999), p. 11.

<sup>17</sup> Martha Finnemore’s seminal work on this subject includes her book, *National Interests in International Society*, (Ithaca, NY: Cornell University Press, 1996). op. cit., p. 9 and p. 17.

<sup>18</sup> Martha Finnemore and Katherine Sikkink, ‘International Norm Dynamics and Political Change’ in *International Organization at Fifty: Exploration and Contestation in the Study of World Politics*, *International Organization*, Volume 52, Number 4, Autumn 1998, p. 893.

<sup>19</sup> Finnemore and Sikkink, op. cit., p. 899.

<sup>20</sup> Ibid.

networks of NGOs and IGOs generally do not. Still, they collectively comprise what constructivists regard as 'global governance'.<sup>21</sup>

IOs are agents linking to international society, not simply to be treated as structure. Their roles challenge a statist ontology, claim Barnett and Finnemore. They are not simply functional but can, in fact, be dysfunctional. Barnett and Finnemore therefore contend that

*Neo-liberal-institutionalists actually disadvantage themselves in their argument with realists by looking at only one facet of IO power. Global organizations do more than just facilitate cooperation by helping states to overcome market failures, collective action dilemmas and problems associated with interdependent social choice. They also create actors, specify responsibilities and authority among them, and define the work these actors should do, giving it meaning and normative value. Even when they lack material resources, IOs exercise power as they constitute and construct the social world.*<sup>22</sup>

These three approaches thus offer distinct perspectives on global governance. They contrast on their definitions and importance of global governance as marginal or central to explanations of behavior; on the importance of social and material power as the primary catalysts for behavior; on whether preferences are exogenously or endogenously determined; and of the relative importance of structure and agency in determining the behavior of state and non-state actors in the context of global governance. What is clear is that the areas of agreement are, superficially, far fewer than those of disagreement. What is less clear is if and how material and social sources of power can be reconciled within the context of one form of analysis.

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<sup>21</sup> For a representation of this perspective see O'Brien et. al., op. cit.

<sup>22</sup> Barnett and Finnemore, op. cit., p. 700.

## 4 Reconciling Material Power and Social Power

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In a forthcoming book chapter, Thomas Risse argues in favor of a complementary synthesis between constructivism on the one hand, and realism and neo-liberalism on the other.<sup>23</sup> This important piece discusses the foundations, research questions and disputes among constructivists. What he understates is the sharp distinction between rationalism's focus on material power and constructivism's focus on discourse, identity, norms—and therefore social forms of power.<sup>24</sup>

Constructivists have argued that norms shape identity and interests, as well as behavior.<sup>25</sup>

*Yet, if norms are not simply derivative of material interests (here characterized as 'power'), then what is the relationship between the two—between material and (norms as reflective of) social power?*

Much of the constructivist literature derives and employs concepts developed in the work of Headley Bull and what latterly became known as the English School. Bull did consciously link the importance of power and norms (in a way generally ignored by current constructivists).<sup>26</sup> As Katzenstein states, "From this [Bull's] perspective the international system is a 'society' in which states, as a condition of their participation in the system, adhere to shared norms and rules in a variety of issue areas. Material power matters, but within a framework of normative expectations embedded in public and customary international law."<sup>27</sup>

Yet the constructivist approach, while claiming to recognize the continued relevance of power, generally avoids discussing its relationship to identity.<sup>28</sup> Constructivists largely ignore, whether for epistemological or normative reasons, the relationship between power and the formation of norms.<sup>29</sup>

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<sup>23</sup> Thomas Risse, 'Constructivism and International Institutions: Toward Conversations Across Paradigms', Prepared for Ira Katznelson/Helen Milner (eds.), *Political Science as Discipline? Reconsidering Power, Choice, and the State at Century's End*, Forthcoming, Risse, op. cit., p. 9. Finnemore also argues that rationalism and constructivism are complementary, because of constructivism's focus on the shaping of interests. Finnemore, op. cit., p. 27.

<sup>24</sup> Finnemore notes this distinction, claiming that materialist explanations have limited utility, but doesn't theoretically extensively develop the relationship between these two forms of power in her subsequent analysis. Finnemore, op. cit., pp. 6-8.

<sup>25</sup> For a discussion see Emanuel Adler, 'Arms Control, Disarmament, and National Security: A Thirty Year Retrospective and a New Set of Anticipations', *Daedalus* 120, no.1 (Winter 1991), pp. 1-20. For examples see Audie Klotz, *Norms in International Relations: The Struggle Against Apartheid* (Ithaca, NY: Cornell University Press, 1995); and Nina Tannenwald, 'The Nuclear Taboo: The United States and the Normative Basis of Nuclear Non-Use', *International Organization*, Volume 53, No. 3, 1999, pp. 433-468.

<sup>26</sup> See Headley Bull, *The Anarchical Society: A Study of Order in World Politics* (NY: Columbia University Press, 1977). The English School is discussed more extensively in Finnemore, op. cit., pp. 17-22.

<sup>27</sup> Katzenstein, op. cit., p. 45.

<sup>28</sup> One debatable counterexample to this claim may be found in the work of Alastair Iain Johnston. See, for example, his article entitled "Treating International Institutions as Social Environments", *International Studies Quarterly*, Volume 45, no. 4 (2001), pp. 487-515.

<sup>29</sup> A realist initiative that attempts to link power to identity is found in the forthcoming book by Henry Nau entitled *At Home Abroad: Identity and Power in American Foreign Policy* (Ithaca, NY: Cornell University Press, Forthcoming 2002).

Why they do so is unclear. Perhaps constructivists believe that any focus on a material conception of power cannot be sociological in its origins, and thus remains outside their rubric of study? This is not, I argue, necessarily true. The link between the sociological roots of US foreign policy and the formation and implementation of global norms, between material and social elements of power, are of enormous relevance to the viability of global governance. Realists may have been correct in arguing that the US was instrumental in the formation of regimes, and neo-liberals may have been correct in asserting that institutions play a profound role in influencing the behavior of members of a regime. Yet constructivists may still have a case in asserting that norms remain influential in determining the behavior of actors. Constructivists clearly conflate the meaning of institutions and norms by defining the former as part of the latter. But if we retain a distinction between power, formal institutions and norms, the question is, how do all three components fit together?

### 5 So What to Study? Moral Entrepreneurs, Power, and Institutions

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The task that I have therefore defined for myself is to understand the relationship between power, institutions, and the role of global civil actors in explaining (in operational terms) the variable importance of norms in the context of global governance. Rather than treating them as alternative explanatory factors in which any two of three are treated as of lesser importance (if not marginal), however, I try to act upon Risse's suggestion; to understand how they might be reconciled with each other and offer a concrete focus of study.

Specifically, I begin with a central proposition: That although possibly social (rather than material) in character, the relative success of a global norm in terms of its emergence, widespread acceptance, and enforcement is generally contingent upon three necessary and sufficient factors. The first is the presence of aggressive moral entrepreneurs in advocating norms and garnering broad-based support for them. The second is the existence of formal international organizations that act as conduits for the codification, monitoring and enforcement of policies based on those norms. The third is American commitment to provide resources and implement policy based on specified norms. I offer the hypothesis that variations in the degree to which those three factors are present will result in corresponding variations in the fortunes of global norms, ranging from their appearance on the global agenda, to their widespread acceptance, and their subsequent enforcement. I now delineate how each is defined.

#### 5.1 Factor 1. The Role of Moral Entrepreneurs

Although I do not address the question of the US source of preferences, I am interested in how norms make it to the agenda of global governance as part of a process of understanding the variance in their fate.

Keck and Sikkink focus on the notion of framing in which ideological entrepreneurs play a strategic role in promoting norms.<sup>30</sup> Finnemore and Sikkink build on this work with their description of norm 'imitation', 'cascades' or 'bandwagons'—a life cycle process by which norms emerge, gain legitimacy and ultimately become internalized or institutionalized.<sup>31</sup> As Finnemore and Sikkink contend:

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<sup>30</sup> Margaret E. Keck and Kathryn Sikkink, *Activists Beyond Borders: Advocacy Networks in International Politics* (Ithaca, NY: Cornell, 1998), p. 17.

<sup>31</sup> Finnemore and Sikkink, *op.cit.*, p. 893.

*Norms do not appear out of thin air; they are actively built by agents having strong notions about appropriate or desirable behavior in their community.....consistent with the description Ethan Nadelmann gives of 'transnational moral entrepreneurs' who engage in 'moral proselytism'. .....Norm entrepreneurs are critical for norm emergence because they call attention to issues or even 'create' issues by using language that names, interprets, and dramatizes them. Social movement theorists refer to this reinterpretation or renaming process as 'framing'. The construction of cognitive frames is an essential component of norm entrepreneurs' political strategies, since, when they are successful, the new frames resonate with broader public understandings and are adopted as new ways of talking about and understanding issues. In constructing their frames, norm entrepreneurs face firmly embedded alternative norms and frames that create alternative perceptions of both appropriateness and interest.<sup>32</sup>*

Finnemore and Sikkink offer one explanation of what motivates such behavior: "Ideational commitment is the main motivation when entrepreneurs promote norms because they believe in the ideas and values embodied in the norms, even though the pursuit of the norms may have no effect on their well-being".<sup>33</sup> Rationalists offer an alternative view of such behavior. According to Dennis Chong such altruistic behavior is explained by either the need to get along in the context of an iterative game or because of the selective incentives offered by the enhancement of one's social reputation.<sup>34</sup> Yet, regardless of the motive, both constructivist and rationalist versions concur that such entrepreneurs can play important roles in promulgating such values.

O'Brien et. al. suggest that these people generally are associated with social movements, as

*A subset of the numerous actors operating in the realm of civil society. They are groups of people with a common interest who band together to pursue a far reaching transformation of society. Their power lies in popular mobilization to influence the holders of political and economic power...They can be distinguished from interest groups in that their vision is broader and they seek large scale social change.<sup>35</sup>*

Such moral entrepreneurs are to be found working for NGOs or, their international equivalents, Global Social Movements (GSMs).<sup>36</sup> In considering the relationship between Multilateral Economic Institutions (MEIs) and GSMs, O'Brien et. al.

*....argue that there is a transformation in the nature of global economic governance as a result of MEI-GSM encounter. This transformation is labeled 'complex multilateralism' in recognition of its movement away from an exclusively state based structure...Such changes explicitly acknowledge that actors other than states express the public interest.....The relationship developing between MEIs and GSMs highlights a contest over governance between old and new forms of multilateralism. The 'old' or existing dominant form of multilateralism is a top down affair where state dominated institutions are taken as given and minor adjustments in their operation are suggested. The 'new' or emerging multilateralism is an attempt to 'reconstitute civil societies and political authorities on a global scale, building a system of global*

<sup>32</sup> Finnemore and Sikkink, op. cit., pp. 896-897.

<sup>33</sup> Ibid., p. 898.

<sup>34</sup> Dennis Chong, *Collective Action and the Civil Rights Movement*, pp. 44 and pp. 48-55.

<sup>35</sup> O'Brien et. al., op. cit., p. 12.

<sup>36</sup> For a list of such comparable terms for social movements see Ibid., p. 12.

*governance from the bottom up'. The new multilateralism offers a challenge to existing multilateralism not just because it entails institutional transformation, but because it represents a different set of interests.<sup>37</sup>*

What the authors refer to as a 'post-hegemonic form of organization' entails a focus on representation by civil society. While clearly supportive of this process, the authors concede that

*In the short run the MEI-GSM nexus is unlikely to transform either institutional functions or their inherent nature to any significant degree. In the longer run, there is the possibility of incremental change in the functioning and ambit of key institutions.<sup>38</sup>*

Yet they also claim that

*International public institutions are modifying in response to pressure from social movements, NGOs and business actors, but this varies across institutions, depending upon institutional culture, structure, role of the executive head and vulnerability to civil society pressure.<sup>39</sup>*

Ultimately, the most that the authors can claim from the evidence of their cases is that GSMs may influence the agendas of, not the policies of, MEIs. This example therefore has a broader implication relevant to this paper: That GSMs, NGOs or 'moral entrepreneurs' may play a role in influencing what gets on the agenda but they increasingly find that as states learn avoidance techniques, they cannot participate in negotiations—and certainly cannot get policies enacted without the advocacy of states, particularly the largest of states.<sup>40</sup>

## 5.2 Factor 2. The Role of Organizations as Institutions

The definition, form and influence of institutions are consistently contested in the social sciences.<sup>41</sup> Neo-liberals regard institutions as structures for addressing collective actions problems. Institutions have a broader definition than that of simple organizations, embedded in regime theory. Constructivists have, paradoxically, both a broader and a narrower conception of institutions than neo-liberals. The claim that it is broader stems from the fact that constructivists closely align norms with institutions, viewing them from the perspective of institutions *as* normative contexts themselves.<sup>42</sup>

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<sup>37</sup> Ibid., p. 3.

<sup>38</sup> Ibid.

<sup>39</sup> Ibid., p. 6.

<sup>40</sup> For a discussion of this point see Ann Marie Clark, Elizabeth Friedman and Kathryn Hochstetler, 'The Sovereign Limits of Global Society', *World Politics*, 51, No. 1, 1998, pp. 1-35.

<sup>41</sup> I have discussed various conceptions of institutions in greater detail in 'The Four Faces of Institutionalism: Public Policy and a Pluralist Perspective' *Governance*, Fall 2000, pp. 501-522.

<sup>42</sup> For the sociological origins of such arguments see, for example, John W. Meyer and Brian Rowan, 'Institutional Organizations: Formal Structure as Myth and Ceremony', *American Journal of Sociology*, 83, (12977), pp. 340-363; John W. Meyer and W.R. Scott, *Organizational Environments: Ritual and Rationality* (Beverly Hills, CA: Sage, 1983). See also Paul J. DiMaggio and Walter W. Powell (eds.), *The New Institutionalism in Organizational Analysis* (Chicago: University of Chicago Press, 1991).

James March and Johan Olson were among the forerunners of the adaptation of this version of institutional analysis. They emphasize the significance of political structure, defining it as

*A collection of institutions, rules of behavior, norms roles, physical arrangements, buildings, and archives that are relatively invariant in the face of turnover of individuals and relatively resilient to the idiosyncratic preferences and expectations of individuals.... Theories of political structure assume action is the fulfillment of duties and obligations...we assume that political actors consult personal preferences and subjective expectations, then select actions that are as consistent as possible with those preferences and expectations... That political actors associate certain actions with certain situations by rules of appropriateness. What is appropriate for a particular person in a particular situation is defined by the political and social system and transmitted through socialization.<sup>43</sup>*

Symbols become important here “not ... as devices of the powerful for confusing the weak, but more in the sense of symbols as devices of interpretative order.”<sup>44</sup> In describing the concept of ‘normative order’, March and Olson note that “action is often based more on discovering the normatively appropriate behavior than on calculating the return expected from alternative choices. As a result, political behavior, like other behavior, can be described in terms of duties, obligations, roles, and rules. ...A broader theoretical examination of normative order would consider the relations among norms, the significance of ambiguity and inconsistency in norms, and the time path of the transformation of normative structures.”<sup>45</sup> Likewise, ‘symbolic order’—the role of symbols, myths and rituals—in ordering and transforming political life, is central to developing this notion of institutionalism.<sup>46</sup>

Peter Katzenstein therefore suggests that, in essence, institutions are more abstract in character in the sense that they are inherently cognitive:

*Bargaining theory typically overlooks a central aspect of all bargaining—the framework or context in which a particular issue should be seen. A richer conception thus emphasizes not only how institutions facilitate bargains among political actors. It also investigates how institutions affect the context of bargaining, primarily through the effects they have on the identity of the political actors who make political choices.<sup>47</sup>*

Yet I also believe that constructivists are, paradoxically, narrower in their focus than neo-liberals in their conception of institutions.<sup>48</sup> Why? Because although the ontological base may be much broader and the autonomy accorded to institutions much greater among constructivists, they apply these arguments about institutions to the study of international organizations in the context of international relations—a narrower concept than regimes. Barnett and Finnemore

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<sup>43</sup> James G. March and Johan P. Olsen, ‘The New Institutionalism: Organizational Factors in Political Life’, *The American Political Science Review*, Vol. 78, September 1984, p. 741. For another example of important formative work on this subject see Herbert A. Simon, *Models of Bounded Rationality* (Cambridge, Mass: MIT Press, 1982).

<sup>44</sup> March and Olsen, op. cit.

<sup>45</sup> *Ibid.*, p. 744.

<sup>46</sup> *Ibid.*

<sup>47</sup> Katzenstein, op. cit., p. 14.

<sup>48</sup> The standard neoliberal definition is discussed in Robert O. Keohane, op. cit., p. 9.

justifiably claim to root their work in the sociological institutionalist literature outlined above. Yet they see international organizations as autonomous and authoritative bodies generating norms, not as embodying norms themselves.

The conundrum of how to conceive of institutions thus risks a tautology. If I conceive of institutions as regimes, then it is circular—using a definition that includes norms to explain norms. If I use a narrow version of the constructivist definition, however, such as that adopted by Barnett and Finnemore, then I avoid circularity. I therefore elect to use IOs as a factor in explaining norms.<sup>49</sup> I define and operationalize institutions in the more formal, narrower sense. An institution is neither a rule, as characterized by Nicholas Onuf<sup>50</sup>, nor a norm as depicted by Jepperson. I adopt the term in specific, narrow terms of an international organization such as the UN, IMF, World Bank or International Energy Agency.

### 5.3 Factor 3. American Initiation and Support

The probability of global norms being sustained or implemented (if not initiated) in the absence of American energy and interest is limited. Scholars have pointed to the role of global social movements, other forms of NGOs or IOs as central actors in the process of the formation, acceptance and implementation of norms.<sup>51</sup> But these perspectives, I argue, avoid the compelling counterproposition; that American support is becoming more, not less, central to the fortune of global norms in what approximates a unipolar world. While proponents of the growing acceptance of global norms point to the example of the role of NGOs in the spread of human rights for evidence, there is a reasoned—and not theoretically or practically adequately addressed—counterproposition that the spread of human rights can primarily be explained by the fact that the ‘export of democracy’ was the foreign policy cornerstone of the Clinton Administration for the duration of his presidency.<sup>52</sup> In effect, in this interpretation the spread was largely the product of overwhelming hegemonic state power. In the same spirit, Daniel Drezner comments about the prospects for a new global environmental accord that “objections in the United States about the Kyoto Protocol’s costs of implementation, the distribution of costs, and the lack of enforcement measures have made implementation unlikely.”<sup>53</sup> Global norms, in the absence of American commitment, face an uphill struggle, lacking vitality, material sources and enforcement capacity.

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<sup>49</sup> Bo Rothstein offers one solution consistent with Barnett and Finnemore’s. He suggests that “political institutions in a narrower sense can be defined as “formal arrangements for aggregating individuals and regulating their behavior through the use of explicit rules and decision processes enforced by an actor or set of actors formally recognized as possessing such power.” Bo Rothstein, ‘Political Institutions: An Overview’ in *A New Handbook of Political Science*, in Robert E. Goodin and Hans-Dieter Klingemann, eds., (New York: NY, Oxford University Press 1996), p. 145. Elsewhere Peter Hall and Rosemary Taylor concur, suggesting that “many sociological institutionalists put a new emphasis on what I might think of as the ‘cognitive’ in Hall and Taylor, op. cit., p. 948.

<sup>50</sup> Nicholas Onuf deliberates on the meaning of rules in *World of Our Making: Rules and Rule in Social Theory and International Relations* (Columbia, SC: University of South Carolina Press, 1989) especially pages 78-95 and 127-154.

<sup>51</sup> See, as examples, Martha Finnemore, op. cit.; Thomas Risse, Stephen C. Ropp, Kathryn Sikkink, *The Power of Human Rights: International Norms and Domestic Change* (New York: Cambridge University Press, 1999); Robert O’Brien et al., op. cit.; Barnett and Finnemore, op. cit.

<sup>52</sup> See, for example, Douglas Brinkley, ‘Democratic Enlargement: The Clinton Doctrine’, *Foreign Policy*, Spring 97, Issue 106, p. 110-128. For a broad version of this argument see Tony Evans, *The Politics of Human Rights* (London: Pluto Press, 2001), especially pp. 15-23, pp. 33-34.

<sup>53</sup> Daniel W. Drezner, ‘Globalization and Policy Convergence’, *International Studies Review*, Vol. 3, No. 1, (Spring 2001), p. 74.

Focusing on American commitment, however, is not the same thing as claiming that the US must initiate the development of a norm. Audie Klotz provides compelling evidence that the United States joined a bandwagon effect in supporting the anti-apartheid position in the case of South Africa (although, paradoxically, she does point to the sociological sources of US support for the norm).<sup>54</sup> Yet, whether it was the support of American veterans for the Land Mine Ban<sup>55</sup> or demonstrations across American campuses against apartheid, it would be just as blithely misplaced to ignore the American sociological sources of the momentum in the process of consolidating global norms.<sup>56</sup>

For the proposition that American commitment is central to the successful consolidation and enforcement of a global norm to have validity, there must be a way to evaluate the relative importance of the degree of an American commitment. It is therefore necessary to identify the realms or areas of global norms to see if there is a strong, indeed causative relationship between the varying degree of US commitment to global norms and the degree to which these norms have been accepted and integrated as a component of the agenda of global governance.

I therefore identify three variables—American commitment, international organizations and moral entrepreneurs—drawn from the dominant paradigms in international relations. Yet, instead of assuming that one is, *a priori*, more causally significant than the others in explaining the relative success of global norms, I argue that the configuration of all three has contrasting, identifiable effects on the fortune of norms. What follows is a brief statement of that argument.

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<sup>54</sup> Audie Klotz, *op. cit.*

<sup>55</sup> For an account see Fen Hampson, Jean Daudelin, John B. Hay, Holly Reid, and Todd Marting, *Madness in the Multitude: Human Security and World Disorder* (NY: Oxford University Press, 2001).

<sup>56</sup> For the purposes of this study, I am not primarily concerned with where US preferences come from — whether they are endogenous as constructivists claim or treated exogenously as realists and neo-liberals do. My concern is on the consequences of US preferences and not its sources. That is not to imply that I believe that preferences are exogenous. Rather, it is to suggest that they are identifiable and causal.

## 6 Configuring Variables I: Variation on the Outcomes

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What are the possible variations in terms of the development or progression of a global norm along the process towards implementation? How can these stages be classified?

- a) *No norm.* The first obvious answer is that a potential global norm does not make it on to the agenda of global governance at all, regardless of its virtues. Either nothing happens at all or the US pursues a unilateral policy based on power politics.
- b) *On the agenda.* Operationally, an issue has made it on to the agenda of global governance when it has been seriously and extensively debated in the context of international organizations whose “rule-creating and rule-supervising decisions have important immediate consequences for states and peoples around the world”<sup>57</sup>—such as the IMF, World Bank, International Court of Justice or United Nations. The NGO literature, offers no measure regarding whether an issue is on the global agenda.<sup>58</sup> I suggest that it qualifies when it is debated on the formal agenda of the central organ of an international (intergovernmental) organization. This distinguishes, for example, between a matter being debated in a UN conference (in which case it does not qualify) and the Security Council or the General Assembly (in which case it would). Again, there are three possible outcomes here: the norm proceeds towards a process of consolidation, is rejected and is pursued as a unilateral policy by the US or simply terminates as a policy issue at that point.
- c) *Norms consolidated.* Some issues are debated in such an organizational context but stall there, never to be widely accepted and therefore does not become legitimate. Others, conversely, do become consolidated. A third variance is therefore to be found in the consolidation and thus widespread legitimization of a norm. Human equality, Finnemore notes, is a norm that has been overtly contested over the last two hundred years, generally emerged triumphant, and become increasingly legitimate.<sup>59</sup>

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<sup>57</sup> O’Brien et. al., op. cit. p. 11.

<sup>58</sup> Keck and Sikkink make reference to the role of entrepreneurs in encouraging issues to be placed on the agenda in various ways, such as through their use of the media, lobbying and testimony. See Keck and Sikkink, op. cit., pp. 2-3, p. 17.

<sup>59</sup> Finnemore, op. cit., p. 133.

Yet, the growth in wealth disparities, both between and within nations, suggests that her optimism should be qualified.<sup>60</sup> The norm may become legitimate without its effective enforcement; it may proceed and be implemented; or it may be rejected but still be implemented (this looking more like an imperial policy in character).

- d) *Norms implemented.* Norms can gain widespread acceptance without the additional aspect of codification, legalization and the coercive aspects of enforcement. The belief, for example, in the norm of human rights is not the same thing as the setting up an International Court of Justice with the capacity to try war criminals accused of crimes against humanity. Similarly, a convention against genocide is not the same thing as the existence of a UN preventative intervention force designed to intervene forcefully to avert mass brutality. Codification and enforcement can be through law or precedent by convention. But whichever form it takes, it requires the capacity for authoritative and legitimate action backed by a credible sanction. When all conditions are met, then a global norm has achieved all the conditions for successful implementation.

Below, in Figure 1 (see p. 19), I attempt to capture all the possible outcomes described above. Clearly, although I have identified four stages, more than one option exists at each stage. Termination can lead to a nothing happening at all, to unilateral policy or to what I term imperialism (the use of an international institution to implement policy on a widespread basis without its consolidation as a norm). So there are four stages of progress of a global norm, but the result is more than four possible outcomes. I shall now identify the three key variables that account for this variance.

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<sup>60</sup> For example see Lant Pritchett, World Bank official's discussion of changing patterns of global wealth distribution in 'Forget Convergence: Divergence Past, Present and Future', *Finance and Development*, June 1996. Elsewhere, Ziring, Riggs and Plano note that the Law of the Sea discussions attempted to establish territorial rights regarding coastlines and a global jurisdictional body for seabed activities. It was debated in the UN from 1958 to 1982 before substantial progress was made in the most crucial areas. The concept of territorial integrity coupled with the norm of collective responsibility for seabed protection was slowly established as legitimate for many years before aspects of the norm were finally enforced in 1998. See Lawrence Ziring, Robert Riggs and Jack Plano, *The United Nations: International Organization and World Politics* (NY: Harcourt Brace, 2000), pp. 354-358.

## 7 Configuring Variables II: Explanatory Factors

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### 7.1 Classification

I have already outlined the three explanatory variables. Now I present an argument about how they configure to explain the variance in outcomes outlined above. Each variable may be assigned, in analytic terms, a simple high or low measure. American commitment can be high, measured in tangible terms, or low. Notably, American commitment might not take the form of strong verbal support but will still be considered high if they provide material support. The United States, for example, has refused to ratify the Land Mine Ban, much to the ire and consternation of its proponents. Yet it contributes the largest amount of any country to supporting the program.<sup>61</sup> Similarly, Americans criticize peacekeeping operations but provide enormous financial and logistical support. Without it, UN officials and scholars note, extended UN operations in desolate places or where timeliness is essential could not be carried out.<sup>62</sup> Support may optionally be verbal but must be material to qualify as ‘high’.

Similarly, an international organization may be a highly institutionalized intergovernmental structure—such as a formal institution like the UN or IMF—with clearly codified rules and evident coercive capacities to enforce to qualify as high. Alternatively, it may not be well institutionalized and be composed of an informal and largely uncodified tangle of protocols with little capacity for compunction to be considered ‘low’. It may even be sponsored by a formal international organization but its membership composed of civil society actors as well as states (Year of the Woman conference in Beijing?). Even this would constitute a low level of institutionalization on my broad scale.

Certainly, there may be exceptions. Finnemore might reasonably respond that the Red Cross is not an institution that would rank as ‘high’ on my simple scale, being nongovernmental. Yet, she argues, the Geneva Accords have been widely accepted since their inception in 1864 as a result of the moral commitment of a few individuals.<sup>63</sup> Finnemore’s argument, however, says little about enforcement. I argue that intergovernmental international institutions become important in the context of establishing sanctions where the conditions for reciprocity or unilateral enforcement are lacking. Despite its initial growing pains, the International Criminal

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<sup>61</sup> Hampson, et. al., op. cit.

<sup>62</sup> See, for example, Edward C. Luck, ‘The Case for Engagement: American Interest in UN Peace Operation’ in Donald C.F. Daniel and Bradd C. Hayes, *Beyond Traditional Peacekeeping*, op. cit., p. 73.

<sup>63</sup> Finnemore, op. cit., especially pp. 73-82 and p. 87.

Court of Justice (ICCJ) has recently been established, I would argue, for just such a reason. IOs of this type also enhance the prospects of codification or precision to the rules.<sup>64</sup>

In the case of the Red Cross, how the Geneva Convention has been interpreted by states, or the exceptions to its application, are key. The transgressions to the norm, defined in terms of ‘crimes against humanity’, include some of massive proportions—stretching from The Holocaust and Stalinism to Bosnia and Rwanda. The utility of a norm is limited, I argue, until the ICCJ (or a comparable institution) has developed the widespread, legitimate and routine capacity to monitor and punish all transgressions with equity and impunity.

Finally, moral entrepreneurship is also adjudged in terms of high or low support for norms. Although admittedly an inexact measure, the crucial question is to which ideas do they aggressively and opportunistically throw their support, and which ones do they latently support or largely neglect? Anti-globalization demonstrators at Seattle provide (perhaps an over-) zealous example of high moral support. Certainly history is replete with examples ranging from anti-slavery to suffragettes, anti-apartheid to support for human rights. Measured by media exposure, testimony, negotiation with or demonstrating against IOs, moral entrepreneurs can loosely be distinguished in their support along a high or low scale. The possible configurations are outlined in Figure 1 (p. 19).

Such outcomes are subject to comparison over time and space. Invariably, I argue, shifts in the degree of moral entrepreneurial support, changes in the degree of institutionalization or shifts in the American position will alter the fortunes of a global norm. A brief discussion of methodology and the selection of cases follow, before engaging the substance of the question of the evolution of the norm of preventative intervention.

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<sup>64</sup> Judith Goldstein et. al. discuss this issue in the context of legalization in the special issue of *IO* on legalization. See Judith Goldstein, Miles Kahler, Robert Keohane, and Anne-Marie Slaughter, ‘Introduction: Legalization and World Politics’, *International Organization*, 54, 3, Summer 2000, pp. 385-399.

Figure 1  
Variations in Explanatory Variables and Outcomes

	High	Low	Outcome
1) American support Institutionalization Entrepreneurial support	X X X		Articulation, consolidation and implementation of global norm.
2) American support Institutionalization support	X X	X	Articulation and implementation of policies lacking global legitimacy.
3) American support Institutionalization Entrepreneurial support	X	X X	Unilateralism
4) American support Institutionalization Entrepreneurial support	X X	X	Norms articulated and consolidated but unevenly or not implemented.
5) American support Institutionalization Entrepreneurial support	X X	X	Norms articulated but but not consolidated and unevenly implemented.
6) American support Institutionalization Entrepreneurial support	X	X X	Global norm not articulated but neither consolidated nor implemented.
7) American support Institutionalization Entrepreneurial support		X X X	Global norm not articulated, consolidated nor implemented.
8) American support Institutionalization Entrepreneurial support	X	X X	Global norm not articulated, consolidated nor implemented.

## 7.2 Methodology

For my argument to be correct, all three jointly necessary and sufficient conditions must be met: High moral entrepreneurship, US commitment and institutionalization. In other words, if only two conditions are met then a global norm will not be implemented. The result is that the combination is three variables (or conditions) each that can be adjudged as ‘high’ or ‘low’ which is  $2^3$  or eight possible options as illustrated in Figure 1 (see p. 19).

Yet, if my argument has utility, then successful examples of the policy implementation of global norms will only be found when all three conditions are met (outcome 1). If only two are met (from a high degree of moral entrepreneurship, of institutionalization and U.S. commitment), the result will be something short of legitimate policy implementation on the global agenda.

Of my eight possible outcomes there are three possibilities where only one condition is met (outcomes 3, 6 and 8): One resulting in US unilateral policy; one being a case where possible norms get articulated by moral entrepreneurs but don’t make it onto the formal agenda; and one where an institution exists but what it does is largely irrelevant to norm generation or implementation (perhaps constituting an example of the performance of regulatory functions where no norms are involved). In a fourth possibility, no condition is met and so this will generate an empty cell (outcome 7). Yet in none of these cases will a global norm get articulated, consolidated and implemented over time or across cases. For the purpose of evaluation, I therefore need only to consider the four other cases (1, 2, 4 and 5). If my argument that all three variables are necessary conditions is correct, the absence of even one will lead to the failure of a global norm being adopted as public policy. For that to be true, the absence of two or three of course will certainly lead to failure.

The cases studies will thus number four because in three cases the combination will be two variables coded as ‘high’ (i.e. US Commitment and degree of institutionalization ‘high’ or US commitment and moral entrepreneurship ‘high’ or degree of institutionalization and moral entrepreneurship ‘high’) and the remaining one as ‘low’ (outcomes 2, 4 and 5). Only where all three are graded ‘high’ will the global norm get consolidated and implemented (outcome 1).

The argument I have outlined here does potentially entail an element of sequencing because I suggest that moral entrepreneurship usually precedes and prompts American action or institutionalization.<sup>65</sup> Nevertheless, the absence of one element in the process will nevertheless lead to an ineffectual outcome.

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<sup>65</sup> This is not always, however, necessarily the case. The argument that moral entrepreneurship is a first stage for the development of a global norm should not be confused for a pluralist argument that are state is simply the arena for politics. Global norms may be derived from social forces, but not all state policies must, by necessity, be so. They can, at least in theory, be internally generated. For a discussion of this point see Stephen D. Krasner, *Defending the National Interest: Raw Materials Investments and US Foreign Policy* (Princeton, NJ: Princeton University Press, 1978), pp. 55-93.

While the remaining cases might be interesting for other reasons, they are not essential to an evaluation of my argument. In the broader study of which this research will eventually form a part, I therefore propose to evaluate four cases in the broader study; I will examine three cases where two variables are coded as 'high' and one where all three are coded as 'high', being sensitive to the possibility that the relevant coding may change over time to reflect changes in the degree of moral entrepreneurship, institutionalization or US commitment.

Bearing this last point in mind, I examine the case of preventative intervention in this paper. It is interesting because of its fluctuating fortunes. Prior to September 11<sup>th</sup>, the emergence of preventative intervention as a norm, I argue, could be coded as 'high' in terms of the degree of moral entrepreneurship and institutionalization but not of US commitment. It has thus made it onto the global agenda and been modestly consolidated as norm without being implemented as public policy on a widespread basis in the context of global governance. Yet coincidental events surrounding September the 11<sup>th</sup> may have shifted the US stance towards greater material support for the concept of preventative intervention, enhancing the prospect that the norm will be implemented in public policy—albeit in a form and for a purpose not anticipated or desired by its original proponents. The durability of the norm as a stimulant to action may therefore be in its flexible utility to two very different constituencies.

## 8 The Concept of Preventative Intervention

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The purpose of the analysis that follows is primarily to illustrate the argument generated above rather than to test it in a strict positivist sense. I seek to demonstrate here what happens in terms of the emergence of a critical new norm of global governance; both the critical factors that have allowed it to flourish and those that have limited its implementation.

In the case of the norm of preventative intervention, I argue that it has indeed made it onto the agenda of global governance, is in the process of contestation and consolidation. For perverse and largely unanticipated reasons, it may be in the process of being implemented in policy rather sooner than might reasonably be expected. Its implementation, if it proceeds, may not be in ways supported by its original proponents.

In this section, I shall first delineate the characteristic, traditional presiding norm (of peacekeeping) and contrast it with those of preventative intervention. I shall then utilize my three variables of moral entrepreneurship, institutionalization and US power to explain and describe the three stages of this norm's evolution before concluding with a discussion of its relevance to the framework previously outlined and its future prospects for implementation.

## 9 From Peacekeeping to Conflict Prevention

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### 9.1 Peacekeeping: The Traditional Position

There is an extensive, coherent and well-formulated literature on peacekeeping, expanded upon at length in the course of the 1990s, that is too large to detail here. Indeed, rather than recapitulate its content at length, I only seek to outline its major attributes in this discussion.

John Ruggie has argued that there has not been a systematic doctrinal approach adopted towards peacekeeping at the UN. Rather, the organization's understanding has been very poor, notably when it strays into what he describes as a 'gray area' operations that straddle the terrain between peacekeeping (in its most limited sense) and 'war fighting'.<sup>66</sup> The term 'peacekeeping', Ruggie points out, isn't even mentioned in the UN Charter.<sup>67</sup>

Ruggie doesn't distinguish between a norm and a doctrine. He is content to argue that peacekeeping's operationalization as a doctrine is the source of the problem. But the UN's incapacity to form and implement a coherent doctrine does not detract from the notion that such a peacekeeping norm (whether explicit or not) exists that guides behavior. Indeed, important to the emergence of this norm over four decades was the central notion that the primary purpose of peacekeeping is to allow antagonists to end aggression in order to generate a possible agreement. Mediation is only of limited interest once both sides have exhausted their desire to fight. As Mats Berdahl has suggested, it

*...has traditionally been used to describe various forms of legitimized collective intervention aimed at avoiding the outbreak or resurgence of violent conflict between debutants. As a distinctive form of third-party intervention governed by the principles of consent and minimum force, peacekeeping operations have been expressly non-threatening and impartial.*<sup>68</sup>

The thirteen UN operations between 1948 and 1988 generated, says Berdahl, a body of principles, procedures and practices that came to constitute a corpus of case law and customary practice. As Sir Marrack Goulding, former UN Under-Secretary General responsible for peacekeeping operations, has importantly pointed out,

*this collection of law and practice sets precedent in the UN and is the primary way in which all future activity is justified.*<sup>69</sup>

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<sup>66</sup> John Gerard Ruggie, 'The UN and the Collective Use of Force: Whither or Whether?', in Michael Pugh (ed.), *The UN, Peace and Force* (London: Frank Cass, 1997), pp. 1-2.

<sup>67</sup> Ibid., p. 5.

<sup>68</sup> Mats Berdahl, 'Whither UN Peacekeeping', op. cit., p. 3.

<sup>69</sup> Personal conversation between author and Sir Marrack Goulding, Zentrum für Entwicklungsforschung, Bonn, Germany, July 5<sup>th</sup>, 2002.

In effect, this approach is conservative and what Thomas Weiss has referred to as ‘classicists’, maintaining that politics and humanitarian intervention should be completely dissociated. As he states when describing this approach:

*Until recently, the two most essential humanitarian principles—neutrality (not taking sides with warring parties) and impartiality (nondiscrimination and proportionality)—have been relatively uncontroversial, as has the key operating procedure of seeking consent from belligerents.*<sup>70</sup>

The aim of intervention in the ‘classicist’ position, according to Weiss, is ‘to do no harm’. In contrast, Weiss suggests that ‘maximalists’ “have a more ambitious agenda of employing humanitarian action as part of a comprehensive strategy to transform conflict”.<sup>71</sup>

Unlike realists, who rejected most multilateral peacekeeping or intervention of any sorts in the 1990s on the grounds that the interests were too low, the costs too high and the options too few,<sup>72</sup> both classicist and maximalist proponents of peacekeeping therefore favor involvement on humanitarian grounds. In common with realists, however, the maximalists primarily concur with the realist assumption that the sovereignty of states is sacrosanct. To them, that means that states have rights (in the Weberian sense). In effect:

*The traditional conception of sovereignty as rights attributes to states jurisdictional exclusivity within their own borders and grants very limited and narrowly construed bases of legitimacy for other actors, whether another state or an international institution, to intervene in any form in what in their territorial locus are considered domestic affairs.*<sup>73</sup>

Intervention is only justified in extreme situations, with the consent (if not at the initiative) of states, and thus legitimacy is predicated on the assumption that the activities of peacekeepers are by the consent of all antagonists, impartial in conduct, and their operations are transparent, non-intrusive, and minimally coercive in character. Thus, says John Ruggie, “Peacekeeping is a device to guarantee transparency, to reassure all sides that each is carrying out its promises”.<sup>74</sup>

Indeed, the primary purpose of a peacekeeping force is to protect themselves (albeit minimally or un-armed) rather than to enforce the peace or achieve broader humanitarian goals.<sup>75</sup> Strategically, this pushes proponents of peacekeeping towards insulation rather than engagement, withdrawal even when on the ground, and the criticism that their universalist belief that they can sustain their contribution to humanitarian fulfillment under most circumstances.

<sup>70</sup> Thomas G. Weiss, ‘Principles, Politics, and Humanitarian Action’, *Ethics & International Affairs*, Vol. 13, 1999, p. 1.

<sup>71</sup> *Ibid.*, p. 3.

<sup>72</sup> Bruce W. Jentleson, ‘Coercive Prevention: Normative, Political and Policy Dilemmas’ *Peaceworks* No. 35 (Washington, DC: United States Institute of Peace, October 2000), p. 5. For a discussion of the conditions under which bilateral intervention might occur see Patrick Regan, ‘Choosing to Intervene: Outside Intervention in Internal Conflicts’, *Journal of Politics*, Volume 60, Number 3, August 1998, pp. 754-779.

<sup>73</sup> Jentleson, *op. cit.*, p. 18.

<sup>74</sup> Ruggie, *op. cit.*, p. 6.

<sup>75</sup> William Odom, ‘Intervention for the Long Run: Rethinking the Definition of War’, *Harvard International Review*, Winter 2001, p. 50.

Some scholars have exhaustively attempted to develop a framework that subdivides peacekeeping operations into their various component parts,<sup>76</sup> John Ruggie, however, summarizes the UN peacekeepers' posture and operational assumptions concisely when he states:

*Above all, peacekeeping is predicated on the consent of the parties which, typically, have agreed to cease hostilities before a peacekeeping mission is deployed. Moreover, peacekeepers fight against neither side but play an impartial interpositionary role, monitoring a ceasefire or controlling a buffer zone. Indeed, they do not fight as such. They carry only light arms and are authorized to shoot only in self-defense—and, on occasion, in the defense of their mission if they come under direct attack. Unlike fighting forces, then, peacekeepers are not intended to create the peace they are asked to keep. They accept the balance of forces on the ground and work within it. Ironically, this military weakness may be an advantage in that it reassures all parties that the peacekeeping force cannot alter the prevailing balance to their advantage. In short, peacekeeping is a device to guarantee transparency, to reassure all sides that each is carrying out its promises.<sup>77</sup>*

### 9.2 The Evolving Norm of Preventative Intervention

By 1997, the authors of one major report concluded that this alternative norm, what some have referred to as a 'peace enforcement' approach,<sup>78</sup> was in the midst of unfolding. As they remarked; "At the moment there is no specific international legal provision against internal violence (apart from the genocide convention and more general provisions contained in international human rights instruments), nor is there any widely accepted principle that this should be prohibited."<sup>79</sup>

Yet, this alternative norm was in a process of evolution. The foundations that under gird the norm of preventative intervention stem from vastly different roots to that of the peacekeeping norm. Rather than drawing from the idea of reaction and limited engagement, preventative intervention starts from the assumption that potential large-scale conflicts with dire humanitarian implications can be identified and its purpose is to forestall such crises. Timely action to intercede can therefore be taken, it assumes, by relevant forces.<sup>80</sup> Rather than being reactive, organizations like the UN must learn to be preemptive.<sup>81</sup> This is coupled with the belief that

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<sup>76</sup> For a good example see Paul F. Diehl, Daniel Druckman and James Wall, 'International Peacekeeping and Conflict Resolution: A Taxonomic Analysis with Implications', *The Journal of Conflict Resolution*, Volume 42, Issue 1, (February 1998), pp. 33-55.

<sup>77</sup> Ruggie, op. cit., p. 5. Note that Ruggie draws extensively from Boutros Boutros-Ghali's *An Agenda for Peace* (NY: United Nations, 1992) to be discussed later in offering this assessment.

<sup>78</sup> Donald C.F. Daniel and Bradd C. Hayes (with Chantal de Jonge Oudraat), op. cit. p. 19.

<sup>79</sup> The Carnegie Commission on Preventing Deadly Conflict, *Preventing Deadly Conflict* (NY: Carnegie Corporation of NY, December 1997), p. 28.

<sup>80</sup> For such a list of factors see, for example, The Carnegie Commission on Preventing Deadly Conflict, op. cit., pp. 43-44.

<sup>81</sup> See, for example, The Report of the Secretary-General, *Prevention of Armed Conflict: Report of the Secretary General*, A/55/985-S/2001/574, 7 June 2001, p. 1.

*Effective preventative strategies rest on three principles: early reaction to signs of trouble; a comprehensive, balanced approach to alleviate the pressures, or risk factors, that trigger violent conflict, and an extended effort to resolve the underlying root causes of violence.<sup>82</sup>*

The justification for such action rests on a contrasting definition of sovereignty to the traditional, hitherto hegemonic one employed by proponents of peacekeeping that focuses on the rights of states. In the alternative version, states have responsibilities or obligations to their citizenry. As one recent report summarized this position,

*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 alter it, the principle of non-intervention yields to the international responsibility to protect.<sup>83</sup>*

Thus sovereignty

*Does not include any claim of the unlimited power of a state to do what it wants to its own people....It is acknowledged that sovereignty implies a dual responsibility: externally—to respect the sovereignty of other states, and internally, to respect the dignity and basic rights of all the people within the state. In international human rights covenants, in UN practice, and in state practice itself, sovereignty is now understood as embracing this dual responsibility. Sovereignty as responsibility has become the minimum content of good international citizenship.<sup>84</sup>*

According to this view, the implication of this perspective is that state authorities are responsible for the functions of protecting the safety and lives of citizens and promotion of their welfare; that national authorities are responsible to both the national citizenry and international community through the UN; and that the agents of states are responsible for their actions and accountable for acts of commission and omission. In sum, they are accountable where hitherto they benefited from purported impunity.<sup>85</sup> Failure to accept these responsibilities is the foundation for a 'just cause' for intervention.<sup>86</sup>

Such claims are made against the backdrop of the development of the concept of human security, with its focus on the security of individuals as being of primary importance rather than that of states. This extends beyond civilian exposure in inter-state wars to the physical safety of individuals in all contexts, their economic and social welfare, and the protection of their human rights.<sup>87</sup>

This kind of holistic approach to the definition of human security is consistent with the norm of preventative intervention in at least three different respects. First, proponents of this

<sup>82</sup> The Carnegie Commission on Preventing Deadly Conflict, op. cit., p. XVIII.

<sup>83</sup> The International Commission on Intervention and State Sovereignty, *The Responsibility to Protect* (Ottawa: International Development Research Center, 2001), p. XI.

<sup>84</sup> Ibid., p. 8. For an academic analysis in support of this view tracing a broader historical element see Bruce Cronin, 'Changing Views of Sovereignty and Multilateral Intervention' in Joseph Leggold and Thomas G. Weiss (eds.), *Collective Conflict Management and Changing World Politics* (Albany, NY: SUNY Press, pp. 159-160).

<sup>85</sup> The International Commission on Intervention and State Sovereignty, op. cit., pp. 13-14.

<sup>86</sup> Ibid., pp. 32-34. This point is also made by Jentleson, 'Coercive Prevention: Normative, Political and Policy Dilemmas', op. cit., pp. 19-20.

<sup>87</sup> The International Commission on Intervention and State Sovereignty, op. cit., p. 15.

norm move beyond the precipitant causes to consider underlying ones. They do so by distinguishing between *structural* and *operational* elements of prevention. Broader structural components (such as the battle against poverty and disease) involve crucial long-term ways of avoiding the conditions that foster intra-state conflict. Operational aspects involve strategies that address the immediate or contingent precipitants of war.<sup>88</sup>

Second, in this norm, in contrast to peacekeeping, the focus is not exclusively on military intervention. Military intervention is only one form of preventative intervention. Broader strategies can include political and diplomatic initiatives, economic threats or incentives, as well as the threat or use of force. Intervention thus has twin components of sanctions and rewards that extend beyond the threat of imminent duress.<sup>89</sup>

Third, this approach extends ‘downstream’ to include not only conflict resolution but ‘peace building’, often in the form of the reintegration and reconstruction of fragmented states, comparable to the process of state building currently underway in Afghanistan. Conflict prevention, where appropriate, thus entails an extended, indefinite commitment to a process beyond the immediate use of force and sanctions. William Odom, former director of the National Security Agency, offers a less-than enthusiastic, if realistic comment that one does:

*...have to recognize what successful interventions involve. Simply put, they must provide a surrogate government for a very long time, normally decades, while effective indigenous governmental institutions are created. Interventions inspired only by humanitarian impulses without a concomitant willingness and capacity to provide surrogate government are both politically and morally irresponsible.<sup>90</sup>*

So the analysis of causes, the breadth of function and the degree of time commitment all shift in the context of the norm of preventative intervention. Although there is some disagreement over the timing of force, a war fighting capacity is essential to establish and sustain credibility—and force remains ‘an appropriate’ option. Its use should be ‘fair but firm’.<sup>91</sup>

Yet it would be mistaken to conclude that the only justifications for preventative intervention are idealistic or moralistic. Appealing to rationalist instincts, some commentators on the utility of this norm also consider the proposition that ‘an ounce of prevention is worth a pound of cure’. Bruce Jentleson, for example, offers a rationalist riposte to traditional realist approaches by suggesting that the option of preventative intervention saves money because of the huge costs involved in peacekeeping operations in the 1990s compared to the estimated costs of a preventative intervention operation.<sup>92</sup> Such claims are always subject to scrutiny, given the

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<sup>88</sup> This distinction is extensively discussed in The Carnegie Commission on Preventing Deadly Conflict, op. cit. The distinction, by way of illustration, is alluded to on p. 39. This point is amplified in The Report of the Secretary-General, *Prevention of Armed Conflict*, op. cit., p. 7.

<sup>89</sup> Again, this point is deliberated upon at length in The Carnegie Commission on Preventing Deadly Conflict, op. cit., especially pp. 48-63. Daniel and Hayes (with Oudraat), focus on a variety of coercive aspects to extend the notion they developed of ‘coercive inducement’ option that judiciously employs forceful persuasion implement community norms or mediate in crisis, including but not limited to military force. Op. cit., pp. 21-22.

<sup>90</sup> Odom, op. cit., p. 52.

<sup>91</sup> Jentleson, op. cit., p. 5.

<sup>92</sup> Ibid., p. 13.

reality of one set of figures and the latitude allowed by estimate of the other. But Jentleson's approach does provide the basis for serious debate amongst rationalists, and thus shifts the emphasis away from a characteristic representation of the argument as being between worldly rationalists and naïve idealists.

I therefore depict the features of the two contrasting norms are thus depicted in Figure 2.

**Figure 2**  
**Evolution of A Norm**  
**Norm of Peacekeeping V. Norm of Preventative Intervention**

	<b>Peacekeeping</b>	<b>Conflict Prevention</b>
<b>Nature of Sovereignty:</b>	Rights	Responsibilities
<b>Nature of Primary Values:</b>	Impartiality Consent Culture of Reaction	Partiality for Victims Possibly Non-consensual Culture of Prevention
<b>Operational Attributes:</b>	Reactive Late entry Force as last use Self Defense No Political mandate Transparency of operation	Proactive Early entry Force as appropriate use Citizenry Protection Possible Political Mandate Clarity of Message
<b>Broader Mandate:</b>	Humanitarian Operation Central but limited UN Role	Commitment to Peace Building Larger Coalitional Structure

Certainly, classifying and characterizing the two contrasting norms has some descriptive utility. But if my argument is correct, then I should be able to do three things:

1. Attribute its emergence to the activities of identifiable moral entrepreneurs.
2. Locate its development on the agenda of public policy in the appropriate international organization.
3. Attribute its degree of implementation to the changing patterns of US support.

What follows is a section that considers these three components.

## 10 Preventative Intervention in the 1990s: Moral Entrepreneurs, Institutions and US Power

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The framework of my argument suggests that it is helpful to identify 1) who constitutes a moral entrepreneur and 2) which are the relevant institutions in the context of the norm of preventative intervention before embarking on an empirical examination.

As discussed earlier, the literature on moral entrepreneurs primarily focuses on the role of NGOs. Interestingly however, in this case, the most significant advocates of the adoption of the norm of preventative intervention have been UN Secretary-Generals rather than external advocates. Boutros Boutros-Ghali and Kofi Annan have been among the most vocal proponents of this new approach. Critics might suggest that senior UN officials cannot simultaneously be regarded as moral entrepreneurs. Yet, I would suggest that the institutional power of Secretary-Generals in the organization's hierarchy is so attenuated and soft, that their primary influence is one of voice rather than their formal legal powers. Lobbying the General Assembly and the Security Council through reports, conferences and personal contact appears, at times, to confer upon them a degree of influence that is incommensurate with reality. They are, in the context of this paper, thus moral entrepreneurs operating internal to the UN able to have extensive access to the world's government officials. NGOs, often composed of former UN officials, have—in contrast—played a secondary advocacy role.

Every norm, I argue, requires a suitable institution or set of institutions in order to act as an effective conduit for policy discussion, dissemination and implementation. Here, the primary institution for the development of this norm has been the United Nations, despite evidence suggesting that the UN has a weak record of effectiveness in conflict reduction.<sup>93</sup> The analysis will nonetheless focus on how the UN has played a role 1) as an arena for discussion 2) an institutional location for the dissemination of values and 3) a conduit for the implementation of policies associated with the new norm of preventative intervention. The reasons for doing so are understandable: From its involvement in the Korean War onward, the UN has been a source of multilateral military initiatives.

The UN, however, has not been the only possible legitimate source for implementation of the norm. First, the UN has—on occasion—been willing to add legitimacy to other operations by sanctioning the activity of ad hoc coalitions of forces. From the Allied military force in the Gulf War to interventions in Bosnia, Haiti, and Somalia, the 1990s were notable for the UN's

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<sup>93</sup> See, for example, Paul F. Diehl, Jennifer Reifschneider, Paul R. Hensel, 'United Nations Intervention and Recurring Conflict', *International Organization*, Volume 50, No. 4 (Autumn 1996), pp. 683-700, especially pp. 685-686.

willingness to bless generally US-led missions around the globe designed to intercede in intra- or inter-state wars. On occasion these interventions were in parallel to the UN's own efforts, sometimes they were in lieu of such activities. In either case, a litany of UN resolutions bears testimony to the fact that they were supported by the UN.<sup>94</sup>

Second, it is arguable that other institutions could play or do play a related role in strategies predicated on the norm of preventative intervention. One set of institutions of historical importance is regional organizations capable of supporting the UN's efforts. The Organization for African Unity (OAU), for example, established a Mechanism for Conflict Prevention, Management and Settlement in 1993. The Organization for Security and Cooperation in Europe (OSCE) has also developed a series of internal mechanisms and practices designed to prevent conflict in Europe.<sup>95</sup>

Third are a series of international regimes that deal with important component parts of the preventative intervention issue. These include regimes on aspects such as arms control; disarmament; the proliferation of nuclear, chemical, biological and small arms weapons; the issue of land mines; and others addressing issues of dispute-settlement and legal adjudication and enforcement. The human rights regime, whose importance was epitomized so recently by debates over the jurisdictional reach of the International Criminal Court of Justice, are more than incidental in this regard.<sup>96</sup> Yet many of these regimes influence underlying structural factors whose immediate effect cannot necessarily be felt in addressing a crisis.

A notable Carnegie Commission report points to an extensive list of actors who have a potential impact on preventing deadly conflict. It includes the media, NGOs and business. But in more proximate terms to the issues discussed here, a related potential set of contributory institutions discussed in the report are the financial institutions of the Bretton Woods system. The IMF and World Bank, in particular, are institutions whose financial influence can constitute an importance source of leverage under particular circumstances (although that is not to be overstated). In the analysis that follows, however, the focus is overwhelmingly on the UN as the central institution in the norm's development and application.

As I previously stated, my analysis must include an assessment of the US' role in the norm's development. I argue that in the course of the last decade, American thinking on the issue of preventative intervention has been marked by shifts back and forth but the overall trend was of an incremental congruence towards the position of moral entrepreneurs prior to the Bush Administration taking office. While the American government's reluctance to commit the country to peacekeeping operations has been relatively consistent in the postwar period, they

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<sup>94</sup> For a discussion of this issue see Henry F. Carey, 'US Domestic Politics and the Emerging Humanitarian Intervention Policy: Haiti, Bosnia and Kosovo', *World Affairs*, Fall 2001, Vol. 164, i2, especially pp. 72-75.

<sup>95</sup> The International Commission on Intervention and State Sovereignty, *op. cit.*, p. 20. See also the Carnegie Commission on Preventing Deadly Conflict, *op. cit.*, pp. 146-150.

<sup>96</sup> Carnegie Commission on Preventing Deadly Conflict, *op. cit.*, pp. 70-81.

were increasingly willing to engage in preventative or peace enforcement operations during the course of the 1990s.<sup>97</sup>

The Bush Administration has twice reversed course, resolving to withdraw from policies supportive of preventative intervention and then resolving to be supportive for vastly different reasons, after September 11<sup>th</sup>.<sup>98</sup> Unpredictably therefore, I argue that this incremental congruence has been given a significant boost by subsequent American policy in the aftermath of the attack on the World Trade Center—a theme returned to later in this paper. Whether for humanitarian or domestic security reasons, preventative intervention therefore seems to be gaining advocates among influential American figures. It's meaning, purpose and practice, however, has become increasingly contested.

Furthermore, consistent with my broad argument, many analysts have argued that preventative operations cannot be implemented without American logistical support. One influential Carnegie Report, for example in recognizing the indispensable capacity the US provides for supporting UN preventative intervention forces, suggested that:

*It seems clear that because of its unparalleled capabilities in certain areas, the United States should be called upon to bear a large, perhaps primary responsibility for the logistical, communications and intelligence support, including heavy lift aircraft able to fly the force within days anywhere in the world for UN missions. This would mean that the United States would not always be expected to contribute ground troops, although at times that too may be necessary.*<sup>99</sup>

Daniel and Hayes offer a comparable point when they claim that

*Without American lift capabilities and logistics, UN forces could not carry out some distant missions in a timely fashion or be sustained over time in desolate places.*<sup>100</sup>

As I hope to demonstrate, this fact plays a central role in contests over the application of the norm.

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<sup>97</sup> Note that, interestingly, the Gulf War does not seem to have been grouped under the rubric of preventative intervention. Perhaps because of its status as a interstate war rather than an interstate war, or because of its characterization as preponderantly war fighting rather than peace keeping or enforcement, the largest single US military engagement of the 1990s seems to be treated as incidental to the matter of broader US commitment to preventative intervention in the context of humanitarian crises. A case that could therefore be examined as a possible example of the failings of preventative intervention is largely overlooked by this literature.

<sup>98</sup> Richard Haass, Director of the US Policy Planning Staff, has been among the most vocal proponents of intervention in the last decade. See, for examples of his reflections on the issue of intervention, Richard N. Haass, *Intervention: The Use of American Military Force in the Post-Cold War World* (Washington, DC: Carnegie Endowment for International Peace Press, 1994); Richard Haass, 'Imperial America', *Foreign Affairs*, November 11, 2000; and most recently in what he terms outlining an 'integrationist' doctrine in 'Defining U.S. Foreign Policy in a Post-Post-Cold War World', US Department of State, <http://www.state.gov/s/p/rem/9632.htm>.

<sup>99</sup> Carnegie Commission on Preventing Deadly Conflict, op. cit., pp. 66-67.

<sup>100</sup> Edward Luck in Daniel and Hayes, *Beyond Traditional Peacekeeping*, op. cit., p. 73

## 11 Empirical Evidence

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### 11.1 The Initial Stage of Norm Development: The Cold War Transition from 1986 to 1996

Early efforts by the UN to deal with the fragmentation of several states in a post Cold War world through peacekeeping operations soon revealed the inadequacy of UN preparedness. Of the postwar efforts in Namibia, Western Sahara, Angola, Cambodia and El Salvador, only the Namibian case was generally adjudged as successful. This led critics to conclude that the UN then had neither the resources nor strategy to act effectively.<sup>101</sup>

Yet, I argue that three largely unrelated cases were critical to the norm's development. They provided moral entrepreneurs with the fuel for justifying the incremental move away from traditional peacekeeping in what I argue was an initial shift towards preventative intervention.

The first case was that of Macedonia, a very small and otherwise undistinguished operation whose importance lay in the fact that it set a precedent by becoming the first case where the principle of preventative intervention was used to justify UN activities under Resolution 795.<sup>102</sup> Troops under the umbrella of the UN Preventative Deployment Force (UNPREDEP) were initially deployed as 'an early warning system' in serving a deterrent function in January of 1993. Their broader mandate included border patrols, protecting human rights, monitoring elections and assisting the local police force.<sup>103</sup>

The second case was that of Rwanda whose importance lay in the very size of the genocide, the clear signals of impending slaughter, the apparent capacity of the West to intervene at a relatively small cost—and its refusal to do so. More notable therefore for what the UN didn't do, Rwanda became inextricably associated with General Romeo Dallaire's attributed claim in April of 1994 that the deployment of a relative small number of 5,000 mobile troops could have significantly reduced the slaughter in Rwanda, if not quell it.<sup>104</sup>

The third case was that of Somalia, where the UN made significant movement away from the traditional peacekeeping paradigm towards something that was far more coercive in operation and broader in intent. Of the three, the importance of Macedonia as a historic

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<sup>101</sup> Stedman, op. cit., pp. 40-41.

<sup>102</sup> See, for examples, Alice Ackermann and Antonia Pala, 'From Peacekeeping to Preventative Deployment', *European Security*, 5, No. 1, (Spring 1996), pp. 83-97; Mats Berdahl, 'United Nations Peacekeeping in the Former Yugoslavia' in Daniel and Hayes (ed.), *Beyond Traditional Peacekeeping*, op. cit., p. 232; Carnegie Commission on Preventing Deadly Conflict, op. cit., p. 64; Bruce W. Jentleson, 'Coercive Prevention', op. cit., p. 6 and p. 16.

<sup>103</sup> Carnegie Commission on Preventing Deadly Conflict, op. cit., p. 64.

<sup>104</sup> For just one example of this oft-cited claim see Report of the Secretary-General, *Prevention of Armed Conflict*, op. cit., p. 6.

precedent cannot be overstated. The role of the Rwandan genocide in illustrating the lack of equity and moral paucity of the West was of enormous importance in promoting the norm of preventative intervention. But, having said that, I argue the activities of moral entrepreneurs in the case of Somalia cannot be overstated; because of the way in which the West was both extensive involved, and yet how the failure of both the US and UN missions illustrated the need for a more coherent strategy (than peacekeeping) in the context of humanitarian crises.

Consistent with my argument, it was the then-presiding Secretary-General of the UN, Boutros Boutros-Ghali who initially became the most vocal proponent of the development of a capacity for preventative intervention. In *An Agenda for Peace*, a 1992 report published relatively soon after his taking office, he described it in terms of being a new technique designed to prevent cross border or intra-state conflict from erupting.<sup>105</sup> Boutros-Ghali there introduced the concept of ‘peace enforcement’ as one being designed to maintain cease-fires. As Edward Luck suggested, Boutros-Ghali stressed “ that low-level action, at modest cost and risk, may prevent the need at a later point to choose between doing nothing and intervening forcefully.”<sup>106</sup>

Two months later—as Daniel and Hayes—point out, Boutros-Ghali characterized this as a task beyond a traditional peacekeeping function, entailing deployment beyond the expressed consent of antagonists and in which the UN could use necessary force. “In this way he sanctioned the term ‘peace enforcement’ and, whatever his intentions, helped advance the view that the international community now had available a continuum of options with peace enforcement in the middle”.<sup>107</sup> He saw it as a way of enforcing the peace against all signatures to an agreement who violated its’ terms. “In such a conception the peace support contingent is somewhat like a policeman on the beat with authority to support community-backed norms against all comers regardless of their affiliation.”<sup>108</sup> In a further development of this idea, by 1995, Boutros-Ghali dropped the term ‘peace enforcement’ and simply began to refer to ‘enforcement’ instead—thus further delineating between peacekeeping and enforcement in the move towards prevention.<sup>109</sup>

During this initial period of conception, Kofi Annan became the Under Secretary General responsible for Peacekeeping Operations in early 1993. Even before then, he had been more vocal in offering an opinion in favor of a new paradigm for peace support built around inducements founded on the principle that “inaction in the face of massive violence is morally indefensible, non-involvement an illusory option”.<sup>110</sup> Indeed, Annan had been outraged by the inequity he perceived in the West’s willingness to act to intervene in Bosnia when Somalia, Sudan, Mozambique and Liberia all then ranked markedly higher in terms of the potential magnitude of the human tragedies,. Annan considered such a choice to be motivated more by the

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<sup>105</sup> Berdahl, ‘Whither UN’ op. cit., p. 18.

<sup>106</sup> Edward C. Luck, op. cit., p. 69.

<sup>107</sup> Daniel and Hayes (with Oudraat), op. cit., pp. 18-19.

<sup>108</sup> Ibid., p. 23.

<sup>109</sup> Ibid., pp. 18-19.

<sup>110</sup> Kofi Annan so cited in op. cit., p. 15.

location of the war in Europe than consideration of the human implications—a clear if unpopular point he made during a visit to Sarajevo in 1992.<sup>111</sup>

Certainly, Boutros-Ghali's demands were most immediately stimulated by events in Somalia, where hundreds of thousands of victims were dying, yet the Organization of African Unity (OAU) opposed UN intervention because no Somali government had requested assistance.<sup>112</sup> The Organization of Islamic Conference, however, did press for action, providing Boutros-Ghali with a justification to visit Somalia. In the midst of the fighting, Boutros-Ghali prevailed upon the General Assembly (GA) under resolution 733 to establish a total arms embargo (albeit belated), urge a cease-fire, establish a humanitarian relief effort and issue an invitation to all parties in Somalia to attend a meeting in New York in an attempt to establish a compromise. But efforts at reconciliation proved unsuccessful, complicated by a history of personal animosity between Somali warlord Mohamed Aideed and Boutros-Ghali himself.<sup>113</sup>

The UN and the US did eventually intervene in Somalia, an episode chronicled extensively elsewhere.<sup>114</sup> That intervention, according to critics, proved to be such a failure in large part because of the bad faith that existed between the United States and the United Nations. The United States was initially intent on pursuing an independent policy through UNITAF predicated on the provision of immediate relief to starving Somali's. Boutros-Ghali's intent was to institute a policy intent on the kind of nation building that would precipitate a further move towards preventative intervention. The Americans, according to Stephen John Stedman, were never going to be interested in such goals.<sup>115</sup> Indeed, they were preparing for an independent, short-term action before handing the operation over to UN responsibility.

Commentators have suggested that UNITAF under American leadership marked a watershed in the expansion of functions from traditional peacekeeping to broader peace operations. In contrast, it was the initial UN deployment, UNOSOM I, that constituted a classic peacekeeping operation there.<sup>116</sup> The UN Security Council passed resolutions 751 and 767. These resolutions sanctioned the deployment of troops, airlift of emergency supplies to Somalia and the provision of an advisory team there.

The US commitment extended to the provision of UNITAF troops designed to stabilize the violence and provide a secure environment for the delivery of humanitarian assistance. This initiative, Resolution 794, was approved by The UN Security Council in December of 1992. The UNITAF force would act forcefully and without the consent of locals if necessary, however,

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<sup>111</sup> Stedman, op. cit., p. 47.

<sup>112</sup> Daniel and Hayes (with Oudraat), op. cit., p. 84.

<sup>113</sup> Ibid., p. 86.

<sup>114</sup> See, for examples of an extensive literature, Mike Blakely 'Somalia' in Michael E. Brown and Richard N. Rosecrance, *The Costs of Conflict: Prevention and Cure in the Global Arena* (New York: Rowman and Littlefield, and the Carnegie Commission on Preventing Deadly Conflict, 1999), pp. 75-90; Daniel and Hayes (with Oudraat) op. cit., pp. 73-112; and William J. Durch, 'Introduction to Anarchy: Humanitarian Intervention and 'State Building' in Somalia', in William J. Durch, *UN Peacekeeping, American Politics and the Uncivil Wars of the 1990s* (London: MacMillan Press, 1997), pp. 311-366.

<sup>115</sup> Stedman, op. cit., p. 48.

<sup>116</sup> This view is expressed by Daniel and Hayes (with Oudraat), op. cit., p. 86.

under the designated ‘Operation Restore Hope’. The Resolution allowed for a greater use of all necessary force when faced with resistance, the appearance of weaponry, the construction of roadblocks, or evidence of banditry.<sup>117</sup>

Pointedly, the Americans were shifting outside the parameters of the traditional peacekeeping approach—pushing the agenda of Boutros-Ghali’s peace enforcement paradigm. It was notably considered a successful humanitarian operation, effective in securing the distribution of relief supplies and stemming the death of Somalis.

Subsequently, and consistent with my general argument, it was Boutros-Ghali himself who engendered the next move towards the paradigm of preventative intervention. In the wrangling over the second UNOSOM mission, the United States reiterated its unwillingness to sustain its participation and pressed the UN to begin the transition towards its phased withdrawal, to be replaced by UN troops in the field. Resolution 814 created UNOSOM II, its mandate being humanitarian intervention, generating a secure environment for economic assistance and the political reconstitution of a Somali government.<sup>118</sup>

Yet Boutros-Ghali recognized that only the United States could effectively disarm and demobilize the militias, and it was he who advocated and cajoled the US to implement a coercive disarmament plan, extending its operations to throughout Somalia and not just in the South where it had primarily operated.

*In fact, the Secretary-General did not even want to start planning for UNOSOM II until the United States accepted this broader mandate and began carrying it out. But despite a change in administrations [Bush to Clinton], the US course of limiting the geographic scope of the operation, and avoiding general disarmament activities was set and would not change. As a result, Boutros-Ghali continued to insist until late April 1993 that it was premature and dangerous to begin planning for a US takeover. He was so certain that UNITAF could be pressured into implementing a ‘coercive disarmament’ plan that the United Nations never prepared a plan of its own.<sup>119</sup>*

Notably it was thus Boutros-Ghali who himself demanded further aggression in a move away from the peacekeeping norm and towards greater coercive preemption.<sup>120</sup> Indeed, paradoxically, as the situation in Somalia worsened (and the US introduced a war fighting ‘Quick Reaction Force’ to Somali in search of the warlord Mohamed Aideed), the gap between the UN position and that of the UN subsequently widened. For, counter intuitively, it was Boutros-Ghali who advocated that the UN adopt an increasingly-aggressive line even as the US position was softening. Lobbying hard for Security Council Resolution 837, he advocated that all necessary means be used by UN forces to arrest, detain and prosecute those Somali’s who had attacked UN forces. As Daniel and Hayes assert, the successful adoption of Resolution 837

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<sup>117</sup> Daniel and Hayes (with Oudraat), op. cit., p. 90.

<sup>118</sup> Ibid., p. 98.

<sup>119</sup> Ibid., p. 99.

<sup>120</sup> See Gary Anderson, ‘UNOSOM II: Not Failure, Not Success’, in Daniel and Hayes, *Beyond Traditional Peacekeeping*, op. cit., p. 273 and pp. 278-279.

“changed the entire premise upon which UNOSOM had been operating. The United Nations was now at war.”<sup>121</sup>

This new directive did not meet with the universal approval of all UN contingents. The French and Italian missions refused to conform, and issued conflicting orders to their troops. In the ensuing months, violence did escalate between UNOSOM troops and Aideed’s Somali National Army faction, a conflict in which the US force became entwined. This resulted in a situation in which a US force existed, operating under its own authority, intent on locating Aideed, and a separate UN force operated determined to defeat Aideed’s SNA forces, stabilize the environment and begin the process of nation building. Neither operation succeeded in attaining its goals.

UNOSOM failed, according to Daniel and Hayes, because it lacked the doctrine, resources or political backing to fight a war. Furthermore, according to Stephen Stedman, the US refusal to support the UN mission, and the US eventual withdrawal doomed the operation to failure.<sup>122</sup> Indeed, Edward Luck has offered the assessment that even the mere US announcement of its intention to withdraw its troops from Somalia and not join the UN operation was enough to let the latter unravel.<sup>123</sup>

Nonetheless, despite the mission’s evident failure, I believe that events in Somalia proved to be a watershed. They signaled the consolidation of a move away from peacekeeping to something that was broader in scope and different in character. Boutros-Ghali’s efforts to bring order to Somalia and consolidate the humanitarian operation there may have failed. But they laid the foundation for the idea of linking enforcement powers to a political mandate. Kofi Annan may have been correct in suggesting, in a 1994 interview, that it would be some time before the UN would support a peace enforcement mission of its own.<sup>124</sup> But the foundation had been laid for the construction of a norm in support of that idea.<sup>125</sup>

Events in, this period had demonstrated three points. The first was that moral entrepreneurs have pushed the cause of the norm of prevention in the face of humanitarian crises caused by intra-state wars. The second was that the UN had been the location for discussion, and was the evident institution through which enforcement of relevant policies would take place either directly or by a process of legitimating an ad hoc coalition. Finally, the relative success of any operation rested on US commitment. The US commitment of troops in Macedonia (however

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<sup>121</sup> Ibid., p. 102.

<sup>122</sup> Stedman in Daniel and Hayes, op. cit., p. 69. Gary Anderson’s comments are consistent with Stedman’s assessment. See Anderson, op. cit., p. 273.

<sup>123</sup> Luck in Daniel and Hayes, op. cit., p. 71.

<sup>124</sup> Stanley Meisler, ‘Kofi Annan: The Soft Spoken Economist who runs UN Peacekeeping Forces’, *Los Angeles Times*, 21 June, 1994.

<sup>125</sup> An outstanding case for examination is that of Bosnia. But, I believe, doing so would support a comparable argument detailed in the Somali case. Unlike in Somalia, UNPROFOR, the provided force provided by the UN preceded any US involvement. It initially proved inadequate in dealing with the aggression of the Bosnian Serbs. It was only when US policy changed course, and they began air strikes against Bosnian Serb positions, that all antagonists were coerced into participating in the Dayton Peace Accords. See, for example, Joseph R. Biden, ‘Bosnia: Why the United States Should Finish the Job’, *SAIS Review*, Summer-Fall 1998 v18 n2 p. 1.

small the operation), was adjudged by some as essential to that operation's success, signaling to possible protagonists the US seriousness of the US commitment.<sup>126</sup>

Consistent with this argument, the American 's countervailing refusal to commit to UNOSOM II was considered by some to be central in explaining the mission's demise. The norm of preventative intervention, nonetheless, remained in an early stage of development.

### 11.2 The Second Stage. After the Humanitarian Crises and Into the Consolidation Phase, 1996-2001

This period was marked by a different kind of conflict and intervention, traceable to the low-level sustained presence in Macedonia into 1999, and the precipitous series of events that marked the sustained NATO campaign in Kosovo as sanctioned by the UN. Both could be linked to the principles of preventative intervention. But neither was precipitated by the same kind of broad-based humanitarian crisis as was evident in the first half of the 1990s.

Among moral entrepreneurs (and notably UN officials), the argument in favor of the norm of preventative intervention continued, nonetheless, unabated. Boutros Boutros-Ghali had been the first high-ranking person to so aggressively promulgate the intellectual and emotional development of the norm of preventative intervention. But the appointment of Kofi Annan as Secretary-General of the UN signaled the real 'take off' stage for the norm.<sup>127</sup>

Embedded in the principle of 'sovereignty as responsibilities' rather than rights as outlined earlier, Annan aggressively promoted the concept of humanitarian intervention, dating from the UNDP yearly reports. In perhaps his cumulative statement, The UN's Millennium report entitled *We the Peoples: The Role of The United Nations in the 21<sup>st</sup> Century*, Kofi Annan offered his views about the major challenges facing humanity in the new century. The central theme in his discussion about poverty, aids, debt relief, and conflict prevention was that of a 'human-centered' approach to security—'human security' as it has come to be more widely known.<sup>128</sup> It redefines security in terms of demographic, poverty-related and substantive violent threats to individuals rather than the more traditional conception of security as being a threat to the territorial integrity of states.<sup>129</sup>

In that context, Annan consistently argued that preventative intervention plays a crucial role—whether structural intervention designed to address long-term issues or operational in

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<sup>126</sup> Luck in Daniel and Hayes, op. cit., p. 69.

<sup>127</sup> For a perspective consistent with this see, for example, Adam Garfinkle, 'Strategy and Preventative Diplomacy: US Foreign Policy and Preventative Intervention', *Orbis*, Fall 2001, V.45, i4, p. 503.

<sup>128</sup> Kofi A. Annan, *We the Peoples: The Role of The United Nations in the 21<sup>st</sup> Century*, (NY: United Nations Department of Public Information, 2000), p. 43.

<sup>129</sup> See, for example, Caroline Thomas, *Global Governance, Development and Human Security: The Challenge of Poverty and Inequality* (London: Pluto Press, 2000).

character to ward off imminent disaster, Annan characterized the necessary move as being from the movement from a ‘culture of reaction’ to a ‘culture of prevention’.<sup>130</sup>

Furthermore, the UN Charter, he claimed, was issues in the name of peoples and not governments, This, according to Bruce Jentleson, suggests that Annan has sought an enormous shift to reinterpret a series of UN Articles as being collectively threaded to justify preventative intervention. These include Articles 2(7) on sovereign rights; Article 3 on rights regarding life, liberty and personal security; Article 55 on human rights as a fundamental and universal freedom; and Article 56 that pledges membership action towards this end. Thus, according to Annan, “even national sovereignty can be set aside if it stands in the way of the Security Council’s overriding duty to preserve international peace and security”.<sup>131</sup>

In this period, such rhetoric found its way in a series of UN documents sponsored and issued by the Secretary-General designed to exhort the Secretary Council and General Assembly to accept this interpretation. In attempting to justify a new interpretation of ‘sovereignty as responsibility’, Annan, for example, stated that “conflict prevention is one of the primary obligations of member states set forth in the Charter of the United Nations, and United Nations efforts in conflict prevention must be in conformity with the purposes and principles of the Charter”.<sup>132</sup> Military and diplomatic intervention has therefore become one of the key elements of this ‘culture of prevention’.

While Anan’s efforts certainly stretched to addressing issues of Aids and broader issues of poverty as part of the peace and security agenda, his rhetoric was most acute and focused when discussing military prevention. He suggested in a recent document that “the time has come to translate the rhetoric of conflict prevention into concrete action”.<sup>133</sup> Annan attempted to reorganize the UN institutionally along these lines, focusing on reorienting the fourteen departments under the umbrella of the Interdepartmental Framework for coordination in 1998 primarily to address the issue of prevention. He also aggressively promoted a series of UN resolutions designed to strengthen peacekeeping and nation building capacities, and to focus the efforts of the Department of Political Affairs on playing a useful role in such cases.<sup>134</sup>

Annan was not alone in these efforts. He was assisted by a series of senior former politicians and high profile UN officials in promoting the norm of preventative intervention. Among the leading members of this group were Lakhdar Brahimi, former Algerian Minister for Foreign Affairs and chair of *The Report of the Panel on United Nations Peacekeeping Operations*; Mohamed Sahnoun (senior Algerian Diplomat, OAU and Arab League official, and

<sup>130</sup> Although there are numerous examples of Annan offering this statement, for emphasis, see the first line of the Executive Summary of the Report of the Secretary-General, *Prevention of Armed Conflict*, op. cit., p. 6.

<sup>131</sup> See Bruce W. Jentleson, ‘Coercive Prevention’, op. cit., p. 20.

<sup>132</sup> Report of the Secretary-General, ‘Prevention of Armed Conflict’, op. cit., p. 1.

<sup>133</sup> Ibid., p. 3.

<sup>134</sup> Ibid., pp. 13-15.

Brundtland Commission member); and Gareth Evans, former Australian politician and MP.<sup>135</sup> The latter two served as co-chairs of the report published in 2001 entitled *The Responsibility to Protect* issued by an NGO, The International Commission on Intervention and State Sovereignty. That report is arguably the most comprehensive statement of the foundations of a preventative intervention norm to date. Not surprisingly, although funded by the Canadian government, the mandate of the commission was to respond to Secretary-General Kofi Annan's call for a greater focus on the issue of preventative intervention.

The first phase of the evolution of the norm of preventative intervention was therefore developed by moral entrepreneurs in the context of widespread conflict across Africa and Europe. The second, however, generally was not. War raged in the former Yugoslavia, as NATO forces brought a dictator to his knees. But the case made by moral entrepreneurs focused rather more on the cases that predated 1996, and how the genocides of the period could be avoided.

American reaction to these efforts was sporadic and occasionally hostile, although it is arguable that a concerted case was being built in favor of the norm between 1996 and 2001. Some American scholars, such as Bruce Jentleson (formerly a State Department official and senior advisor on foreign policy to Al Gore), were writing extensively on the normative, political and policy aspects of what Jentleson preferred to term 'coercive prevention'.<sup>136</sup> Some of his analytic work was complemented by a series of public opinion survey pieces he authored (or co-authored) that examined what Americans generally felt about the idea of American participation in preventative intervention. In general, Jentleson provided evidence that contradicted the traditional conservative assessment that claimed that the American public opposed military intervention in regardless of the cause. Indeed, Jentleson suggested, this was not the case; differentiating between the motives for intervention revealed that support increased when the issue was that of addressing the large-scale effects humanitarian crises.<sup>137</sup>

This period was marked by several cases of what has been termed 'indirect American intervention (East Timor, Sierra Leone, and Liberia)<sup>138</sup> one outstanding case of direct intervention; that of the American decision to join with its NATO partners and lead a bombing campaign in Kosovo that proved so contentious. Critics contended that the NATO bombing in Kosovo might have been illegal under international law<sup>139</sup> (albeit that the bombing was purportedly justified by Belgrade's abrogation of UN Security Council Resolution 1199) because China and Russia refused to sanction the bombing campaign. Others have denounced the American position as hypocritical because Clinton claimed a moralist and collectivist impulse

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<sup>135</sup> Gareth Evans also serves as President of a Brussels-based NGO, the International Crisis Group, devoted to the issue of preventative intervention.

<sup>136</sup> Jentleson, op. cit.

<sup>137</sup> See Bruce W. Jentleson and Rebecca L. Britton, 'Still Pretty Prudent: Post-Cold War American Public Opinion on the Use of Military Force', *Journal of Conflict Resolution*, Vol. 42, No. 4, August 1998, especially p. 406

<sup>138</sup> Henry F. Carey, op. cit., p. 72.

<sup>139</sup> See, for example, Julie Mertus, 'Reconsidering the Legality of Humanitarian Intervention': Lessons from Kosovo', *William and Mary Law Review*, May 2000, Vol. 41, 15, p. 17453. Mertus does argue, however, that the intervention may indeed be justifiable according to the UN Charter.

but was in fact unilateralist in action and self-serving in motive.<sup>140</sup> Proponents of the action, in contrast, suggested that the action took place without Security Council support, but may have been legal under a growing volume of humanitarian law by virtue of precedent.<sup>141</sup>

Concerns about interventional law, however, seemed to play no obvious role in explaining the decision by President Bill Clinton to articulate ‘the Clinton Doctrine’ on June 22, 1999. Here, in offering a perspective consistent with and congruent to, the norm of preventative intervention, Clinton offered “an avowal to stop mass murder everywhere despite the cost to the principle of sovereignty.”<sup>142</sup>

Perhaps proponents of this norm thought that the articulation of this doctrine would result in the consolidation of American support, and subsequently the broad implementation of this norm in policy. If so, they had not counted on the vagaries of US politics.

For the election of George W. Bush as President signaled an explicit, fresh hostility by the new Administration to such humanitarian missions, preferring to pursue a narrower definition of self-interest in a spirit of unilateralism.<sup>143</sup> The new Administration’s position on the Kyoto Accord, the ICCJ, The Biological Weapons Protocol, and the Anti-Ballistic Missile Treaty were consistent with this unilateral posture.<sup>144</sup>

The Bush position on preventative intervention was indefatigably stated during his presidential campaign, summed up with characteristic brevity with the statement that “We should not send our troops to stop ethnic cleansing and nations outside our strategic interest.”<sup>145</sup> Pressed to view American involvement as necessary, conditioned more by American interests in and the structural conditions that others argued necessitated engagement, Bush and his advisors seemed immovable on the issue. Their position echoed the sentiment of some commentators that it was not the American role to prevent each tragedy (nor was it capable of doing so) and that American national interest, not moralism, should be the basis of decision-making.<sup>146</sup>

Military force was supposedly to be used by the US quickly and at moderate cost, consistent with supposedly historic (if in fact factually inaccurate) American behavior. Such a

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<sup>140</sup> For a discussion of this issue see Jeffrey C. Isaac and Suzanne Dovi, ‘Hypocrisy and the Limits of Debunking it’, *Polity*, Fall 2001, Vol. 34, i1, pp. 31-40.

<sup>141</sup> See, for example, Klinton W. Alexander, ‘NATO’S Intervention in Kosovo: The Legal Case for Violating Yugoslavia’s National Sovereignty in the Absence of Security Council Approval’, *Houston Journal of International Law*, Spring 2000, Vol. 22, i3, p. 403. For a further variety of assessments by notable legal scholars see Editorial, ‘NATO’s Kosovo Intervention’, *American Journal of International Law*, 93, No. 4, 1999, <http://www.asil.org/kosovo.htm>

<sup>142</sup> Cited in Garfinkle, *op. cit.*, p. 507.

<sup>143</sup> For a sympathetic statement of this perspective see Charles Krauthammer, ‘The New Unilateralism’, *Washington Post*, June 8, 2001, p. A29.

<sup>144</sup> Michael Mazarr, ‘Saved From Ourselves?’, *The Washington Quarterly*, Spring 2002, p. 228.

<sup>145</sup> George W. Bush to ABC News, January 23, 2000 quoted in Adam Garfinkle, ‘Strategy and Preventative Diplomacy’, *op. cit.*, p. 503. For supporting evidence see Condoleezza Rice, ‘Promoting the National Interest’, *Foreign Affairs*, Jan/Feb 2000, pp. 45-62.

<sup>146</sup> For an expression of this position see, for example, Christopher Layne, ‘Minding Our own Business: The Case for American Non-Participation in International Peacekeeping/Peacemaking Operations’, in Daniel and Hayes (ed.). *Beyond Traditional Peacekeeping*, *op. cit.*, pp. 87-88.

view did not recognize that the United States has often been involved in wars that subsequently required nation building, Germany and Japan being among two of the more notable examples.<sup>147</sup>

Other governments—such as the Dutch, Canadian, British and Swedish—shifted towards fostering far better pragmatic connections between humanitarian assistance and conflict resolution in this period, according to Thomas Weiss.<sup>148</sup> The American objective as defined by Bush and his advisors, however, was moving in the opposite direction. It was conditioned by two considerations; to avoid being bogged down in the prospect of ‘nation building’ (‘the Vietnam syndrome’) and to avoid taking casualties as the foremost goal (the ‘zero casualties syndrome’). Humanitarian intervention, many such as influential columnist Charles Krauthammer argued, would clearly transgress both of these primary policy goals.<sup>149</sup> Bush, in effect, was echoing and responding to the policies and events of his father’s administration. George Bush Senior had wanted to avoid either problem when initially engaging in Somalia, driven to act by a humanitarian impulse but keen to avoid the suggestion that Americans were either there to govern or to assist in forming a new government.<sup>150</sup>

Thus, American commitment to the development of the norm of conflict prevention seemed to have stalled—and with it any momentum stymied.

### 11.3 A New World: Contestation and Vying for Legitimacy, 2001-

If indeed ‘politics makes strange bedfellows’, then few can be stranger than the ‘fellowship’ of George W. Bush and Kofi Annan. For vastly different reasons, both would probably prefer not to identify with each other as proponents of a comparable norm. Yet I argue, somewhat perversely, that the events of September the 11<sup>th</sup> 2001, set in train a series of events that have created a far greater congruence in support of the norm of preventative intervention than either Bush or Annan would probably care to admit in public. Motivated by very different goals, founded on contrasting values, for vastly different reasons, each is now drawn towards the same norm—the advocacy of the principle of preventative intervention founded on the principle of ‘sovereignty as responsibilities’. The abrogation of responsibilities constitutes for both Annan and Bush suitable grounds for preventative intervention.

Annan’s purpose has always been human security as defined in developmental terms: combating ethnic conflict on a massive scale, addressing problems of Aids, poverty and the dissembling of human rights. He seeks to protect civilians immediately exposed to the dangers of violence and war that is often the product of the state’s implosion or disintegration—of ‘humanitarian crises’.

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<sup>147</sup> William Odom, *op. cit.*, p. 48.

<sup>148</sup> Thomas Weiss, ‘Principles, Politics, and Humanitarian Action’, *op. cit.*, p. 17.

<sup>149</sup> William Odom, *op. cit.*, pp. 48-49.

<sup>150</sup> *Ibid.*, p. 51.

George Bush would also claim to advocate preventative intervention, with the purpose of protecting civilian populations. His claim might even extend to the suggestion that the targets for such intervention are often ‘failed’ or captured states that provide fertile and relatively welcoming environments for forces intent on the pursuit of global terrorist activities. But the stress here on the purpose of action is more akin to the traditional notion of state security, even as its primary targets are civilians, than human security as defined by Annan.

Two alternative conceptions of the meaning and purpose of preventative intervention therefore now tussle in a fragile process of consolidation. From the American perspective, among the leading American proponents of such a norm is Richard Haass, current director of the Policy Planning Staff of the US State Department. In perhaps his most dramatic statement to date, Haass outlined a view in a speech before the Foreign Policy Association more than faintly reminiscent of an imperial notion of America’s role in the world.

Haass spoke of the paucity of, and confusion about, both the goals and the means of policy. This confusion engulfs the way in which Americans respond to a series of transnational threats, including mass destruction, terrorism, infectious diseases and environmental degradation. In the aftermath of September 11<sup>th</sup>, according to Haass, there is a need to develop a new doctrine that fuses the “transnational and the traditional” and to provide a coherence and rationale for addressing a series of threatening situations across Latin America, Asia and the Middle East.

Such a doctrine, according to Haass, “not only gives overall direction to policy, but it also helps establish basic priorities. It can help shape, size, and direct the allocation of resources, while allowing policymakers to conserve that most precious of all resources, their time”. Furthermore, suggests Haass, “a doctrine offers strategic clarity”.<sup>151</sup> He labels the one he advocates a *doctrine of integration*. Haass outlines the central rudiments of such a doctrine when stating that

*In the 21st century, the principal aim of American foreign policy is to integrate other countries and organizations into arrangements that will sustain a world consistent with U.S. interests and values, and thereby promote peace, prosperity, and justice as widely as possible. Integration of new partners into our efforts will help us deal with traditional challenges of maintaining peace in divided regions as well as with transnational threats such as international terrorism and the proliferation of weapons of mass destruction. It will also help bring into the globalized world those who have previously been left out. In this era, our fate is intertwined with the fate of others, so our success must be shared success.*

*We are doing this by persuading more and more governments and, at a deeper level, people to sign on to certain key ideas as to how the world should operate for our mutual benefit. Integration is about bringing nations together and then building frameworks of cooperation and, where feasible, institutions that reinforce and sustain them even more.*<sup>152</sup>

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<sup>151</sup> See Richard Haass, ‘Defining U.S. Foreign Policy in a Post-Post-Cold War World’, <http://www.state.gov/s/p/rem/9632.htm>

<sup>152</sup> Haass, op. cit.

The values reflective of this doctrine are predictable—the rule of law, limited state power, respect for women, private property, equal access to justice and religious tolerance—and are characterized as universal values. In sum, says Haass, these values “are captured by the idea of integration”, a “profoundly optimistic approach to international relations” in which (through a process of consultation and cooperation) power can be pooled.

Integration applies to both relationships (between the US on the one hand, and both developed and developing countries on the other) and to institutions (multilateral and regional). The present purpose is to create “an architecture for this new global era that will sustain the cooperative pursuit of shared global interests”. In addressing the concerns of humanitarian crises that have more commonly been associated with preventative intervention, Haass comments (with apologies for the long quote) that

*Some nations and their people cannot now tap into the benefits of the globalized economy because of these countries' institutional and economic weaknesses. It would be morally repugnant—and defy our nation's deepest values—to ignore the plight of the citizens of such countries. And, as Afghanistan taught us all too well, it would also be unwise to look away when states begin to fail. Today's humanitarian problem can all too easily become tomorrow's strategic threat.*

*It is for reasons such as these that the United States is pressing for fundamental reforms in how the World Bank handles development assistance. And, that is why President Bush announced last month his bold initiative to dramatically increase American foreign assistance by 50% over the next three years. The Millennium Challenge Account, moreover, will be allocated according to criteria that stress the mutually reinforcing connections among good governance, the rule of law, investment in people, open markets, and poverty reduction.*

*Establishing new norms for this new era will be equally important to our success. The right to self-defense is an international norm that none deny. But over the past decade, we have seen an evolution in how the international community views sovereignty. Simply put, sovereignty does not grant governments a blank check to do whatever they like within their own borders. Instead, the principle that sovereignty carries responsibilities is gaining ground.*

*We saw this in the humanitarian interventions of the past decade, such as in Kosovo. When governments violate the rights of their people on a large scale—be it as an act of conscious policy or the byproduct of a loss of control—the international community has the right and sometimes even obligation to act. Since September 11, behind President Bush's leadership, we have seen similar changes in how the international community views states' responsibilities vis-à-vis terrorism. Countries affected by states that abet, support, or harbor international terrorists, or are incapable of controlling terrorists operating from their territory, have the right to take action to protect their citizens.<sup>153</sup>*

The tools for implementation are diplomatic, economic, military, financial and legal. The purpose, according to the doctrine, thus clearly extends to nation building in addressing a series of transnational, collective action problems. America, Haass points out, may provide leadership but (given their scale and scope) cannot address them alone.

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<sup>153</sup> Haass, op. cit.

Notably, Haass explicitly suggests that coalitions in addressing problems will be fluid in character, as will the issue of using formal institutions as conduits. By implication, the role of the UN will therefore not be embedded in the functioning of this doctrine (one also referred to as constituting a new norm by Haass). The NATO decision to take military action regarding Kosovo in the absence of a Security Council sanction may therefore have initiated an unanticipated precedent by Russia and (perhaps more significantly) the People's Republic of China.

Haass' integrationist doctrine is obviously a statement of proposed intent and therefore distinct from the norm of preventative intervention previously described. But the linkage is that the doctrine serves to legitimate the norm by advocating a crude specifications of conditions under which preventative intervention is appropriate. The doctrine thus justifies action.

In a subsequent speech, George Bush echoed many of the themes of the norm of preventative intervention, albeit in a vastly different context from that delineated in the context of intra-state conflict. He emphasized the 'culture of prevention' notion, in speaking of a possible terrorist attack, when he stated that "If we wait for threats to fully materialize, we will have waited too long". Furthermore, Americans must "be ready for pre-emptive action, when necessary, to defend our liberty and defend our lives". Bush contended that "Moral truth is the same in every culture, in every time, and in every place", and emphasized that "targeting innocent civilians for murder is always and everywhere, wrong. Brutality against women is always and everywhere wrong". In reference to China and Russia, Bush stated that: "When the great powers share common values, we are better able to confront serious regional conflict together, better able to cooperate in preventing the spread of violence or economic chaos". The purpose, he suggested, is "to build the pressure for peace".<sup>154</sup>

As Michael Mazarr has pointed out, the evident risk of this kind of position is the perception by foreigners of cultural imperialism as part of a twin strategy that accompanies the promotion of globalization.<sup>155</sup> Paradoxically, while drawing nearer in commitment and practice to an evolving or emergent global norm, its invocation and usage in what appears to be a self-serving manner will alienate the United States from those who support its use for humanitarian purposes. This would serve to undermine the very norm in its fledgling state.

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<sup>154</sup> See excerpts in Bush's speech in Gerry J. Gilmore, 'Bush: West Point Grads Answer History's Call to Duty', <http://www.usma.edu/publicaffairs/pv/020607/calltoduty.htm>

<sup>155</sup> Michael Mazarr, *op. cit.*, p. 224.

## 12 Conclusion

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In this paper I have attempted to outline the basis for a broad argument about the fate of global norms—the conditions under which they become important as determinants of policy. I began by outlining variance in possible outcomes, three variables that constitute necessary and sufficient conditions for the successful implementation of global norms. I provided a coding of the variance in the outcome according to these three variables.

Subsequently, I have attempted to apply the argument to understanding the evolution of the norm of preventative intervention. I have described this as a three-stage evolutionary process. The first stage was developed in the midst of intra-state war in the late 1980s and first half of the 1990s. Advocated vociferously by perhaps the ultimately placed moral entrepreneurs, senior UN officials, the process marked the rudimentary formation of the norm of preventative intervention as an alternative to that of the traditional one of peacekeeping. The catalyst in this first period was that of ‘shame’, particularly of the West’s lack of a response to events in Rwanda.

The second period stretched from the mid 1990s until the Fall of 2001. During this period, the norm evolved and consolidated as a legitimate basis for humanitarian intervention. Sovereign responsibilities became part of the vocabulary, discussed in the language of the United Nations and even given preeminence by American Presidents. The norm itself, consistent with my argument, had begun to consolidate with a seemingly greater US commitment, to be implemented through the institutions of the UN and possibly those of regional organizations.

The third period began with the events of September 11<sup>th</sup>. These events, while traumatic and involving a paradigmatic shift for the U.S., were of understandable less significance for most of the rest of the world. The exception to this statement was certainly the countries that became targets of American-led hostility such as those forces of fundamentalism engaged by coalition forces in Afghanistan.

Indeed, Issues of attacks on American (or even Western) targets are probably coincidental to the concerns of most non-Americans. But U.S. behavior often has more extensive implications for those in the developing world. The unforeseen consequences for those subject to intra-state wars in the context of humanitarian crises become more evident here. For the contestation of the definition and purpose of the norm of preventative intervention not only risks a shift in the ensuing policies but also one in terms of the corresponding resources. Will it develop into a norm applied to locating terrorist opposition, to addressing threats of genocide in humanitarian crises, or indeed is there enough flexibility in interpretation to justify its legitimating of both?

In terms of my original framework, I believe that the norm itself is therefore in a process of transition between the three variables. Moral entrepreneurialism has been evident. Of course this paper raises the question of who constitutes a moral entrepreneur? Is it only to be found among NGOs or can the term be extended to individuals operating within international organizations as well?

What is clear is that the process of institutionalization is open to interpretation. On the one hand, it might be reasonable to assert that it has been slow and uneven in the face of the repeated intra-state conflicts of the 1990s. On the other hand, the relative formation and institutionalization of the norm of preventative intervention looks quite rapid in the context of the consolidation of the Red Cross over a 140-year period. An alternative paradigm (however malleable at the edges) has formed to the traditional one of peacekeeping within a decade-and-a-half.

Finally, the American commitment to materially supporting this norm is crucial to its success. That commitment has been erratic at best. Furthermore, American policy risks the appearance of being the kind of self-serving justification that could undermine the case made by moral entrepreneurs. American reinterpretation risks alienating the constituency of the Developing World who see it is a possible prescription for endemic forms of violence that are currently far greater in scope and depth than terrorism. However heinous the events of September 11<sup>th</sup> might have been, they do not compare to the 800,000 deaths in Rwanda or the hundreds of thousands currently dying in the Congo.

The norm itself is now being contested and defined. The distribution of power suggests that it might fail to be universally consolidated and accepted if it is seen as purely an American (or even Western) guided instrument in the fight against global terrorism. If, on the other hand that become only a component part of the norm, and there is room for elements of preventative intervention that sanctions and supports preventative intervention in the context of humanitarian crises, then all three of the conditions I specified will have been met. In effect, the ensuing period will be crucial in determining whether the process of implementation will take place and, ultimately, for what purpose. The future agenda of global governance may, however, include this as a key aspect.

### The following papers have been published so far:

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| No. 1  | Ulrike Grote,<br>Arnab Basu,<br>Diana Weinhold               | Child Labor and the International Policy Debate<br>Zentrum für Entwicklungsforschung (ZEF), Bonn,<br>September 1998, pp. 47.   |
| No. 2  | Patrick Webb,<br>Maria Iskandarani                           | Water Insecurity and the Poor: Issues and Research<br>Needs<br>Zentrum für Entwicklungsforschung (ZEF), Bonn,<br>Oktober 1998, pp. 66.   |
| No. 3  | Matin Qaim,<br>Joachim von Braun                             | Crop Biotechnology in Developing Countries: A<br>Conceptual Framework for Ex Ante Economic Analyses<br>Zentrum für Entwicklungsforschung (ZEF), Bonn,<br>November 1998, pp. 24.    |
| No. 4  | Sabine Seibel,<br>Romeo Bertolini,<br>Dietrich Müller-Falcke | Informations- und Kommunikationstechnologien in<br>Entwicklungsländern<br>Zentrum für Entwicklungsforschung (ZEF), Bonn,<br>January 1999, pp. 50.                                  |
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