

Advances in Understanding International Peacemaking

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Volume II
1996–2000

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Foreword

What is the role of law at the international level in addressing crimes committed by regimes now out of power? Do truth commissions enhance or undermine political stability? Are human rights universal or do they vary from culture to culture? Does the international community's failure to stop genocide make its future occurrence more likely? Is ethnic conflict in decline in the post-Cold War era? Has the international community paid sufficient attention to lessons available from past peacekeeping missions?

These are some of the fascinating questions addressed in this volume of *Advances in Understanding International Peacekeeping* by political scientist Anne-Marie Smith. Commissioned by the United States Institute of Peace, these essays reflect the complexity and evolution of the fields of international law, international security and comparative politics as they deal with questions about the origins, transformation, mediation, and resolution of conflict. These essays also provide insights into, among other issues, the challenges of achieving justice and reconciliation in postconflict societies, the dynamics of negotiating peace settlements and the art of making them stick, the problems associated with small arms proliferation and the privatization of security, and the evolving nature of terrorism. They also document the growing literature on transitional justice issues that have taken center stage in many postconflict societies that are attempting to make the transition from authoritarian to democratic rule.

All of the works cited in this report are products emanating from the Institute's work in the past several years. While the majority of contributions analyzed in these essays resulted from Institute grant support, the report also highlights the output of conferences and research produced by the Institute's Research and Studies Program, as well as the work of a number of senior fellows in the Institute's Jennings Randolph Fellowship Program.

Active since 1986, the Institute's Grant Program has made some 1,300 grants to non-profit organizations (including private colleges and universities), official public institutions, and individuals in the United States and around the world. It continues to provide funding for research to expand knowledge, train and support diplomats and other professionals, enrich curricula at both the university and high school levels, and educate the public at large. Twice each year, the Grant Program invites proposals on "unsolicited" topics dealing with a broad range of subjects relating to conflict resolution or international peace, and once a year solicits proposals on topics of special interest or concern to the Institute. Grant amounts generally range from \$20,000–\$45,000.

Products supported by the Institute's Grant Program have resulted in the publication of 282 books (by the Institute and by other publishers) and around 300 articles. All grant products published as books have been summarized by the Institute in six editions of *Contributions to the Study of Peacemaking*, the most recent of which appeared in 1999. In 1998, the Institute also published the first volume of *Advances in Understanding International Peacemaking*.

Since its inception, the Institute's Jennings Randolph Fellowship Program has hosted 178 senior fellows to conduct research projects in Washington, D.C. for periods of up to

one year. Typically, fellows are drawn from academia, government, journalism, law, and the field of conflict resolution. To date, the Institute has published 32 books resulting from the fellows' work, as well as numerous special reports and other publications.

The Institute's Research and Studies Program organizes working groups and meetings, and produces short reports that bring together academic and policy perspectives. The program's ongoing regional projects focus on the Asia-Pacific region (including the Korean Peninsula, China and Taiwan, and Indonesia), as well as on Russia, East and Central Africa, and the Middle East. Its thematically organized work addresses issues in cross-cultural negotiation, coercive diplomacy, integrated civil-military decision making, human rights implementation, and political violence.

The essays presented in this volume provide analysis of selected works on a number of themes. Revealing thematic relationships in the works covered and drawing lessons from them, the essays will be of interest to scholars who may be familiar with some, but not all, of the works mentioned. Busy practitioners who normally do not have the time to read a wide range of scholarly works should find the essays particularly valuable. We also hope that they will whet readers' appetites to review the summaries of all the grant products available in the six volumes of *Contributions to the Study of Peacemaking*, or, even better, to read the original works themselves.

The views expressed in this report are the author's and do not necessarily reflect those of the Institute. We are very grateful to Anne-Marie Smith for her perceptive reading of the works analyzed herein and for her insightful analysis.

JUDY BARSALOU
DIRECTOR, GRANT PROGRAM

Introduction

In her essay “Conflict Resolution versus Democratic Governance: Divergent Paths to Peace?” Pauline Baker assesses the damage done by violent conflict as it destroys not only the peace and prosperity of those involved, but also the stability of their neighbors and general public confidence in the multilateral organizations that seek to prevent or curtail such conflict. Baker observes that problematic conflicts “do not rapidly burn themselves out, at least not without enormous human and material damage. Nor does a reluctance to intervene necessarily relieve the international community of the burden of involvement.”

The scope and nature of that burden, its limits and imperatives, are open to debate. Efforts supported by the United States Institute of Peace ensure that this debate is an informed and considered one, illuminated by extensive research, comparative analysis, insightful reflection on experience, and careful assessment of current initiatives. Such work is undertaken through the grants, fellowships, research programs, conferences, workshops, and training sessions sponsored by the Institute.

The eight essays presented herein draw from among the extensive materials produced with Institute support over the past five years. The essays identify themes that have been pursued by policymakers, analysts, scholars, and practitioners as they attempt to understand, prevent, and resolve violent conflict; design effective intervention; or work to make international involvement unnecessary.

The first essay presents the particular challenges for the role of the law during political transitions, attending to the pursuit of justice as it affects the achievement of peace. Truth commissions receive particular attention, as they have now been established in enough countries to enable detailed comparative analysis.

The second essay addresses human rights, with contributions to the debate over the universality of rights and analysis of the potential for their regional implementation. A number of analysts address genocide, assessing the weakness of existing international instruments to prosecute such crimes against humanity and developing proposals to strengthen prevention.

Ethnic conflict, the subject of the third essay, is of paramount concern. Some look at it from the broadest comparative perspective, identifying global trends. Others undertake detailed examinations of particular conflicts. Many policy initiatives that address ethnic conflict are presented and assessed, as is a wide menu of policy options for confronting, managing, and defusing ethnic conflict in very different settings.

The fourth essay takes a long, historical view of international peacekeeping, examining past efforts to look for the lessons that perhaps should have been applied in subsequent cases and that might be applied in the future. Recurrent problems are isolated and better alternatives are suggested for the complex and varied undertaking of international peacekeeping missions.

Peace settlements are the topic of the fifth essay. Researchers, negotiators, and practitioners examine the entire time frame of peace settlements, from the dynamics of the

prenegotiation phase through the delivery of funding from international sources to implement agreements.

The next essay examines the changing relationship between states and the use of force. Traditional patterns of organized violence are undergoing a gradual—but distinct—transformation because of the immense proliferation of small weapons outside the control of states and also because of the significant increase in the privatization of security. Both phenomena call for new policy responses.

Terrorism is the focus of the seventh essay. The potential for terrorists to use weapons of mass destruction merits careful analysis regarding the nature of terror, the identity of terrorists, their goals and tactics, and the means to stop them. Lessons are derived from previous patterns of terrorism, even with the acknowledgement of new unknowns in the manifestations of political violence.

The final essay considers initiatives to enable peace between people. The means by which collective identity and experience are formed and passed down—through textbooks, histories and maps—are critically examined in several regions of conflict. A number of programs aim to break through traditions of enmity, provide training in conflict avoidance, and allow peoples in conflict to recognize each other as fellow human beings. Organizers of such initiatives explain the design of their programs, reflect on their experiences, demonstrate their growth, and identify further challenges.

Many of the materials referred to here are not yet in their final form. Some are manuscripts not yet published; others are initial reports from conferences and workshops that will be developed further. Readers will discover that page references to these manuscripts may not correspond to their final published form. Readers should also be aware that the United States Institute of Peace is not the distributor of these materials. The bibliography provides information on publishing houses and home institutions of authors whenever possible. Those interested in these materials may also want to consult *Contributions to the Study of Peacemaking*, a periodic publication providing summaries of research conducted by grantees and fellows, and the first volume of *Advances in Understanding International Peacemaking*, which offers seven essays on the lessons and insights generated by grantees over the first decade of the Institute's Grant Program.

Transitional Justice

Regime Change and Truth Commissions

Law is most important when that's all there is" (p. 61). **Ruti G. Teitel's** assertion in *Transitional Justice* is jarring. Conventionally, we conceive of law as an integral part of a nation's political system, social order, and normative culture. Is there a time or place when law is "all there is"? What role can law play when a political system has collapsed or been overthrown and its successor is in the process of being created? And what is the role of law in the interstices between national systems? How does law function at the international level, where it is not closely tied to a single political system or social order? Many analysts and researchers funded by the United States Institute of Peace address the nature of law at such times and places, examining transitional jurisprudence, truth commissions, human rights law, and genocide conventions, and clarifying their import for resolving conflict and consolidating peace.

Law in Times of Change

In ordinary times, law provides order and stability. What, then, is the role of law during periods of tremendous political upheaval? What can law contribute, and how can it function during periods of great change? *Transitional Justice* by grantee Teitel explores the potential of law during transitions, with attention to criminal, historical, administrative, and restorative justice. The aftermath of a repressive regime poses many challenges: constructing normative understandings of what is fair and just, establishing past wrongdoing, determining amnesty or punishments, vindicating rights, and defining the framework of political change in a liberalizing direction. Looking over history and around the world, Teitel challenges both Realist accounts (that law is a mere product of the transition) and idealist views of law (that law is not shaped simply by political circumstances) to develop a theory and practice of "transitional jurisprudence." Through attention to such issues as amnesty, successor trials, punishment, sanctions, and truth commissions, Teitel creates an appreciation of the role of law during political transitions, particularly in the contemporary period that has witnessed many such transitions, including those from military rule in Latin America and those from communist regimes in Eastern Europe and Russia. Teitel also directly tackles some of the most profound conundrums of the transition from a repressive to a liberal state: should previous power-holders be punished or granted amnesty? And, is the repressive state or the individual perpetrator to be held responsible for state-sponsored crimes?

Constructing a transformation while simultaneously providing order is a delicate endeavor. The goal of transition is to make a distinctive break with the repressive past, to mark a clear discontinuity with the state's previous identity, behavior, and record—and yet to retain enough of the familiar vocabulary and methods to be recognizable and intelligible. That is, while bringing its transformative potential to fruition, the new regime

has to be continuous enough with the old system to be manifestly state-like. Indeed, according to Teitel, “though paradoxical, it is often through a society’s traditional ritualized processes that political change is more clearly expressed” (p. 172). Teitel gives the example of lustration to indicate the risks involved in this process. Previous power-holders need to be removed, yet this must be done in such a way not to signal merely a new round of politicized purges. Successor trials thus “walk a remarkably thin line between the fulfillment of the potential for a renewed adherence to the rule of law and the risk of perpetuating political justice” (p. 30).

Contingent Paths: Amnesty or Punishment

One of Teitel’s insights is that there is no single best way to accomplish transition away from a repressive regime and toward a liberal system. What is most appropriate in any situation will depend on the particular circumstances. While justice and truth are not relative, she suggests, they are certainly contingent upon context. Teitel addresses

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the recurrent question . . . concerning what response to repressive rule is most appropriate to ushering in a lasting democratic system. The subtext of the question assumes a transitional ideal and that normative concerns somehow militate for a particular categorical response. However, this is simply the wrong question: There is no single correct response to a state’s repressive past. (p. 219)

The correct response will depend on a number of factors: a society’s legacy of injustice, its legal culture and political tradition, the role and quality of its judiciary, and the exigencies of political circumstances during the transition. Consider, for example, the vast differences in the role of adjudication in Germany under Nazi control, various nations in Latin America under military rule, and South Africa under apartheid. The meaning of the rule of law is highly contingent in relation to the social meaning of injustice in the region. Looking at transitional precedents (and not just idealist theory), Teitel concludes that there is no one universal recipe for constructing the shift from a repressive past to a liberal future. What is essential is that the shift be clearly demarcated.

A related question is whether those considered responsible for past repression should be punished or granted amnesty by the successor state. Teitel notes that this is often cast as collective amnesia versus collective memory. Does amnesty permit impunity or does it demonstrate a level of restraint in the application of punishment that heralds a return to the rule of law? Is there even a right answer to that question? Teitel answers in the negative and urges that a different question be asked.

Teitel’s contention is that both punishment and amnesty, as official acts, are effective at drawing a line of discontinuity with previous repression. She writes that “Amnesty, like punishment, is a practice that signals sovereignty—showing where political power lies. Accordingly, punishment’s waiver, like its exercise, defines the political transition” (p. 56). The question, then, is not amnesty or punishment, but whether either is undertaken properly, following regular procedures and legitimated by public democratic processes. If done well, according to Teitel, “amnesties and punishments are but two sides of the same coin: legal rites that visibly and forcefully demonstrate the change in sovereignty that makes for political transition” (p. 59).

Repressive States and Responsibility

While there is no single formula for the role of law during political transition, Teitel nonetheless observes a very important common trait among contemporary repressive regimes—and, therefore, the transitions away from them. Whereas ancient tyranny was frequently distinguished by its arbitrary and idiosyncratic nature, contemporary state persecution tends to be highly systematic. The world witnesses administrative murder conducted by modern security apparatuses. Teitel sees systematic persecution as “incontrovertibly the paradigm of contemporary tyranny” (p. 66). For transitional jurisprudence, this raises the challenge of establishing the responsibility not only of individual perpetrators but also of the state itself, its institutions and offices. In contemporary transitions away from political repression, it is imperative to acknowledge and adjudicate state responsibility. Yet the great hallmark of liberalism is individual responsibility. How is transitional jurisprudence to handle this dilemma?

The transition from a repressive regime to a liberal successor reveals a serious disjuncture in the nature of criminal accountability. In contemporary repressive regimes, the state bears great responsibility for wrongs committed. Yet the primacy of individual rights and responsibilities is a core axiom of liberalism. How can transitional justice contend with a state’s responsibility while attempting to deal with individual perpetrators? How does it avoid highly illiberal collective judgments and attributions of guilt by association, and yet address the immense and crucial role of the state in repression? A standard liberal system is insufficient for the task. As Teitel describes this inadequacy, “[Liberal] criminal justice primarily seeks to establish individual responsibility for wrongdoing, but the tyranny of the modern bureaucratic state diffuses responsibility throughout the polity, and the ordinary workings of criminal justice are inapposite” (p. 150).

In attempting to defeat this conundrum, Teitel finds little help from legal theory and doubts “whether there is any theory of individual responsibility that can span the move from a repressive to a more liberal regime” (p. 50). In practice, however, she discovers a number of such mediating forms as administrative sanctions, administrative investigations, truth commissions, compilation of public records, and official pronouncements of past wrongs. Such measures offer a possible practical solution when the sheer number and magnitude of the wrongs would overwhelm the criminal justice system. Further, Teitel suggests, such measures begin to recognize the complex intertwining of individual and collective responsibility and to make a bridge between the two. This is not a tidy matter. Teitel can only point to an as-yet unrealized evolution occurring in both law and history—that as historical understanding has come to see persecution as caused by individual agency against a backdrop of systemic policy, so may the law one day reach a more complex view of responsibility.

Teitel sees truth commissions emerging as a particularly apt response to contemporary state repression. Truth commissions, she writes, are becoming “the leading mechanism elaborated to cope with the evil of the modern repressive state, since bureaucratic murder calls for its institutional counterpart, a response that can capture massive and systemic persecution policy” (p. 78). What shape a truth commission takes, and whether or not it is appropriate and effective at ushering in a more liberal system, will again depend upon the particular circumstances of any given transition. Teitel describes two broad legacies

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from the repressive regimes that held power in Eastern Europe and the Soviet Union as compared to military rule in Latin America—different legacies that require different approaches to transition and to the search for truth.

The last wave of military dictatorships in Latin America wielded power with terror, torture, secrecy, and denial, a pattern Teitel compares to the fascist strategy of “night and fog.” The ongoing absence of the *desaparecidos*—individuals “disappeared” by governments that refused even to acknowledge these occurrences, much less admit to their role in them—became a symbol of these regimes. The necessary repair, then, is to construct a collective historical account; an open, public, and full accounting; a comprehensive history of the state with full documentation. Only such a path, Teitel suggests, can achieve historical justice.

By contrast, communist regimes in Eastern Europe and the Soviet Union often generated officially approved historical accounts for their own political purposes. Voluminous state files were an instrument of the repressive and totalizing control of government, history, and culture. Given this legacy, yet another official account hardly would have transformative effects. In this setting, historical justice implies a multiplicity of accounts resulting from personal, media, and scholarly investigations, but none controlled by the state. And indeed, postcommunist regimes have generally eschewed the sort of investigative commissions that have appeared elsewhere. In both situations, truth is pursued as an integral element of a successful transition, but the nature of that pursuit is necessarily different, shaped by the manner of repression the country has suffered.

Truth Commissions

No one has undertaken a more comprehensive or detailed comparison of truth commissions than grantee **Priscilla B. Hayner**, whose work is presented in *Unspeakable Truths: Confronting State Terror and Atrocity*. This study covers all twenty-one official truth commissions that have been established since 1974, with extensive appendixes presenting information on the scope, dates, resources, and responsibilities of each; their recommendations for institutional reform and reparations; and further data on other official and semiofficial inquiries. Hayner addresses both conceptual issues (how the pursuit of truth affects the pursuit of justice) and practical matters (precisely how data should be collected, organized, and evaluated). What level of funding is adequate? What type of training might staff need? Should testimony be public? Should perpetrators be named? Hayner examines such questions after reviewing five truth commissions in detail (Argentina, Chile, El Salvador, South Africa and Guatemala) and looking briefly at sixteen others. Taking all of these as the basis of her inquiry, Hayner identifies some of the foreseeable challenges and shortcomings of truth commissions, as well as some aspects of best practice.

Hayner begins by defining truth commissions—both what they are and what they are not. In her account, truth commissions are officially sanctioned, authorized, or empowered by the state. They focus on the recent past and investigate politically motivated repression and patterns of widespread abuse rather than a single event. The work of these temporary bodies is generally completed with the submission of a report. Further, they are unavoidably affected by their internal makeup and resources, as well as by outside

factors such as the continued power of perpetrators, the strength of civil society, the attention of the international community, and the wider political and social culture within which they operate.

Truth commissions have multiple goals, as Hayner specifies, “to reach out to victims, to document and corroborate cases for a reparations program, to come to firm and irrefutable conclusions on controversial cases and patterns of abuse, to engage the country in a process of national healing, to contribute to justice, to write an accessible public report, to outline reforms, or to give victims a voice” (p. 82). Their work has implications for justice, reconciliation, historical understanding, political transformation, institutional reform, accountability, and possibly personal healing. As Teitel also noted, truth commissions may be particularly important where repressive regimes have ruled with secrecy. Hayner writes that the official investigations and acknowledgment undertaken by truth commissions may be powerful “precisely because official denial has been so pervasive” (p. 27).

Truth commissions are not courts. They are not a replacement for criminal prosecutions, they have not compromised subsequent prosecutions and, Hayner argues, they should not be seen as second best to prosecution. Truth commissions are a different undertaking. While they have fewer powers than courts, cannot compel testimony, put anyone in jail, or enforce recommendations, truth commissions are also free of some of the narrower rules of evidence and restricted focus on individual responsibility that characterize court systems. “The purpose of criminal trials,” Hayner explains, “is not to expose the truth . . . but to find whether the criminal standard of proof has been satisfied on specific charges. A measure of truth may emerge in this process, but trials are limited in the truth they are able to tell as they must comply with rules of evidence which often exclude important information” (p. 100). The mandates of truth commissions are much broader, examining larger patterns, discerning the responsibility of the state, and helping to establish accountability and a shared understanding of history. Truth commissions optimally explore not only the facts and figures, but also the underlying causes of past repression. They may be strong even where judiciaries are quite weak, corrupted, compromised, or even implicated.

Handling Truth

In the course of her research, Hayner identified several factors that affect the conduct of truth commissions, such as different notions of truth and methodologies for handling it. At the most general level is the question of scope, the breadth of an investigation that a commission is mandated to undertake. What truth should be searched for and collected? Should a commission look at all human rights violations, or only those that resulted in death (as in Chile)? Should it publish the names of the perpetrators (as in El Salvador)? Should it report only on the role of domestic actors, or should it also investigate the role of foreign governments that aided repressive regimes (thus far generally uninvestigated, although the truth commission in Chad made an attempt)? Should it examine crimes within a system—killing, abduction, torture—or the system itself (such as apartheid in South Africa)?

Many critics have faulted South Africa's Truth and Reconciliation Commission for failing to look at apartheid as a crime in itself. In **"Reconciliation and Justice: The South African Experience,"** a paper presented at a conference supported by an Institute grant, **John Dugard** asserts that the commission receives more praise internationally than domestically because many official actions that were not illegal under apartheid and that did not involve violence—such as race classification, social segregation, and forced population removals—fall outside the commission's scope, and this necessarily distorts the "truth" that the commission can discover. Hayner cites commentators who are equally concerned that the commission will develop a "founding myth" of a new South Africa, a myth that will record and retell a pattern of human rights abuses but will nonetheless exclude a vast majority of the victims of apartheid practices (p. 74).

At the other end of the spectrum is the question of how to handle any individual piece of the truth, or any single item of information. Hayner notes that questions of methodology can not only be daunting, they can also have an enormous impact on the type of truth that is documented. Powerful computers, sophisticated databases, and detailed tabulation may be an asset, but they can also be a burden if an investigation becomes driven by its methodology and quantifiable questions take precedence over qualitative inquiries. Training staff to gather and evaluate testimony is also crucial. For example, Hayner raises the issue of the gross underreporting of rape. She attributes this in part to the shame placed on rape victims in many cultures, such that women are reluctant to provide testimony in either public hearings or in private if their testimony will later be published. Further, the staff of truth commissions often fail to record those rapes that are reported because they usually consider the violence suffered by women as "secondary experiences" or not politically motivated, even when it is an integral part of a pattern of official intimidation or terror. As the South African commission acknowledged in its own report, cited by Hayner, "the definition of gross violation of human rights adopted by the Commission resulted in a blindness to the types of abuse predominantly experienced by women" (p. 78).

While many factors affect the success of any particular commission in reaching its multiple goals, Hayner's work raises three issues about the impact of truth commissions more generally: the reconciliation of the nation, the healing of the victims, and the responsibility of repression's beneficiaries.

The Meaning of Reconciliation

The term "reconciliation" has many different connotations. In Argentina, Hayner notes that it came to be understood as impunity for the military. Most supporters of human rights were therefore adamantly against it. The South African commission was formally titled the Truth and Reconciliation Commission—perhaps in a tacit acknowledgment, as Dugard asserts, that truth and reconciliation are two different phenomena, and that reconciliation does not automatically follow from knowledge. Hayner explores the concept of reconciliation further in *Unspeakable Truths* and with other participants in a 1998 conference convened by the **Woodstock Theological Center** and reported in **"Forgiveness in Conflict Resolution: Reality and Utility, The Experiences of the Truth Commissions,"** supported by an Institute grant. Many elements contribute to reconcilia-

tion: an end to violence or the threat of violence, reestablishment of respectful relations, acknowledgment of and reparation for past wrongdoing, projects that bring former opponents together, correction of structural inequalities, meeting of material needs, and the passage of time.

Hayner highlights a further crucial component of reconciliation: the forging of a single shared account of the past, making the varied and often contradictory stories compatible, consistent, and accepted. Hayner acknowledges that there is never just one truth, that experiences and memory vary. But, she writes, “There are some facts that are fundamental enough that broad acceptance of their truth is necessary before real reconciliation can take place” (p. 163). These are the facts that will be in the state records, the public’s understanding, and the children’s schoolbooks.

The Prospects for Healing

Do truth commissions contribute to healing? A metaphor in widespread use likens their work to the cleansing of a wound to promote proper healing. The notion is that, when victims are given the opportunity, recounting their stories will help them deal with the trauma. However, Hayner points out, evidence thus far raises some serious questions about this proposition, and short- and long-term studies of the psychological impact of truth commissions on survivors have not yet been done.

The idea that talking leads to healing derives from a model of psychological counseling that includes a safe and supportive environment in which to talk, with clinical supervision to guide the process. Most therapists would avoid pushing someone to address the worst of their pain too quickly. Truth commissions, however, cannot offer long-term therapy or any psychological support services. They typically give survivors a one-time opportunity to tell their story. Commission staff, for their part, usually lack psychological training that would enable them to help victims or to guard themselves against the secondary traumatization they may experience as a result of listening to the stories.

Not only giving testimony, but the entire process of truth finding can generate further trauma. Discovering the identity of individual perpetrators can reawaken enormous pain and anger. Hayner offers an example of someone in South Africa whose spouse and child were killed by a bomb planted by security forces and who learned the identity of the perpetrator twelve years later through the work of the truth commission.

I never really wanted to find out who sent or planted the bomb. I would prefer to hate a system rather than people, and as far as I was concerned the security forces of the National Party government were responsible. That was enough for me. . . . [Since the individual perpetrator was identified,] it has been anything but reconciliatory for me in that things that I had come to terms with, however ineptly, are suddenly very much in the forefront of my mind again. Now it’s personal. There is a good chance that perhaps I might actually shoot him. (p. 142)

How to handle the potential for retraumatization has not been addressed by truth commissions. While the availability of psychological guidance and support for victims and staff members is clearly deficient, it is not clear whether providing such assistance would indeed solve the problem. As Hayner writes, “Perhaps more important than the lack of personnel or resources . . . is the point that Western psychology may not be the appropriate means of response in some cultures. The impact of culture on how people

respond to and recover from extreme trauma is not yet well understood” (p. 146). It is possible that community organizations, civic groups, traditional healers, churches, or extended families might contribute more to the complex process of healing than truth commissions can, depending on the character of the society.

The Responsibility of Beneficiaries

A final issue is that of the beneficiaries of repression and what responsibility they may bear. If, for Teitel, the challenge of transitional jurisprudence is to adjudicate both state responsibility and individual responsibility, the dilemma for Hayner is that truth commissions may focus on the state as perpetrator but neglect to address that many in the population, although not involved in conducting the repression, nonetheless benefited from a system that repressed others. The commissions may direct attention to and reveal much about the state’s actions but neglect the complicity of the populace. While this process begins to establish accountability for the state, it nonetheless allows the society to eschew its responsibility.

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In this regard, the Ugandan scholar Mahmood Mamdani has been particularly critical of the South African commission. As Hayner quotes him,

Where the focus is on perpetrators, victims are necessarily defined as the minority of political activists; for the victimhood of the majority to be recognized, the focus has to shift from perpetrators to beneficiaries. The difference is this: whereas the focus on perpetrators fuels the demand for justice as criminal justice, that on beneficiaries shifts the focus to a notion of justice as social justice. (p. 164)

Justice, Truth, and Change

In their work on transitional justice and truth, both Teitel and Hayner labor within the liberal paradigm—Teitel most explicitly. She writes of liberalism’s commitment to knowledge as the basis for gradual controlled change, and the ability of transitional jurisprudence to “invoke as well as evoke the rationalism that lies at the core of the liberal rule of law” (p. 221). Within this framework, all promise for the future grows from knowledge, as Teitel explains:

the profound implication of the revelation of knowledge is that it introduces the possibility of future change, through the potential of human action. Knowledge revealed . . . intimates that there is something to be done. The notion that had this knowledge been known, then matters would have been different and, conversely, that now that the “truth” is publicly known, the course of events will be different. This hope is the essence of liberalism. (p. 111)

That hope nourishes, and yet is also challenged by those who work in the area of international law on human rights and genocide, as will be discussed in the next chapter.

International Law

Human Rights and Genocide

We wish to inform you that tomorrow we will be killed with our families. The main title of Philip Gourevitch's account of the 1994 genocide in Rwanda comes from a letter written by a pastor to the president of his church. The pastor and some two thousand other Tutsis had sought refuge in the church from mass killings directed by Rwanda's Hutu-controlled government. The request for help was ignored. Indeed, the church president is alleged to have directed and taken part in the violence. All those who had sought refuge in the church were killed in the following days, in the premeditated massacres that claimed perhaps a million lives.

Gourevitch sets himself the challenge of attempting to imagine these events. He explains, "I can see that it happened, I can be told how, and after nearly three years of looking around at Rwanda and listening to Rwandans, I can tell you how, and I will. But the horror of it—the idiocy, the waste, the sheer wrongness—remains uncircumscribable" (p. 19). Supported by a grant from the United States Institute of Peace, Gourevitch provides some of the history, politics, international context, and internal motivations of the genocide in Rwanda, while also confronting its senselessness and undertaking "the peculiar necessity of imagining what is, in fact, real" (p. 7).

Gourevitch reports and reflectively examines the events in Rwanda that constitute crimes against humanity. As Teitel defines such crimes in *Transitional Justice*, these are

crimes which either by their magnitude and savagery or by their great number or by the fact that a similar pattern is applied at different times and places, endanger the international community or shock the conscience of mankind, warrant intervention by states other than that on whose territory the crimes have been committed, or whose subjects have become their victims. (p. 61)

Recent symposia and new research conducted by grantees of the Institute review international law regarding crimes against humanity, conceptualize universal human rights, assess efforts to prevent or punish genocide, and consider the potential role of an international criminal court. They offer broad historical and comparative perspectives, in-depth analyses of particular cases, and sad commentary on the frequency with which "never again" is heard after each repetition of unimaginable crimes.

Universal Human Rights

Are human rights universal and therefore governable by commonly accepted international laws, or are they specific to particular cultures, best handled within each sovereign state? Institute grantees explore this debate, examining the viewpoint of relativism, considering Samuel Huntington's "clash of civilizations" thesis on the discontinuity between Islam and the West, and assessing the claim of distinctive "Asian values."

Several authors address these issues in *The Future of International Human Rights*, edited by Burns H. Weston and Stephen P. Marks. In his grant-supported contribution

to the volume, “**Human Rights in a Multi-Cultured World**,” **Weston** argues that a relativist description of cultures as separate and sealed from each other is unrealistic. Substantial contact and exchange among cultures contradict that image. Weston also charges relativism with paying scant attention to the internal diversity and heterogeneity within any culture. In international relations, Weston asserts that claims to cultural separateness and sovereignty have been invoked instrumentally by nations seeking to prevent transnational judgment, both legal and moral.

In the same volume, **Richard Falk’s “A Half Century of Human Rights: Geopolitics and Values”** specifically challenges Huntington’s view of a “clash of civilizations.” Falk sees as many differences within Islam as between Islam and the West: While the two exhibit differences in beliefs and values, Falk declares that these are not consistent enough to mark clear boundaries or to establish a new geopolitics. In Falk’s view, the continuities and convergences between Islam and the West will only increase “given the strength of global market forces and their tendency to establish a global counter-civilization” (p. 19).

As editors of *Strategic Cultures in the Asia-Pacific Region*, grantees **Ken Booth** and **Russell Troad** also grapple with the concepts of culture, values, and rights. In their concluding chapter, the editors also reject the “clash of civilizations” thesis. They further critique the contention that “Asian values”—such as collectivism, conformity, and loyalty—establish a set of rights distinct from those defined in the West. In their view, this is oversimplified and stereotyped. They assert that “There is simply too much empirical cultural, social and political variety to justify such positions” (p. 342). Booth and Troad do not entirely exclude culture from the formation of rights, which they see as a dynamic and transactional, but bounded, process: “Human social behaviour is invented, and then replicated or resisted: it is neither totally determined nor radically contingent” (p. 343).

Grantee **Xiaorong Li** addresses these issues while examining rights in China. As discussed below, Li sees an important place for culture in the *enforcement* of human rights, but not in their normative definition. In “**Negotiating Human Rights: Cultural Interplays within and with Post-Communist China**,” Li defends the universality of human rights in several ways. Beginning with contemporary philosophy, Li argues against Richard Rorty’s views of human rights as based on intuitions and sentiments, and instead pursues a rational grounding of rights. Reviewing the work of philosophers Judith Shklar and John Rawls in particular, Li locates the moral legitimacy of universal human rights in human reason and rational judgment. Turning to ancient philosophical traditions, Li looks within the varied Confucian tradition for moral norms commensurate with those found in the ancient Greek and Christian traditions. She finds ample overlap, noting that all these traditions value community, while also respecting the dignity of the self. Finally, looking at the historical record, Li finds evidence of the universality of human propensities in the fact that neither the victims nor the perpetrators of atrocities have ever been limited to any one region or culture. This is paralleled by another universal pattern: that while specific parties continue to question whether certain acts constitute atrocities, no one asserts that slavery or war crimes are good.

Evolution of Human Rights Law

As political, historical, and philosophical views of human rights develop, so does international human rights law. A 1998 grant-supported symposium at the University of Iowa, “**International Human Rights at Fifty**,” examined the five decades of development since the UN Universal Declaration of Human Rights (UDHR). The papers from the symposium, published as a special issue of the journal *Transnational Law and Contemporary Problems*, contain a range of views on human rights law. In their foreword to the symposium’s volume, **Stephen P. Marks** and **Burns H. Weston** point to the impressive accomplishments of human rights law in its scant fifty years of existence:

... from a macro-historical perspective at least, the manner and extent to which international human rights law has impacted upon the competence of states to prescribe, interpret, and apply law, is, however insufficient in the face of contemporary brutalities, remarkable indeed. The Universal Declaration was adopted *only* fifty years ago. Rarely does significant social change take place easily or swiftly. (p. 121, emphasis in original)

While many participants in the symposium endorse existing human rights law, they also see the need for improvement. In the chapter “**The Normative Framework of International Humanitarian Law**,” **M. Cherif Bassiouni** proposes that international human rights laws be adjusted to make them “unambiguously applicable to non-state actors, and to reconcile their overlapping application, fill in their gaps, and clarify their ambiguities so as to render their enforcement sufficiently effective to prevent, deter, and punish the perpetrators of such crimes” (p. 204).

Other analysts are far more critical and see international human rights law as seriously deficient. Several argue that current treaties have been substantially foreshortened to minimal civil and political rights, to the exclusion of social or economic rights. In Falk’s “A Half Century of Human Rights,” he attributes this foreshortening to neoliberalism’s focus on global market forces and argues that it constitutes “a de facto repeal of the broad scope of human rights as initially specified by the Universal Declaration of Human Rights” (p. 15). In *The Future of International Human Rights*’ chapter on “**The United Nations and Human Rights: The Promise of Multilateral Diplomacy and Action**,” **Stephen P. Marks** similarly asserts that the acceptance of neoliberalism has resulted in an assumption that free markets go hand in hand with free society. Marks cautions that this tends to leave the realization of economic and social rights to the vagaries of market forces—which aim to maximize gain, not to satisfy human needs.

The expansion of human rights, however, will mean little if such law is not enforceable. **Upendra Baxi** addresses the overproduction of human rights in “**Voices of Suffering and the Future of Human Rights**,” an article in the special issue of *Transnational Law and Contemporary Problems*. He laments the “endless normativity” of so many human rights declarations, resolutions, and codes of conduct that are not, and may not even aspire to be, operative and enforceable. Baxi sees parodies of original human rights provisions in treaties and basic laws, as some now try to assert the “right” to “trade” or to express hatred.

Enforcement

The enforcement of human rights law has always faced obstacles. Some states have insisted that sovereignty is paramount and have resisted any international effort to apply human rights law to what they deem internal matters. Politics, strategic interests, and security concerns have also intruded in the application of human rights law.

Variation in the formulation and implementation of human rights policy during different U.S. presidential administrations was the subject of an Institute symposium reported by Research and Studies program officer **Debra Liang-Fenton** in *U.S. Human Rights Policy: A Twenty-Year Assessment*. Participants debated the merits and shortcomings of each administration, while one observed that “In 1980, the central question was whether human rights belonged in American policy. By 1988, the question across the political spectrum was what the substance of U.S. international human rights policy would be” (p. 12).

That substance is readily compromised, according to Falk in “A Half Century of Human Rights.” Falk finds evidence of multiple standards in the enforcement of human rights law. He contrasts the U.S. intervention in Haiti, which protected human rights—while also serving U.S. interests by preventing a major refugee problem—with the U.S. refusal to act to prevent the genocide in Rwanda, and with continued sanctions against Iraq despite their large negative impact on the well-being of the Iraqi population. In Falk’s view, human rights laws are enforced in U.S. foreign relations primarily when they happen to align with other policy priorities.

Cecilia Medina also sees selective enforcement of human rights law. Her particular concern is the constriction of rights to the political and the constriction of political rights to voting. In her contribution to the special issue of *Transnational Law and Contemporary Problems*, “**Toward Effectiveness in the Protection of Human Rights in the Americas,**” Medina argues that too often democracies are presumed to respect human rights, simply by virtue of being democratic. This perspective, however, links democracy and human rights “by the bare thread of only one aspect of political rights, the right to vote and be elected” (p. 343). Too many purported democracies in the Americas, she argues, nonetheless lack due process, mistreat detainees and abandoned children, and practice discrimination against the indigenous, poor, and women. Balanced and effective enforcement of human rights law will entail providing education on rights, establishing minimum obligations of states, and finding ways to reintegrate the marginalized.

Regional Systems

While Medina criticizes its ineffectiveness, she acknowledges that in the Organization of American States the Americas do have an intergovernmental organization for addressing human rights issues. Other participants in the 1998 symposium also assess the limitations of regional human rights systems. In an article in the special issue of *Transnational Law and Contemporary Problems*, “**Innovations in the European System of Human Rights Protections: Is Enlargement Compatible with Enforcement?**” **Peter Leuprecht** is highly critical of the rapid expansion of official European rights organizations since 1989, arguing that “incoherent and unprincipled” expansion has resulted in a dilution and lowering of standards. To those who maintain that inclusion is preferable to exclusion

because it provides a means of influence over human rights violators, Leuprecht counters that this is too simplistic a perspective.

In the same issue, **Chidi Anselm Odinkalu** finds grave insufficiencies in the African human rights system, in a context where sovereignty has been seen as paramount. In **“The Individual Complaints Procedures of the African Commission on Human and Peoples’ Rights,”** Odinkalu notes some progress toward the implementation of human rights law but argues that these efforts are thus far gravely undersupported and underutilized. In Asia, **Vitit Muntarbhorn** finds governmental ambivalence about human rights. In **“Asia, Human Rights and the New Millennium: Time for a Regional Human Rights Charter,”** he asserts that Asian governments have frequently signed international declarations on human rights but then failed to generate instruments for their enforcement. Muntarbhorn also points out that, unlike the Americas, Europe, and Africa, Asia lacks an intergovernmental system for protecting human rights.

Dina Shelton’s chapter in *The Future of International Human Rights* directs further attention to regional human rights enforcement in **“The Promise of Regional Human Rights Systems.”** She perceives differences in emphasis in human rights enforcement around the globe, but also finds substantial convergence. “As their norms and procedures converge, yet are applied in response to regionally specific problems, they achieve an equilibrium between uniform enforcement of global norms and regional diversity” (p. 353). Thus, in her view, separate regional enforcement paradoxically strengthens the universality of human rights. “Human rights law has been enhanced through the developing jurisprudence and evolution of regional human rights systems, wherein the various systems reinforce global norms while responding to the particular problems of each region. . . . [T]he convergence of regional jurisprudence confirms the universality of the rights proclaimed in the UDHR” (p. 398).

“As their norms and procedures converge, yet are applied in response to regionally specific problems, they achieve an equilibrium between uniform enforcement of global norms and regional diversity.”

Xiaorong Li, who offers several arguments for the universality of human rights, also sees an important and constructive role for different regional systems that can incorporate local culture. To Li, culture’s rightful role is in the implementation rather than the normative definition of human rights. She uses the term “cultural capital” to refer to “cultural conditions—levels of intensity and prevalence of specific attitudes, dispositions, beliefs, and perspectives or ‘habits of the heart’ such as social trust, tolerance and respect for the individual human being—that are necessary for effective human rights implementation” (p. 11). This conception presupposes that cultural capital is dynamic and can be changed. Therefore, “if [universal human] rights are justified on grounds independent from culture, then conditions can and should be fostered for changing, reshaping, modifying, and ‘growing’ the necessary cultural capital” (p. 12).

Genocide

In 1998, the Institute for the Study of Genocide organized a conference, whose title, **“Ever Again: Evaluating The United Nations Genocide Convention on Its Fiftieth Anniversary,”** conveys the dread that, despite an international convention, such crimes against humanity continue.

How is genocide to be defined? Is the scale of the crime its essence? In *We wish to inform you that tomorrow we will be killed with our families*, Philip Gourevitch considers

the varying body counts of particular massacres in Rwanda and of the total death toll of the 1994 genocide. He concludes that the numbers may be less relevant than the motive in identifying genocide. “What distinguishes genocide from murder,” Gourevitch decides, “and even from acts of political murder that claim as many victims, is the intent. The crime is wanting to make a people extinct. The idea is the crime. No wonder it’s difficult to picture. To do so you must accept the principle of the exterminator, and see not people but *a people*” (p. 201, emphasis in original).

Those who prepared the 1948 UN Genocide Convention gave considerable attention to its scope and jurisdiction. As discussed in the 1998 conference on genocide, whose proceedings were edited by **Orlanda Brugnola**, **Helen Fein**, and **Louise Spierer**, early drafts of the convention included protections for racial, religious, national, ethnic, political, social, linguistic, and cultural groups. Over the course of debate, these were winnowed by half. In its final form, the convention requires proof of specific intent to destroy a racial, religious, national, or ethnic group. The concern was that a more encompassing definition might trespass on sovereignty. Restricting the scope of the convention became necessary to ensure its passage. Universal jurisdiction—permitting any state to prosecute, regardless of the perpetrator or place of the crime—was also rejected in the 1948 Genocide Convention. Conference participants noted, however, that universal jurisdiction has become customary law in cases of genocide.

The recognized scope and jurisdiction of the crime of genocide is more than a semantic debate. In her conference presentation “**Limits of the United Nations Genocide Convention and Contemporary Jurisprudence**,” **Beth Van Schaak** indicates that many mass killings that could have been deemed genocide and prosecuted as such, were not. These include the extermination of kulaks in the Soviet Union in 1929–30, the mass killing of communists in Indonesia in the 1960s, much of the repression under the Khmer Rouge during 1974–79, and the “dirty wars” in Latin America in the 1970s and 1980s. Other conference participants raised the cases of Bangladesh in 1971, East Timor in 1975 and Bosnia in 1992. To many, Yugoslavia was a test case of the 1948 Genocide Convention because the mass slaughter there was predictable, predicted, and preventable—yet occurred anyway. Hesitation to officially term the events in Rwanda as genocide also speaks to the power of the definition and its implications for international responsibility and action.

Does international hesitation to name or act against genocide serve to increase the likelihood of its occurrence? Helen Fein asserts that it does. In her conference remarks, she identifies three elements leading to genocide: “exclusion of the Other from the universe of obligation; perception or definition of the victim as presenting a problem or standing in the way of an opportunity; and the calculation that the perpetrator can ‘get away with it’” (p. 21). Regarding impunity, several conference participants commented on efforts by Judge Baltazar Garzon of Spain to prosecute General Pinochet for crimes against humanity committed while he was president of Chile. Beth Van Schaak acknowledges that his strategy was “an end run” around the limitations of the Genocide Convention and claims “these attempts to shoehorn events into the terms of the Genocide Convention reveal a profound dissatisfaction with the definition of genocide under international law” (p. 49). Several suggest that the Pinochet case marks a potential

Hesitation to officially term the events in Rwanda as genocide also speaks to the power of the definition and its implications for international responsibility and action.

watershed in universal jurisdiction, one that may lessen the presumption of impunity. Thus far, however, the international community is given more credit for after-the-fact forensics than for timely prevention or suppression.

Prevention

Prevention of genocide may be seen as “the convention’s great failure,” according to fellow **William Schabas** in *The Genocide Convention at Fifty*. Unlike other human rights treaties, the Genocide Convention has no monitoring body to engage in prevention. In Schabas’s view,

Some must have believed, in 1948, that the unthinkable crime of genocide would never recur. Perhaps the gaps in the convention are only the oversights of optimistic negotiators, mistaken in the belief that they were erecting a monument to the past rather than a weapon to police the future. Their naivete may be forgiven. A failure to learn the lessons of the fifty years since its adoption cannot. (p. 8)

Monitoring mechanisms have been considered. At the 1998 Entebbe Summit, in which President Clinton and a number of African leaders participated, the International Coalition Against Genocide was proposed. As Institute fellow **John Prendergast** and **David Smock**, former director of the Institute’s Grant Program, report in *Postgenocidal Reconciliation: Building Peace in Rwanda and Burundi*, this group would be a mechanism for international coordination in genocide prevention, particularly in Africa’s Great Lakes region. Genocide prevention is perplexing in any context, and each case impinges on others. As grantee **Stephen Weissman** writes in *Preventing Genocide in Burundi: Lessons from International Diplomacy*, the continuing conflict there

erodes the international norm against genocide, which would have a negative impact on future violent conflicts in such volatile and strategic areas as South Asia, Eastern Europe, and North Africa. Why then have the world’s peacemakers, despite considerable investments of time and effort, faltered in Burundi? To ask this provocative question is by no means to ignore the fact that genocidal communal conflict poses the most difficult of all challenges to outside amelioration—events in Rwanda, Bosnia, Chechnya, Sudan, and to a limited extent, Liberia have painfully illustrated. (p. 1)

International Prosecution

Ambiguities and weaknesses in the implementation of human rights law have led to a reconsideration of jurisdiction and the possibility of a world court that would cover genocide, crimes against humanity, war crimes, and the crime of aggression. Dissatisfaction is often expressed with International Criminal Tribunals, such as those to address crimes in the former Yugoslavia and Rwanda, because of their practical limitations and questions of proper jurisdiction. If these were superseded by an International Criminal Court, it would act only if the relevant national authorities were unwilling or unable to investigate and prosecute. A draft proposal for such a court has been signed by 120 countries, including France, Britain, Germany—and the United States, which signed the treaty in the final days of the Clinton administration, despite officials’ concerns that U.S. citizens in the armed services might be susceptible to politically motivated prosecutions during peacekeeping efforts.

Participants in the 1998 conference on genocide identify other potential problems with an International Criminal Court. What should be the response of the international court if a state offers amnesty to a past perpetrator, perhaps using this as a bargaining chip to remove the perpetrator from power? Should international prosecution continue even if it puts at risk domestic stability in the nation where crimes have been committed? Would international prosecution remove this important act from a nation seeking to restore rule of law and democratic decision making? And who will determine that national authorities are unwilling or unable to investigate and prosecute?

These concerns are not hypothetical. Rwanda opposed the creation of the International Criminal Tribunal for Rwanda, and Gourevitch reports on considerable ongoing disgruntlement with it. Some see it as competing with Rwanda's efforts to bring justice domestically and resent it as merely a subset of the preexisting International Criminal Tribunal for Yugoslavia (ICTY). As a Rwandan diplomat complained to Gourevitch, "We asked for help to catch these people who ran away and to try them properly in our own courts. . . . But the Security Council just started writing "R" [for "Rwanda"] under the name "Yugoslavia" everywhere" (p. 251).

Neil Kritz, director of the Institute's Rule of Law Program, puts these complaints into larger perspective. In his contribution to *Managing Global Chaos: Sources of and Responses to International Conflict*, "**The Rule of Law in the Postconflict Phase**," he asserts that justice and accountability are "generally best achieved through a domestic process managed by the country in question" (p. 602). To Kritz, the state and the body politic will be far more apt to integrate and internalize the lessons of justice, accountability, and reconciliation if they control and conduct the process. Such internalization he sees as essential to building a durable peace with respect for the rule of law.

Two Institute grantees have given further attention to the role of international prosecution. In *The United States and the World Court as a "Supreme Court of the Nations": Dreams, Illusions and Disillusions*, **Michla Pomerance** faults early advocates of an international court for failing to distinguish between the judicial function of adjudicating disputes and that of law development. She argues that any world court must sustain prevailing constitutional agreements and be built on a prior established consensus. In the absence of such a consensus, a world court would necessarily be "powerless to create it or to prevent its dissolution by formidable centrifugal political forces" (p. 396).

A contrary view is expressed by **Payam Akhavan**. In "**Justice in the Hague, Peace in the Former Yugoslavia? An Essay on the United Nations War Crimes Tribunal**," he argues that the fundamental purpose of international prosecution is generating a new consensus on the protection of human rights and ending what he describes as "an international culture of impunity for the political elite." Akhavan is not sanguine about such an endeavor. He acknowledges that reaching a legal decision is not the equivalent of transforming culture. He sees a pivotal role for the media in broadcasting the proceedings and decisions of international courts. And here, Akhavan admits real limitations for the tribunal on Yugoslavia, whose findings have not been disseminated well, particularly given the state's media monopoly at the time.

Despite its limitations, however, Akhavan sees the ICTY as an important step in transforming an international culture that has permitted elites to get away with mass murder:

The ICTY is a phenomenal development by the sorry standards of State practice in international law. Idi Amin, Mengistu, Pol Pot, Sadaam Hussein, and a litany of other mass-murderers living without fear of punishment underscore the tragic culture of impunity which has prevailed in the international arena for so long. . . . In addition to its mandate with respect to the former Yugoslavia, the ICTY is potentially a significant contribution to the development of international order. (p. 11)

Effectiveness and Responsibility: “Denouncing evil is a far cry from doing good”

World courts and tribunals speak to the international responsibility to prosecute perpetrators of human rights violations. What of the responsibility to protect or rescue their victims? In this, the international community is often found wanting. Those writing on the topic find the international community guilty of bystanderism and indifference, despite ample foreknowledge—although it is difficult to apply such charges to, as Gourevitch phrases it, “the nebulosity known as the international community [which] is ultimately accountable to nobody” (p. 325).

In *Ever Again’s* chapter, “**The Role of Human Rights NGOs in the Prevention of Genocide: A Skeptical View,**” Morton Emanuel Winston discusses numerous mass killings of civilians that continued despite international awareness at the time of their occurrence. Rwanda is a case in point. Genocide there was allowed to proceed despite intelligence and the availability of relevant structures for international engagement. The international role in the aftermath of the genocide was also problematic, particularly in the provision of food and shelter to refugee camps that housed the organizers of the genocide. Gourevitch describes these as “international humanitarians being openly exploited as caterers to what was probably the single largest society of fugitive criminals against humanity ever assembled” (p. 267). He charges the international community with being ever willing to engage in rhetoric and charity, but not effective responsible action:

Rwanda has presented the world with the most unambiguous case of genocide since Hitler’s war against the Jews, and the world sent blankets, beans, and bandages to camps controlled by the killers, apparently hoping that everybody would behave nicely in the future. The West’s post-Holocaust pledge that genocide would never again be tolerated proved to be hollow, and for all the fine sentiments inspired by the memory of Auschwitz, the problem remains that denouncing evil is a far cry from doing good. (p. 170)

How is this situation to be changed? As noted in the previous chapter, the liberal answer is that knowledge will compel change—a notion that Teitel recognizes as “the essence of liberalism.” The implicit link between knowledge and change is that knowledge will provoke people to act, to make change. That link is in question. As Winston writes,

At one point, early on in the development of global human rights organizations . . . it was plausible to suppose that action would be taken to suppress genocide and to prevent other human rights violations if only enough people knew they were taking place. . . . The problem is not that people and their governments don’t know; it is that they don’t seem to care, or don’t care enough to do anything to prevent or suppress genocide. (pp. 82–83)

Why is this the case? Analysts refer to the difficulty of establishing empathy with victims, imagining reciprocal obligations, overcoming the impulse to distance oneself from

danger, or conceiving an effective intervention. Many address the difficulty of simply taking in the information about crimes against humanity and putting that information into any relevant context. As Gourevitch describes the coverage of such crimes,

The piled-up dead of political violence are a generic staple of our information diet these days, and according to the generic report all massacres are created equal: the dead are innocent, the killers are monstrous, the surrounding politics insane or nonexistent. . . . The generic massacre story speaks of “endemic” or “epidemic” violence and of places where people “kill each other,” and the ubiquity of the blight seems to cancel out any appeal to think about the single instance. These stories flash up from the void and, just as abruptly, return there. The anonymous dead and their anonymous killers become their own context. The horror becomes absurd. (p. 186)

While the original liberal project would have sought to make even more information available, Gourevitch doubts its utility. He suggests that “the more we look, the more we become inured to—not informed by—what we are seeing” (p. 196).

Upendra Baxi also locates the problem in the lack of context or connection for these horror stories. He discusses the voyeuristic aspect of much news coverage and its presentation of suffering as spectacle, which at most moves “the atrophied conscience of the globalized middle class to an occasional act of charity.” Baxi further deplores what he sees as an “erasure of complicity,” as connections are never made that deaths are resulting from weapons made in factories whose productivity and competitiveness are a source of such pride and “of our own cherished prosperity” (p. 146). Could this change? Not until social facts do: “However morally deplorable, it is a social fact that the overall human capacity to develop a fellowship of human suffering is awesomely limited” (p. 159).

Even Teitel, for all her faith in liberalism, is not expecting a grandiose transformation, although she still maintains hope for progress. To Teitel, such processes as truth commissions, successor trials, amnesties, and investigations are “harbingers neither of apocalypse nor messianism, but of what appears to the paradigmatic transitional conception: of *bounded change*” (p. 229, emphasis in original).

Three

Ethnic Conflict

Our image of ethnic *politics* is often one of ethnic *conflict*—an image, indeed, not merely of violence but of spectacular brutality, and conflict not only entrenched but utterly intractable. Yet not all ethnic politics leads to conflict, nor is all ethnic conflict so bloody. Why do some instances of ethnic politics become conflictual? Why are some ethnic conflicts so violent? Why does ethnic identity seem to be an obstacle to democracy in some places, but a potential vehicle for it in others?

United States Institute of Peace grantees, fellows, and staff have directed considerable attention to untangling the nature of ethnic politics. In broad comparative studies, detailed explorations of single cases, and roundtable discussions, they have examined the dynamics by which ethnic politics becomes conflictual and the most effective means to manage or resolve such conflict. More than one researcher has admitted the humbling experience of setting out to discover and elaborate a model of ethnic conflict, only to conclude that there is none, that so varied a phenomenon as ethnic politics is not susceptible to neatly contained phases or categories. Nonetheless, their efforts have resulted in substantial knowledge and insight into the origins, manifestations, and dynamics of ethnic politics. Rather than a model of ethnic conflict and prescriptions for standard policy remedies, their investigations yield several frameworks for understanding ethnic politics and a menu of policy responses for preventing or defusing conflict. Their work sets research agendas, defines goals, informs policy decisions, and identifies constructive roles for third parties in addressing ethnic politics.

The Rise of Ethnic Politics: Context and Trends

Probably the single most comprehensive study of ethnic politics under way today is the Minorities at Risk Project, directed by **Ted Robert Gurr** and funded in part by the Institute. The study has resulted in a landmark database that documents the status, grievances, and conflicts of more than two hundred politically active ethnic groups around the world since 1945. Findings from this study have been presented in several books and articles by Gurr, among them *Minorities at Risk: A Global View of Ethnopolitical Conflicts* and the chapter “**Minorities, Nationalists, and Ethnopolitical Conflict,**” in *Managing Global Chaos*, a volume organized by the Institute’s Education Program. (Another useful Institute-supported resource is the *World Directory of Minorities*, produced by the London-based **Minority Rights Group**. This volume provides profiles and information on minority groups worldwide, with entries covering the history, socioeconomic indicators, political standing, and legal status of minority groups in more than two hundred states and independent territories.)

Ethnic conflicts have become much more visible since the end of the Cold War and appear to be a paramount feature of contemporary politics. Some analysts had initially attributed this global phenomenon to the demise of the Soviet Union and the re-emergence of long-suppressed identities. Gurr’s research challenges this view, tracing the

beginning of the rise in ethnic conflict to an earlier period. The Minorities at Risk data set reveals that all forms of ethnic conflict have been on the rise since the 1950s.

In *The Morality of Nationalism*, edited by Institute grantees **Robert McKim** and **Jeff McMahon**, a number of contributors develop an analysis consistent with Gurr's findings. They argue that ethnic politics is not an atavistic return to a premodern mentality. Rather, it is a modern phenomenon, a response to the new demands that states make on their populations and to the economic, cultural, and social conditions that are unique to modern life. Pressures toward economic and political homogeneity existing beside the need for differentiation and recognition are among the factors that give rise to contemporary ethnic politics.

From his examinations of the Minorities at Risk data, Gurr elaborates on these pressures. He sees the rise in ethnic politics as a result of three global trends: the expansion of state powers, the development of the global economic system, and the communications revolution. The expansion and consolidation of the modern state system has eliminated the autonomy of many culturally distinct groups, often subordinating their interests and excluding them from meaningful political participation. The global drive to industrialize and exploit underutilized human and natural resources has benefited some cultural groups and harmed others. Gurr notes that indigenous people particularly have been disadvantaged by "the terms of their incorporation" (p. 62). Mass media have made people around the world more aware of shared interests, while electronic forms of communication have facilitated mobilization.

Around the globe, these broad trends have led to distinctions and inequalities between groups, which become the basis for a politics of ethnic identity and differentiation. Many of these ethnic groups coexist peacefully; some do not. Multiple factors affect the transactional process by which some ethnic identities and distinctions generate grievances, and some grievances become conflicts. According to Gurr, the trajectory of ethnic politics is affected by features of the group itself, the reactions of the state in which it resides, and the international political environment.

Many other factors may also be involved, as ethnic problems rarely occur in isolation. In *The Challenge of Regional Cooperation in Central Asia*, fellow **Anara Tabyshalieva** discusses how ethnic conflicts in the Ferghana Valley are intermingled with struggles over scarce natural resources, profound economic reorientation, new religious pluralism, severe environmental problems, and international pipeline politics regarding the transportation of natural gas and oil reserves. Any analysis of ethnic conflict must take such factors into consideration, while also parsing the conflict's internal dynamics.

Symbolic Politics: Making Sense of Ethnic Conflict

Janice Gross Stein, whose "Image, Identity and Conflict Resolution" also appears in *Managing Global Chaos*, echoes Gurr's assessment that ethnic identities do not necessarily lead to conflict. Drawing on social psychology, Stein discusses the fundamental human need for identity, one component of which is social identity—the knowledge and value of membership in a group. Group membership enables systematic comparison, differentiation, and derogation, but does not inevitably result in violent conflict. If it did, conflict would occur at all times, under all conditions. Rather, Stein suggests, conflict occurs

when one's sense of identity is incompatible with the identity imposed by others, when groups compete for resources perceived as scarce, and when they believe that recognizing another's identity jeopardizes their own.

These issues are explored in greater detail by grantee Stuart Kaufman in "**The Symbolic Politics of Ethnic War: Elites, Masses and Ethnic Violence in Post-Communist Europe**," which develops an account of "symbolic politics" while examining four cases of ethnic conflict in post-Communist Europe: Nagorno-Karabakh, Georgia, Moldova, and Bosnia. Kaufman begins by reviewing several alternative accounts of how ethnic politics is transformed into ethnic conflict—explanations based on interests, primordial hatreds, and manipulative leaders. He discards all three, although he finds some truth in each.

An instrumental account focuses on interests and sees ethnic groups as rational actors in pursuit of material interests or power, no different from other interest groups competing for economic and political goods. Ethnic violence, however, does not correlate closely with economic hardship or decline. According to Kaufman, "If hardship is to lead to ethnic mobilization, it must be connected in some way with group interests. The connection, however, need not be close or even real: the decision to cast the conflict, especially over economic issues, in primarily ethnic terms is more a function of the group's myth-symbol complex than of the real nature of the issue" (p. 62). Further, an interest-based account cannot explain the extremes of atrocity, torture, rape, and risk of life that occur in some ethnic conflicts.

A second explanation addresses groups' ancient hatreds. While these accounts may help explain atrocity, they give insufficient attention to the transactional process by which collective identities are continually being formed. Further, many of the disputes that fuel current conflicts are modern, and references to primordial hatreds often entail a good deal of selectivity. As Kaufman writes, "ethnic histories always contain episodes of peace and war; which is 'traditional' depends on tradition—that is, myth or interpretation—rather than on actual past events" (p. 61).

A third explanation of ethnic violence directs attention to manipulative leaders who mobilize people based on their ethnic identity but whose underlying motives include constructing a power base for themselves or diverting attention from genuine problems. Kaufman argues, however, that there has to be some sentiment or rudimentary identity already present for such leaders to manipulate. Further, this account does not explain why manipulative leaders succeed in some case and not in others.

Kaufman therefore discards all three of these explanations, and indeed discards the endeavor to come up with a single explanation or theory of a phenomenon as varied as ethnic politics. But he nonetheless locates a kernel of truth in each of the above accounts. Ethnic politics does have cognitive, emotive, and organizational elements. Without conflict of interests (economic or otherwise), people have no reason to mobilize. Without emotional commitment, they lack a sufficient impetus to do so. And without leadership, they typically lack the organization to act.

Kaufman then offers his alternative account of ethnic conflict. His research in post-communist Europe has led him to focus on what he calls a "symbolic politics" of identity, attending particularly to the role of myth. In this context, a myth is a belief held in com-

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mon by a large group of people. Myths are used to interpret and give meaning to events and actions. Kaufman writes that myths may be “a combination of truth, fancy, and more or less arguable opinions. . . . The critical point, however, is that what matters politically is what people believe—that is, the mythology—not little-known historical truths” (pp. 244–45). Kaufman then refers to evidence that people tend to make decisions based on emotional appeals instead of gathering information and weighing tradeoffs, and that emotions are more apt to motivate people to political action than are interests. Myths, then, become powerful in the political realm because they have both cognitive and emotional effects and because elites and masses interact by referring to them. Kaufman concludes that “If the ‘why’ of ethnic war is basically myths justifying hostility, the essential ‘how’ is symbolic politics: leaders . . . manipulating symbols that tap into nationalist myths to mobilize people for war” (p. 384). Thus Kaufman sees symbolic politics, with attention to conflicts of interests and organizational opportunities, as central to ethnic strife.

The concept of “myth” has connotations of a timeless past. As Tabyshalieva makes clear in *The Challenge of Regional Cooperation in Central Asia*, myths do not necessarily have to originate in the past. She discusses the underdeveloped communications network in Central Asia and the impact of that on local mythmaking. During the Soviet period, all news came through Moscow and all media radiated from there. This structure has not changed. “The lack of communication between neighboring groups,” Tabyshalieva writes, “allowed extremists on both sides of the conflict to manipulate large segments of the population” (p. 21). Traditional tools of lies and rumors were complemented by photographs and videos of atrocities. As the conflicts in the Ferghana Valley make clear, modern devices are readily utilized in the construction and dissemination of myths.

Attending to “symbolic politics” may be very helpful in making sense of ethnic conflict in postcommunist Europe. Kaufman’s range of cases includes popular chauvinism in Georgia, mass insurgency in Nagorno-Karabakh, government jingoism in Serbia, and elite conspiracy in Transdnistria, as well as the absence of war involving Moldova’s Gagauz or Georgia’s Azerbaijanis. Kaufman is as attentive to the absence of conflict as to its occurrence:

Vibrant, emotionally laden ethnic politics are ubiquitous in multiethnic areas, but they very rarely turn to war, even when there is anarchy. . . . For example, in the former Soviet Union, nine of the fifteen former Soviet republics avoided ethnic war, though all are multiethnic and faced the collapse of the previously sovereign government. Similarly, the Russian Federation includes twenty-one ethnic regions or “republics,” again all multiethnic, but only one (Chechnya) saw overt warfare. (p. 18)

Kaufman comes to the conclusion that while there are many conflicts of material or political interest between ethnic groups, and many opportunities for ethnic mobilization, there are relatively few ethnic mythologies countenancing fear, hostility, and elite manipulation of emotive symbols. Ethnic wars happen, Kaufman suggests, only when the attitudes of elites and masses are aligned in hostility. “The central cause of ethnic wars are myths justifying hostility, opportunity to mobilize, ethnic fears, and a politics of extremist symbolism leading to a security dilemma. Preventing war means preventing extremist

politics by limiting opportunity in the short run, and changing the hostile myths in the long run” (p. 391).

Kaufman’s research underscores the importance of looking not only at tangible interests, early history, demographic data, security dilemmas, or wily politicians, but also at the myths and symbols that express and give meaning to people’s identities, experiences, and expectations. Kaufman’s work parallels the caution that Gurr articulates: “Conflict management strategies that fail to recognize the importance of peoples’ cultural identities or that fail to address the grievances that animate the political movements, will also fail to reduce conflict” (*Managing Global Chaos*, p. 74).

Managing Conflict

Just because ethnic conflict has nonrational emotive factors does not mean there are not rational policy steps to be taken to address such conflicts. Some options maintain the existence of the state and its territorial integrity while incorporating degrees of internal partial independence through various forms of autonomy. Other approaches pursue secession outright, taking the principle of self-determination to its fullest realization. Many other policy initiatives address the potential for permutations of democracy, whether as an encompassing system or partial measures taken within a not fully democratic system, to divert or defuse ethnic conflict.

Autonomy

Fellow **Ruth Lapidoth** provides a thorough account of both the conceptualization and the practical arrangements for autonomy in her book *Autonomy: Flexible Solutions to Ethnic Conflicts*. Looking at both successes and failures worldwide from the nineteenth century through the present, Lapidoth suggests that autonomy arrangements can generate mutually satisfactory alternatives in what are otherwise zero-sum struggles between a sovereign state and an ethnic group. In Lapidoth’s words, “Autonomy is a means for the diffusion of powers in order to preserve the unity of a state while respecting the diversity of its population” (p. 3).

That diffusion of power can take many forms, encompassing any number of the tasks undertaken by states. While national defense and financial management come immediately to mind, as well as provision of physical infrastructure, education, and health care, there is long list of other state duties that may be transferred to an autonomous entity. These include responsibility for population registry, driver and vehicle licensing, postal service, vaccinations, traffic supervision, environmental protection, tourism, and cultural affairs.

In general, Lapidoth finds two broad categories of autonomy: personal and territorial. Personal autonomy is granted to all members of a group within a state, regardless of place of residence. It is usually limited to matters of culture, language, charity, religion, and education. It may be particularly appropriate where various ethnic minorities are interspersed (such as the Serbs in Croatia, Russians in the Baltic states, Ossetians in Georgia, Armenians in Azerbaijan, and Maoris in New Zealand). Territorial autonomy, by contrast, cedes power to the population of a specific geographical area. It is more widespread than personal autonomy, is generally what is being sought in ethnic conflicts,

When they succeed, autonomy arrangements permit central governments and autonomous authorities each to become “the lawful bearer of a share of sovereignty, without necessarily leading to the disappearance or dismemberment of the state.”

and covers a greater range of social and economic affairs. Its disadvantages arise from the need to protect the rights of those individuals who reside in the autonomous region but do not belong to the dominant ethnic group (for example, Finns who live in the Åland Islands or Italians in South Tyrol). Physical mobility is also difficult to address within a framework of territorial autonomy, as group members move and the composition of a regional population changes.

When they succeed, autonomy arrangements permit central governments and autonomous authorities each to become “the lawful bearer of a share of sovereignty, without necessarily leading to the disappearance or dismemberment of the state” (p. 47). Among the successes, Lapidoth counts the Åland Islands, South Tyrol, Aldo Adige, the Faroe Islands, West Berlin before the reunification of Germany, Greenland/Kalaallit Nunaat, the Spanish provinces, and Puerto Rico. But not all autonomy arrangements succeed. Failures include Eritrea, Sudan, and some parts of the former Soviet Union. In looking for the elements of success, Lapidoth suggests that autonomy should be established before the relations between the majority in the state and in the region deteriorate considerably. She argues that autonomy cannot reverse a built-up reservoir of hatred and frustration. She also cautions that autonomy is not a panacea, “but only a tool or framework that can constitute an adequate response if the parties are looking for one” (p. 204).

Secession

A more extreme approach to handling ethnic conflict is self-determination leading to outright secession. Amicable secessions have occurred, such as the Czech Republic and Slovakia. In general, however, secession is viewed negatively by the international community. It is seen as resulting in splintered states lacking the capacity to provide economic, social, political, or material security. It may also create new internal minorities and imply endorsement of ethnic cleansing or racial separation. Nonetheless, many defend full self-determination as a path to varied goals of ethnic peace and justice.

As an Institute fellow, former Soviet politician and scholar **Galina Starovoitova** directly addressed the question of whether there is a right to self-determination in her ***Sovereignty after Empire: Self-Determination Movements in the Former Soviet Union***. She carefully observes that “The right of a people to make a collective choice about its common destiny still awaits full recognition in international society”—suggesting there is such a right, although now imperfectly realized (p. 1).

One of the best arenas for examining the current status of self-determination as a right may be the United Nations, which must decide on all applicants for membership. UN recognition of the right to self-determination was reviewed during meetings in 1996 convened by the Institute’s Research and Studies Program in conjunction with the Policy Planning Staff of the U.S. Department of State. The discussion is reported in ***U.S. Responses to Self-Determination Movements: Strategies for Nonviolent Outcomes and Alternatives to Secession***, prepared by former Research and Studies program officer **Patricia Carley**.

The UN Charter was the first international document to proclaim the right to self-determination, although that right was initially intended to apply to colonies becoming independent states and not to peoples or groups. Subsequent wider interpretations have

provoked controversy. The UN's fifty-year anniversary document recognized self-determination as an "inalienable right" and affirmed the right of peoples "to take legitimate action" in pursuit of it. Nonetheless, the document cautioned that this is not to be understood as authorizing or encouraging "any action that would dismember or impair . . . the territorial integrity or political unity of sovereign and independent states conducting themselves in compliance with the principles" of the United Nations. As Carley reports, the "UN 50 Declaration" neither confers a general right of secession, nor rules it out.

If there were a clear-cut and internationally recognized right to self-determination, when might it apply? Starovoitova asserts that articulating conditions, criteria, and procedures for the exercise of self-determination would help to confer moral legitimacy and to undergird future international law governing this right. She proposes five initial criteria: intolerability of existence under current circumstance as subjectively perceived by the people in question; their historical right to a territory as established by determining the earliest inhabitants; ethnic composition of the population; the expression of the will of the population of the entire country through such means as a general referendum; and the political and economical viability of the proposed new state.

While these formulations help to specify the debate, they are also readily challenged. In the discussion among members of the Institute's Research and Studies Program and the State Department's Policy Planning Staff, several of these same issues were raised. It was suggested, for example, that if self-determination were a right, then its exercise should not depend upon intolerability. The right obtains, regardless of whether a people is subjected to good or bad governance. Even a well-governed people may believe itself to be different enough to desire secession. Quebec is a relevant case. Starovoitova's second criterion, historical right to a territory, was also deemed problematic. It appears arbitrary to select one period over another. Should "historical" be considered to refer to a time decades past, or to earlier centuries or even millennia? The historical record also presents problems, as it is often kept by victors and accords legitimacy to possession, making might right. The third criterion, ethnic composition of a people, was seen as difficult to define because of constant change, as through migration and miscegenation, as well as interpretation. This is particularly so where multiple identities are available: in some periods the identities Serb and Muslim have been mutually exclusive, and at other times compatible. Starovoitova's fourth criterion, the will of the entire population, raised concerns of the "tyranny of the majority" and practical issues such as media manipulation and electoral fraud. Regarding the fifth criterion of viability, a question was raised as to whether the justification of a state's existence is functional. If so, then many microstates might not be allowed to exist. Further, if self-determination is an inalienable right, then possession of wealth cannot be its basis. The exercise of a right to self-determination, even if that right were recognized in theory, clearly generates substantial complexity.

Participants in the discussion on self-determination can foresee contradictory consequences to possible international recognition of a right to secession. Some suggest that if secession were generally permitted, central governments would have a strong incentive to respect the rights of minority peoples—and thus secession would be unlikely. Others argue that if secession were an available strategy, groups would not explore other alternatives and microstates would proliferate.

Self-determination, pursued to the point of secession, may also impede other goals valued by the international community—such as pluralism, justice, and peace. Carley notes that “It is ironic that some self-determination movements have very undemocratic aims, such as the creation of a homogeneous mono-ethnic state. In approaching questions of self-determination, the extent to which there is a stake in preserving pluralism must be taken into account” (p. 2). Secessions may rearrange minorities and majorities without resolving issues of multiethnicity and representation. Distributive justice is another goal that may be impeded by secession, if a wealthier region seeks to secede from and avoid obligations to poorer parts of a country.

And if peace—or at least an avoidance of conflict—is the paramount goal, there will be times when secession will be discouraged and seen as a last resort even if a people are experiencing systematic human rights abuses or the threat of genocide—although as Carley writes, “If the choices are to entertain a secessionist movement’s demands or witness the massive repression and even murder of a particular minority group, many may come to feel that the international community is on the wrong side” (p. 28).

As the sometimes contradictory goals of self-determination, pluralism, justice, peace and national and regional security interests were discussed, it was suggested that perhaps the focus should be on the process by which self-determination is pursued, rather than solely on the outcome. Indeed, participants in the discussion noted that the international community is coming to view the right to self-determination as denoting more than not being ruled by outsiders, but being ruled by those chosen by the people. As Carley concludes the report, “The brightest note in this otherwise troubling issue is that the democratic imperative as a guiding rule for domestic politics is taking root in the international community as never before. . . . [Democracy] may prove to be the only nonviolent context in which the right to self-determination can be managed” (p. 28).

Democracy and Power Sharing

Could democracy be a means to ethnic peace? Democracy seems inherently difficult in deeply divided societies, yet a number of analysts express the view that democracy may be the optimal way to manage ethnic divisions. The grant-supported “**The Rise of Nationalism in Eastern Europe and the Former Soviet Union**”—the product of two symposia organized by the Institute for Democracy in Eastern Europe—explored the relationships between nationalism, communism, democracy, and ethnicity. Symposia participants argued that characteristic features of democratic systems, such as freedom of expression and an open mass media, are essential to countering the myths, stereotypes, and propaganda that fuel ethnic conflicts. As one historian framed the challenge, “the principal requirement is not so much to struggle against nationalism in its various manifestations, but rather to struggle for democracy” (p. 183). In “**Democratization and Ethnic Peace: Patterns of Ethnopolitical Crisis Management in the Post-Soviet Setting**,” grantee **Airat Aklaev** arrives at a similar conclusion. He maintains that the institutional frameworks of democracy can channel ethnic divisions constructively. In Aklaev’s view, a multiethnic democracy can be reached in many stages, gradually resulting in the achievement of genuine ethnic peace.

Timothy D. Sisk, former program officer in the Grant Program, explores some of the many possible forms of democracy that could be relevant to managing ethnic conflict. Sisk observes that democracy is not an absolute or single phenomenon in his *Power Sharing and International Mediation in Ethnic Conflicts*. Democratic practices may be used to manage ethnic tensions within a non-democratic state, Sisk contends, and democracy itself may take many forms other than a simple majoritarian electoral system.

Indeed, Sisk suggests that majoritarian elections may be particularly ill-suited to producing democratic outcomes in ethnically divided societies. Without mutual security, elections become zero-sum contests with potentially dangerous results, as conveyed in the adage, “majority takes power, minority takes cover.” The uncertainty of democratic transitions may increase collective anxieties and raise incentives for radicalization by elites outbidding each other. Winner-take-all elections may also result in the permanent exclusion of a minority. While there are instances where democratic elections have helped to mitigate conflict and bring about the culmination of a peace process (as in El Salvador and South Africa), there are also cases where elections have exacerbated conflicts and generated crises (as in Algeria in 1991, Angola in 1992, and Burundi in 1993).

A rejection of majoritarian democracy does not, however, suggest a rejection of all democratic means or values. Power sharing is the alternative. Sisk explains that this encompasses a wide range of practices that are intended to “promote meaningful inclusivity and balanced influence for all major groups in a multiethnic society” (p. 9). Power sharing can take many forms, clustering around two major types: consociational and integrative democracy. In Sisk’s view, advocates of all forms of power sharing have in common

a belief in the prospects for “political engineering” to mitigate conflicts in divided societies. That is, the rules of the political game can be structured to institutionalize moderation on divisive ethnic themes, to contain the destructive tendencies, and to preempt the centrifugal thrust of ethnic politics. There is no assertion that deft political engineering can prevent or eradicate deep enmities, but appropriate institutions can nudge the political system in the direction of reduced conflict and greater governmental accountability. (p. 33)

Sisk elaborates on the two types of power sharing. In consociational democracy, collective identities are expressed and interests represented through such forms as ethnically exclusive political parties. Territory may be defined as autonomous regions or ethnic federations. Decision rules regulate conflict through such measures as mutual or minority veto. Accommodation by ethnic group leaders at the center is significant. Group rights are emphasized. In general, consociational democracy facilitates the identity and autonomy of ethnic groups.

Integrative democracy, by contrast, fosters political identities and organizations that transcend ethnic group differences, either through pre-election coalitions between ethnic parties or the creation of broad multiethnic parties. Rather than a federation of autonomous regions, the state is inclusive, centralized and unitary. Decision rules enhance the influence of minorities. Public policies are devised to be ethnically blind.

A set of proposals offered by the Institute’s Balkans Initiative director **Daniel Serwer** in *“Yugoslavia”: Building Democratic Institutions* helps to illustrate the types of initiatives appropriate to fostering an integrative democracy. These include encouraging indigenous

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nongovernmental organizations (NGOs) to address crosscutting issues such as human rights, the environment, and the economy; labor unions to serve as alternative forums for collective action; coalitions of political parties to undertake nonpartisan tasks such as voter education; local economic development planning commissions that include representatives from unions, small and medium enterprises, and NGOs; open media; and multiethnic youth organizations.

Sisk underscores that neither consociational nor integrative democracy is best in all circumstances. Local contingencies and circumstances must be taken into account. Further, these practices may have different effects under different conditions. “As in any engineering enterprise,” Sisk writes, “there are risks of unanticipated consequences” (p. 74). The two types of power sharing suggest a broad menu of conflict-regulating practices that may be undertaken within the ever-changing configurations of ethnically divided societies.

Both approaches have weaknesses. Consociational democracy has been criticized for sustaining and entrenching separate ethnic identities, thereby undercutting the construction of an inclusive system or the recognition of a shared destiny. Bosnia is frequently cited as an example of this risk. A 1997 colloquium organized by the Woodstock Theological Center, “**Forgiveness in Conflict Resolution: Reality and Utility, the Bosnian Experience,**” supported by an Institute grant, looked at the implementation of the Dayton Accords in Bosnia and faulted them for not recognizing any nonethnic forms of representation. The requirement that there be a representative of each of three ethnic groups—Croat, Serb, and Bosniac—on every commission (such as property commission, human rights commission, commission on national monuments) is seen as reinforcing separate and hostile identities rather than facilitating forgiveness and new forms of integration and cooperation.

Grantees **Branislava Barinovic, Aliva Hodzic, and Ivan Ivas** bring a similar critique to the post-Dayton educational system. In “**Education for Peace—A Conflict Resolution Initiative for Postwar Bosnia,**” they lament the existence of three separate ethnic school systems in which “[Children] learn about three national histories and they learn that these histories are different. Hence, [the textbooks] more divide than connect the children in Bosnia and Herzegovina” (p. 44).

Another problem with consociational forms of power sharing is its reliance on elite accommodation. Sisk cites cases in which elites have reached agreements that the general populace has not endorsed, such as the Anglo-Irish Agreement of 1985 or the 1987 Meech Lake Accord among Canadian provincial leaders. Elite-initiated conflict is another threat within this system, as there is no reason to presume that elites will use their positions to reduce rather than pursue discord. And the cumbersome guarantees and mutual vetoes of consociational democracy can make decision making difficult and inefficient.

The primary criticism of integrative democracy is simply that it does not occur very often. There are doubts as to whether people will be willing to transcend long-standing divisions and to form new cross-cutting identities with shared interests. Integrative democracy requires a degree of trust that is rarely present in ethnically divided societies.

Pauline Baker is concerned with the potential trade-off between peace and human rights that may occur in either form of power sharing. In “**Conflict Resolution versus**

Democratic Governance,” a chapter in *Managing Global Chaos*, she asks “Should peace be sought at any price to end the bloodshed, even if power-sharing arrangements fail to uphold basic human rights and democratic principles? Or should the objective be a democratic peace that respects human rights, a goal that might prolong the fighting and risk more atrocities in the time it takes to reach a negotiated solution?” (p. 564). A short-term initiative to include all actors may undercut the long-term legitimacy of such accommodation.

Successful power-sharing arrangements seem to require great local depth. Sisk notes that whether in the form of consociational or integrative democracy, “power-sharing practices are likely to have conflict-mitigating effects only if the disputants arrive at them through a process of negotiation and reciprocity that all significant parties perceive as fair and just, given their own changing needs and interests” (p. 9). Among some basic conditions for these forms of democracy, Sisk suggests that the power-sharing arrangements be determined by local actors, that they be embraced by a core group of moderate politicians who genuinely represent the groups they lead, and that practices be flexible and permit evolution toward a more integrative form of democracy. Timing is also very important in this process. Sisk writes that

The paradox of promoting power sharing *early* in the escalation of an ethnic conflict is that at a nascent stage of tensions, parties may be unwilling to embrace power-sharing practices because they are not sufficiently desperate or feel insufficiently compelled. At a *late* stage of conflict, after significant violence, enmities may be too deep for parties to share power for mutual benefit. (p. xiii, emphasis in original)

Ethnic Conflict and Cities

“Early” and “late” are abstract concepts in the lifespan of a conflict. For those in ethnically divided societies, perhaps “now” is the best moment for finding ways to make peace. Urban planners and policymakers in Belfast, Northern Ireland, and Johannesburg, South Africa have been trying to do so, with different methods and in very different contexts. Their efforts are the subject of grantee **Scott A. Bollens’s *Urban Peace-Building in Divided Societies: Belfast and Johannesburg***.

Bollens chooses to focus on contested cities because in them the dysfunctionality of ethnic division is starkly evident, as various forms of ethnic separation disrupt the “inherent interdependencies” of flourishing urban systems. Cities are also significant because they contain the highest concentration of citizens affected by formal agreements that seek to resolve such ethnic divisions. As Bollens writes, “Resolution is not actualized solely through changes in political power or institutions—however momentous they may be—but must be nurtured by progressive on-the-ground policies that deepen and sustain political change” (p. 290).

Bollens categorizes urban policy and governance strategies as “neutral,” “equity,” “resolver,” or “partisan.” Neutral strategies address urban symptoms of ethnic conflict at the individual level; equity strategies do so at the ethnic group level. Resolver strategies address root causes and sovereignty issues, while partisan strategies maintain and strengthen disparities.

Bollens argues that planners and policymakers in Belfast have pursued neutral strategies. In so doing, they have ensured some near-term stability but have foregone real change: “Postponement of political instability may have been achieved, but at tremendous opportunity costs incurred along the way. The reactive protection of the status quo by a policy aimed at neutrality, maintenance, and stability defends a dysfunctional and sterile territoriality, and reinforces the physical and psychological correlates of urban civil war” (p. 283). Bollens sees greater success in Johannesburg, where resolver strategies have been pursued to overcome the “geography of hatred” established under apartheid. Yet the advances in democracy, equal opportunity, and nonracialism may be undermined “by market-based barriers that could produce an economic apartheid similar in effect to administrative apartheid” (p. 287).

Foreign aid, like markets, can provide needed resources to ethnically contested cities embarking on peace processes, yet both also bring risks. As Bollens writes,

Private sector processes of land development and housing provision can bring much energy and many resources to reconstruction, especially after years of pent-up activity due to ethnic conflict. The same can be said for international aid organizations. Yet . . . profitability criteria and donor requirements run the risk of reinforcing or extending the unequal legacies of ethnic wartime. The logic of economic functionalism and suburbanization can remove resources from the political jurisdictions of contested cities, obstructing their ability to redirect spending to combat disparities and neighborhood deprivation. Meanwhile, international aid organizations’ relative inexperience with local, community-based peacebuilding means that reconstruction efforts can turn into a patchwork of unrelated projects that might even consolidate ethnic divisions. (p. 293)

International Peacebuilding through Aid and Policy

Consolidating ethnic divisions is the last thing those providing international aid would intend. How can such an outcome be avoided? The United States Institute of Peace has created opportunities for several practitioners and analysts to consider this question.

The work of international NGOs is the focus of grantee **Julia Demichelis’s** *NGOs and Peacebuilding in Bosnia’s Ethnically Divided Cities*. From her experience in and study of NGO assistance to Bosnian cities, she articulates a critique and generates several suggestions for improved performance. In Bosnia, NGOs enter a situation where many cities are cut by physical boundaries into separate ethnically cleansed parts, each attempting to provide its own public safety, health care, sanitation, communications, electrical power, public transportation, and community recreation programs.

Demichelis contends that international aid should be oriented to bridging and integrating these separate parts. Too often, however, international NGOs lack a clear strategy for reaching that goal. They become subject to manipulation by local politicians striving to strengthen their own sides and favor their chosen local suppliers and contractors. Demichelis charges that

The rush to spend too much relief and reconstruction money “efficiently”—for example, by relying on mayors’ beneficiary lists to determine aid recipients—has blocked community participation in the reconstruction and reconciliation process and has bred defeatism and resentment among many Bosnians. (p. 5)

To remedy this, Demichelis calls for much greater participation from the local community. She urges international NGOs to depend on local skills and resources, assuring

that projects will be sustainable after the departure of the NGO. She also encourages collaboration with the local private sector and with the entire community—rather than just its refugee population or formal political leaders. Demichelis develops these suggestions through her analysis of several NGO-sponsored projects in the town of Gornji Vakuf, some of which were impressive successes, while others were notable failures.

Another recurring concern of Demichelis is the excessive signage of international NGOs. Readily visible logos on T-shirts, vehicles, and buildings are meant to “advertise their presence in news broadcasts seen in their home countries to encourage donations” (p. 2), but they also alienate the local community. Demichelis’ observations in this regard are echoed in other studies. In **“Bosnia: Searching for Common Ground on Radio,”** grantee **Sheldon Himelfarb** recounts the efforts of Common Ground Productions to foster local radio programs with conflict-resolution content. Although their concept, he writes, “was stunningly simple . . . [it] is, we have learned the hard way, easy to get it wrong” (p. 43). A number of their own and other groups’ related efforts “never shed the label of ‘that foreigner’s network’” (p. 44). Similarly, in **“NGOs Creating a Foundation for Peace and Democracy in Bosnia-Herzegovina,”** grantee **Max Primorac** writes of the suspicions with which an NGO initiative is met “especially if it is foreign sponsored” (p. 46). Primorac attends particularly to the long-term health of local NGOs that become dependent on foreign funding. He notes the difficulty they have “weaning themselves from international support” and “[refusing] international aid that does not conform to their organizational mission” (p. 47). In evaluating the community centers started by the Center for Civil Society in Southeastern Europe, Primorac describes the test as being “how well these admittedly foreign plants can take root locally and grow into authentic indigenous institutions” (p. 47).

Part of Demichelis’s conclusion is the forthright statement that “Donors and implementers simply need to take more time to listen to Bosnians at the local level, in all their diversity” (p. 15). Grantee **Milton J. Esman** provides further elaboration of that statement in ***Can Foreign Aid Moderate Ethnic Conflict?*** published in the Institute’s **Peaceworks** series in anticipation of an Institute-supported volume on the topic. Esman’s first concern is for those involved in directing foreign aid to attend to what is distinctive about the local situation. For the purposes of evaluating particular social and political realities, Esman finds little merit in the “simplifying abstractions” that facilitate macroeconomic analysis. Rather, he calls for a thorough study of local detail, including extensive demographic information; complete socioeconomic data; accounts of interethnic relations; descriptions of relative power, social status, and relations with government; level of mobilization; content and themes of dominant myths; evidence of any crosscutting alliances or interdependence; and recent history of conflict or conflict avoidance. Such information, Esman writes, is “a precondition for the conversion of ethnic sensitivity to viable intervention strategies” (p. 2).

Noting that development assistance can have differential impacts on ethnic communities, Esman suggests that projects and policies follow certain formulas in allocating financial resources, technical expertise, and training. These include searching for common interests between opposed groups; Esman cites a U.S. Agency for International Development irrigation project in Sri Lanka that benefited both Sinhalese and Tamil

farmers. Making projects divisible may also be helpful where ethnic groups are separated territorially; for example, constructing several small-scale locally controlled water management systems rather than a single major dam. A third suggestion is to build interdependence into projects whenever possible—as did an NGO in Tajikistan that provided one group with machinery to process wool and another with equipment for making carpets.

Esman is also quick to point out that development assistance aimed merely at growth may not be helpful. He finds no convincing evidence “to support the conventional wisdom that economic growth necessarily diminishes ethnic conflict. Many ethnic conflicts have nothing to do with economic considerations, and competition over the distribution of growth may actually aggravate the conflict. Political goals are attained primarily by political means” (p. 9).

Many ethnic conflicts have nothing to do with economic considerations, and competition over the distribution of growth may actually aggravate the conflict.

What are some of those political means for fostering ethnic peace that are directly available to international actors? Sisk emphasizes two means of immediate importance in fostering various forms of power sharing. The first is buttressing moderates. In transitional situations, such as the beginning of negotiations, moderates are often vulnerable to outbidding by radicals. Sisk suggests that the international community can strengthen the positions of moderates through such measures as sustaining mutual security pacts, monitoring cease-fires, and committing to help implement agreements.

Sisk also recommends that the international community make use of inducements, such as offering membership in or access to collective security agreements or global trade regimes. These linkages are a means to encourage ethnic group leaders to adopt, or at least not obstruct, various conflict-mitigating practices. Often, several such efforts will be necessary. For example, Kaufman notes that in 1995, Yugoslavia’s president Slobodan Milosevic was persuaded to accept the Dayton peace accords by “a combination of coercion (military defeat of his proxies), isolation (the end of Russian support for Serbia), and inducement (the promised end of sanctions)” (p. 72).

Even for third parties with a full array of policy options and skillfully administered projects, failure at preventing, mitigating, or regulating ethnic conflict is a distinct possibility in the short term. Assessing several ethnic conflicts in postcommunist Europe, Kaufman concludes that “Some fights are simply hard to stop” (p. 73). Kaufman argues that Yugoslavia’s ethnic conflicts, for example, were “particularly intractable . . . mostly because its leaders were determined to make them so.” Following his analysis of the bargaining tactics, policy goals, and ruling strategies of these leaders, as well as their duplicity and intransigence, Kaufman concludes that “the challenge for the West as a would-be third party conflict manager was nearly impossible” (p. 302).

What of the longer term? Esman cautions that it could indeed be very long, recalling that “the merging of Normans and Saxons into Englishmen required four centuries” (p. 10). In the meantime, Esman suggests that the best efforts go toward investigation, consultation, incorporation and dialogue: “Dialogue does not necessarily yield agreements or even mutual respect, and spirited differences among participants may endure. But the search through dialogue for common interests and mutual accommodation can increase the legitimacy of the process and reduce the likelihood of conflict” (p. 11).

Four

UN Peacekeeping

Lessons from the Past, Proposals for the Future

The peacekeeping missions of the United Nations, while of crucial importance in many conflicts around the world, are also the subject of substantial controversy. They have received ample criticism for imprecise and ever-changing mandates, unclear and competing lines of command and control, lack of civilian and military coordination, inadequate resources, and poorly defined or unattainable goals. Many analysts would like the missions to improve. Some look to the past to learn lessons from previous mistakes; others try to envision alternatives for the future.

Blending lessons from the past and visions for the future is always a matter of balance. When too much weight is given to previous experience, then current efforts are geared to fighting—or ending—the last war. Yet too little attention to the past will result in the repetition of earlier failures. Critics pursue a balance that will allow missions some adaptability and flexibility without confining them to ad hoc improvisation. Analysts glean lessons from experience in the Congo, Bosnia, and Somalia and consider a future that might include a rapid reaction force under UN control.

Many of the lessons identified now have been available previously. In **The Blue Helmets' First War? Use of Force by the UN in the Congo, 1960–64**, grantee **Trevor Findlay** observes that “The lessons of the Congo with regard to the use of force are hauntingly familiar to those who have witnessed the UN operations in Somalia and the former Yugoslavia thirty years on. Indeed, had the lessons of the Congo been learned and retained, the mistakes of the later missions may never have occurred” (p. 150). Grantee **Thomas R. Mockaitis** comes to a similar conclusion. In **Peace Operations and Intrastate Conflict: The Sword or the Olive Branch**, he seeks the lessons from UN missions undertaken earlier, as well as those not undertaken—such as the failure to intervene and prevent the 1994 genocide in Rwanda. Reviewing readily available lessons from these cases, Mockaitis concludes that “Everyone realized that the emperor was naked, but no one had found him a new set of clothes” (p. 3). Findlay, Mockaitis, and other analysts identify problems regarding the use of force, the consent of combatants, the neutrality of missions, and the tendency toward “mission creep.”

Diagnosing Problems

Until Somalia and Bosnia, the UN mission to the Congo in the 1960s was the most violent peacekeeping operation ever conducted. Findlay provides a detailed study of this unprecedented effort, including relevant documents on the formulation of policy and practice during this protracted crisis. While Findlay argues that “it was not the unmitigated disaster and chaotic free-for-all that popular wisdom would now have it,” he does identify a number of problems (p. 142).

Imprecise rules of engagement were an ongoing difficulty for the Congo mission. The mandate called for the use of force only in self-defense. Under the circumstances, however, this was not a sufficiently clear or helpful guideline. Should UN soldiers respond when fired on, or only when such firing endangered their lives? Should they open fire first when attacked, although not shot at? These were highly relevant questions as their attackers were often armed with such weapons as clubs, sharpened bicycle chains, and spears. Should the soldiers pursue attackers to pre-empt further attacks? How far should they go to protect UN property or nonmilitary UN personnel?

Findlay describes a number of battles in detail, such as a contingent of Irish soldiers attacked by Baluba with primitive weapons. A decision was made to fire warning shots to prevent the attackers from approaching close enough to use their weapons. When these warning shots did no damage, however, this only increased the Balubas' belief that their witchcraft had made them invulnerable. The Irish soldiers were massacred. In such situations, frequently repeated, the rule of "fire only when fired upon" was not a sufficient guide. In Findlay's assessment,

the twentieth century military [of the UN missions in the Congo] appeared helpless to defend itself against seemingly random, senseless violence by anarchic elements of a fractured, untrained, military force or by tribes people who were easily manipulated, brutal in their use of force, who believed themselves invincible and who were sometimes high on a local drug. (p. 60)

Rules of engagement in the Congo were manifestly inadequate to the requirements of this unprecedented mission.

More recent UN missions have also exhibited a mismatch between available force and actual requirements. Several analysts argue that because of limited resources and lack of political will, UN missions in Bosnia were inadequately staffed. Mockaitis finds that they had barely enough troops to monitor, much less defend, "safe areas." The risk of UN personnel being kidnapped, as did occur, also hampered decisions about the use of force. Mockaitis observes that "far from facilitating an end to the conflict, the presence of a lightly armed peacekeeping force was becoming an impediment to enforcement measures because its personnel could be taken hostage" (p. 104).

Determining the appropriate level of force and correct rules of engagement depends in part on the consent of all the local forces to a UN mission. Repeated missions have faced this difficulty. In *Peace, Power, and the United Nations: A Security System for the Twenty-first Century*, grantee Joseph P. Lorenz observes this dynamic in Lebanon in 1983–84, and later in Liberia and then Somalia: "The absence of full consent led to assaults against the peacekeepers and, inevitably, to the hard choice of escalating the conflict or appearing indecisive" (p. 120). Consent of all combatants may be particularly difficult to obtain in intercommunal conflicts involving many different factions.

Maintaining neutrality is another challenge for UN peacekeeping missions. Many analysts find this to be a specious goal. This is the argument of **Richard K. Betts** in "**The Delusion of Impartial Intervention**," his contribution to *Managing Global Chaos*. Betts contends that impartiality can be maintained only if third parties take complete control of a conflict situation and impose a settlement, but not if they seek to pursue limited involvement. He suggests that the effort to make intervention both neutral and limited can actually prolong suffering and obstruct peace by preventing either side from defeat-

Mockaitis observes that "far from facilitating an end to the conflict, the presence of a lightly armed peacekeeping force was becoming an impediment to enforcement measures because its personnel could be taken hostage."

ing the other. To Betts, Bosnia is a prime example of the harm that can be done through the effort to maintain neutrality. “There,” he asserts, “the West’s attempt at limited but impartial involvement abetted slow-motion savagery” (p. 335).

Findlay also finds the claim to neutrality problematic in UN missions. He argues that multiple unclear and incompatible mandates of the UN mission to the Congo foreshadowed similar ambiguities in peacekeeping mandates in Somalia and Bosnia in the 1990s. This is as confusing for UN peacekeepers as it is for local citizens. In the Congo, for example, local combatants were expected to understand and accept “the subtle and highly implausible notion” that peacekeepers’ use of force did not constitute interference in the internal affairs of the country, but was an attempt to ensure the mission’s freedom of movement, prevent civil war, and end external interference. In Bosnia and Herzegovina in 1994, the Bosnian Serbs were similarly expected to accept that the UN mission’s use of NATO airpower against them was meant to deter their attacks on UN safe areas and did not signal the United Nations’ taking sides against them in conflict. Reviewing these cases, Findlay observes that “The use of force is a blunt instrument for pursuing discreet political aims in a peace operation” (p. 159).

In another pattern first identified in the Congo but then repeated in Somalia, Bosnia, and elsewhere, missions have been poorly defined initially and have then changed and grown while in progress. In the Congo, initial instructions regarding self-defense were greatly extended to include freedom of movement and protection of civilians. A series of UN resolutions sought to address changes in the field, about which sufficient information was often lacking. Findlay describes these resolutions as “increasingly controversial and forged through political compromise between widely varying viewpoints and thus not easily reconciled or interpreted by those charged with running the operation” (p. 9).

Mockaitis sees a similar problem in defining the mission in Bosnia, where the United Nations had to interact with several other multilateral diplomatic and security organizations. In Mockaitis’s view, “This tangle of organizations, reflecting differing attitudes and commitments on the part of their members, virtually guaranteed a limited, vacillating, and indecisive approach that certainly encouraged Bosnian Serb forces to believe they could act with virtual impunity, which they did for three years” (p. 92). In each succeeding UN mission, analysts critique insufficiently precise rules of engagement, mandates, and goals.

Recommended Improvements

From his detailed review of the UN mission in Congo, Findlay identifies a number of lessons he believes the United Nations still needs to learn. He calls for such improvements as military capabilities appropriate to the task; early and decisive action; a better balance between civil and military control; more effective public information campaigns; and better use of civilian police, particularly where anarchy rather than armed conflict is the major threat. Overall, Findlay would like to see far greater clarity about mission goals, mandates, rules of engagements, and standard operating procedures. Explicit doctrines on the appropriate use of force and on mission neutrality are also needed.

Mockaitis’s recommendations follow from his comparison of UN missions to British counterinsurgency efforts. In his view, “Intervention to end civil conflict more closely

To Betts, Bosnia is a prime example of the harm that can be done through the effort to maintain neutrality.

resembles counterinsurgency than it does any other form of military activity” (p. 7), and he sees British counterinsurgency as the most successful model. Acknowledging that Britain’s long history of managing civil unrest carries an “unfortunate association . . . with something as illiberal as colonialism,” Mockaitis nonetheless finds much in British counterinsurgency that might be useful to current peacekeeping (p. 134). The principal feature of British counterinsurgency, in his view, is the minimal use of military force as an aid to civil power in the creation of political support and consensus. He calls for a unified effort of soldiers, police, and civil administrators to craft comprehensive solutions to problems of civil unrest. While Mockaitis sees this as the most successful approach, he also notes that such “low cost, long haul” interventions will not appeal to most militaries. Until such an initiative can take shape, Mockaitis also finds value in missions that were “prepared to take on a range of peacekeeping and enforcement activities and capable of moving up and down the conflict spectrum as circumstances dictated” (p. 88).

Rapid Reaction Forces

Among recent recommendations to improve UN peacekeeping missions, none has received more notice than the proposal of a permanent standing rapid reaction force. Following the failure of the United Nations to prevent genocide and other crimes against humanity, many analysts call for such a force to replace current temporary coalitions of forces that have not trained together and are not capable of sufficiently rapid deployment. Lorenz sees a rapid reaction force as a logical outcome of the many changes in the international system since the United Nations was founded. These changes “open the way for a new kind of UN force that is smaller, cheaper, more realistic in expectations, and more credible in deterrence than the first fifty years of UN history permitted” (p. 3).

The current force structure of temporary coalitions was originally conceived for worst-case scenarios. According to Lorenz, “It is no longer necessary or practical to establish a worldwide force of such power that it can defeat outright the strongest hypothetical aggressor other than the veto-holding powers, as the Security Council’s permanent members believed when they composed the UN Charter” (p. 3). To deter or suppress genocide or ethnic cleansing, Lorenz sees the need for a different type of force structure. He conceives a force based on two premises. The first is that effective deterrence “depends on the capacity to mobilize coalitions of *concerned* states that leave the potential aggressor in no doubt about the identity of the states he will confront and the certainty of defeat.” The second is “the need for maximum speed in mobilizing a deterrent force *before* the potential aggressor launches an attack” (pp. 3–4, emphasis in original).

In 1998, the Institute for the Study of Genocide and the Center for Global Change sponsored a grant-supported conference on genocide. Orlanda Brugnola, Helen Fein, and Louise Spierer edited the report *Ever Again*, which includes several panel presentations and summaries of discussions. One panel was devoted to the proposal of a rapid reaction force. Presenters offered a number of different suggestions as to size, composition, control, and financing. In their paper “**Enforcing the Genocide Convention: Towards a UN Constabulary**,” Saul Mendlovitz and John Fousek suggest that a rapid reaction force could be “a police arm of the evolving regime of international criminal law,” which would also include an international criminal court (p. 55). They foresee a

force with “assertive police powers dedicated exclusively to preventing and halting episodes of genocide and crimes against humanity, and to apprehending the alleged perpetrators and bringing them to justice” (p. 54). Rather than national contingents, such a force would be made up of individual volunteers who would be international civil servants and not identified with any state. Mendlovitz and Fousek emphasize that current UN peacekeeping practices would not be altered, but would continue to exist alongside the new constabulary.

Lorenz appreciates disagreements about the particular characteristics of a possible reaction force. But to him, one thing is clear: “The capacity of concerned states to mobilize fast-reaction units would widen the foreign-policy choices and provide a flexibility that does not now exist” (p. 6).

Other analysts disagree. In the 1998 genocide conference, participant **Thomas Weiss** challenged some of the particular figures regarding the necessary size and possible funding for a proposed rapid reaction force. He also challenged its very premise, characterizing the proposal as “a sleight of hand or a gimmick to try to pretend that we can do something through a structural reform that states are unwilling to do—and those same states are going to have to transport, equip, and help out when things inevitably go wrong” (p. 33). In Weiss’s view, no change in force structure will affect the underlying need for states to redefine national interests, clarify their mutual responsibilities, and strengthen their political will.

Sarah Sewall concurs in “**Creating an Imperative: Action in the Face of Genocide,**” her presentation at the 1998 conference. In questioning existing current proposals for a rapid reaction force, Sewall insists that “there is no structural panacea for the problem of genocide, because the core issue is not one of capability” (p. 61). No increase in capacity will make up for a lack of political will. In the absence of substantial change, the status quo in the lack of political will or accountability of states remains the same. As Lorenz describes the current situation, “The nations that do have a substantial rapid-deployment capability are the larger Western powers; that is, the countries that have the fewest shared concerns with the participants in most regional quarrels and the least capacity to influence a decision to go to war” (p. 4). Whether a rapid reaction force would be a means to circumvent that imbalance, or would also be subject to it, is one of the issues under debate.

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Peace Settlements

Prenegotiation Dynamics and Postconflict Implementation

The ambivalence and multiplicity of these possible trajectories mean that research must give careful attention to the internal politics of the parties in conflict, to the perceptions and judgments of leaders, and to changes in international context.

Peace settlements can be hard both to reach and to implement. They are dynamic and also transformative, as the parties involved undergo significant changes in identity, interests and threat perception. Peace settlements are made by leaders who also face internal rivals and involve publics who have been shaped by hate and violence. They occur in places where political and social institutions and physical infrastructure have been destroyed. All their many pieces interrelate. Further, they occur within a shifting international context, including superpower rivalry—and collapse. Using United States Institute of Peace support to examine many peace settlements in comparative perspective, practitioners and analysts seek patterns in the dynamics that precede peace settlements and evaluate their implementation, particularly as regards international commitments of financial aid.

Pre-Settlement Dynamics

Grantee **Daniel Lieberfeld** tackles the quality of negotiations, their internal dynamics, and interaction with external factors over time in *Talking with the Enemy: Negotiation and Threat Perception in South Africa and Israel/Palestine*. He begins by challenging the thesis of “ripeness,” that negotiation will occur once conditions are right, specifically when opponents reach a “mutually hurting stalemate” when a crisis has occurred recently or is impending. Lieberfeld criticizes this approach for being unable to distinguish between dependent and independent variables and for ex-post tautologies: if a settlement occurred, then conditions must have been ripe. He finds this approach inadequate because subjective perceptions and judgments are involved in determining whether a hurting stalemate has occurred. Similarly, the high cost of crises could lead actors to negotiate in order to avoid further costs; or it could make them obdurate, determined to protect previous sacrifices and investments they have made in the conflict.

In Lieberfeld’s view, many factors have similarly ambivalent effects on the escalation or de-escalation of conflict. Looming threats and diminishing power may prompt leaders to negotiate—or attempt to prevail by force. Increasing costs may encourage policy reassessment—or entrap parties in conflict as they try to protect investment. Dependence on third parties may give those parties leverage to impose a settlement—or may introduce extraneous issues and deflect attention toward the third party’s interests. Global attention may constrain contentious behavior—or encourage contentious posturing. Influential constituencies (such as the military or business) may develop vested interests in settlement—or in conflict. Leadership change may foster pragmatism—or increased militancy. Leaders may envision departing from previous policy as an opportunity to leave their mark on history—or fear conciliatory initiatives will make them look weak. The ambiva-

lence and multiplicity of these possible trajectories mean that research must give careful attention to the internal politics of the parties in conflict, to the perceptions and judgments of leaders, and to changes in international context.

From his consideration of the array of factors relevant to peace settlements, Lieberfeld generates four hypothesis with which to analyze the South African and Israeli/Palestinian cases over time. He gives careful attention to the perception of threat to national existence and suggests that a greater sense of such threat minimizes the impact of domestic politics on the regime's conduct of the conflict. He also argues that internal contestation regarding the state's assertion of existential threat may undermine the state's legitimacy. When a conflict increases the insecurity of citizens as individuals, but the majority do not perceive an existential threat to the group, then leaders who fail to pursue a peace settlement may lose support from constituents. Finally, Lieberfeld posits that when elites see a conflict as nonexistential, they may be as concerned about losing to internal rivals as they are about the danger from external adversaries.

With this set of hypotheses, Lieberfeld explores the path of negotiations between the African National Congress (ANC) and the National Party (NP) in South Africa and between the Israeli government and the Palestinian Liberation Organization (PLO) over recent decades. Leading up to the successful negotiations in South Africa and the tenuous agreement in Israel, Lieberfeld identifies several significant points in common. In both cases, the perception of existential threat decreased as each side came to acknowledge the persistence of the adversary's national movement. Secret preliminary communication also enhanced each side's sense of the possibility of negotiation in both cases. Another commonality is the simultaneous perception of an untenable status quo and threatened loss of bargaining position relative to both external adversaries and internal rivals, both of which helped to prompt leadership change. A further parallel is that the lack of alternative partners magnified the threat for the government sides of losing a relatively moderate nationalist adversary as a negotiating counterpart.

One further commonality at different points in these conflicts is that local adversaries came to prefer bilateral negotiation rather than risk the involvement of third parties whose interests might supercede their own. In South Africa, the NP's participation in negotiations over Namibia intensified the desire of NP leaders to exclude intermediaries in prospective negotiations in South Africa. They found it humiliating to negotiate under the eyes of the Americans and Soviets and also felt the presence of third parties deflected attention from internal problems. Lieberfeld reports that "The Namibian experience similarly reinforced ANC leaders' aversion to internationally sponsored negotiations over South Africa. The ANC feared that it would be shut out, as its Namibian ally, [the South-West African People's Organization], had been and that third parties would pressure it to accept an inadequate settlement" (p. 36). Similarly, regarding the Camp David peace accord between Israel and Egypt in 1978, Lieberfeld writes "It was largely the threat posed by U.S. sponsorship of an international conference, at a time of increasing Israeli dependence on U.S. aid, that made Israel seek a forum for negotiation with Egypt over which it could exercise more control" (p. 57).

While Lieberfeld sees parallels in prenegotiation dynamics in South Africa and Israel-Palestine, he also ascertains significant differences in their postagreement politics. At the

time of his writing in the late 1990s, South Africa was proceeding along the course away from apartheid. In contrast, there had been a marked loss of optimism regarding the 1993 Declaration of Principles signed by Israel and the PLO. Lieberfeld finds that these divergent postagreement developments are influenced by fundamental structural differences between the two cases: “While talks in South Africa were directed towards political pluralism within one state, in Israel-Palestine the question after 1967 has become two nations’ political and territorial separation. The centrality of territorial division gives the Israeli-Palestinian conflict more of a zero-sum character, since territorial sovereignty is less easily shared than is political power” (p. 127).

Lieberfeld also notes other differences. The ANC and NP were more closely matched in power than were the Israeli government and the PLO. The situation in South Africa was also characterized by greater interdependence, as the ANC was convinced that the country would suffer without white participation in the economy, agriculture, and industry. In contrast, Israel can more easily do without Palestinian commerce or labor, particularly after the influx of immigrants from the former Soviet Union and the lifting of restrictions on workers from Eastern Europe and Asia. Internal politics in the two countries were also different: South Africa president F. W. de Klerk could credibly claim that his policies were backed by two-thirds of white South Africans, while Israeli prime minister Yitzhak Rabin could barely assemble a majority of the Jewish members of parliament to ratify the Declaration of Principles. Further, Lieberfeld writes of both Rabin and PLO chairman Yasser Arafat, “Each leader was deterred by internal opposition parties from defending the major concessions the accords implied” (p. 130). Both were reluctant to force a test of public support. Gaining the support of those with the most to lose is another important ingredient to the success of a settlement. In South Africa, the apartheid bureaucracy was offered job guarantees, amnesties, and an interim period of a coalition government. In Israel, by contrast, a buy-out of settler property was never attempted. And while the NP remained in office and largely supported de Klerk during the negotiations in the early 1990s, Israel’s Labor Party lost power to Likud in 1996, and with it went whatever trust and communication skills had been built with the PLO.

Lieberfeld concludes that shifts that make negotiation and settlement possible “do not of themselves provide adequate bases for stable peace.” He views the conflict in South Africa as having undergone a transformation such that “it continues to evolve by primarily nonviolent political means” (p. 133). This is not the case with the Israeli-Palestinian conflict—although Lieberfeld does conclude that the 1993 accord nonetheless marked a turning point in the actualization of the principle of territorial division and separate polities and in the degree of mutual legitimacy each side attained.

Postconflict Reconstruction

Reaching a negotiated peace agreement is a complicated process. But it is not the end of a conflict. With the signing of an agreement, conflicts of interest, power, and identity do not disappear. Rather, parties consent to resolve such conflicts in a nonviolent manner. And peace settlements, once reached, do not implement themselves. This is a long process, one that many see as needing substantial international resources, guidance, and monitoring.

In “**Why Orphaned Peace Settlements Are More Prone to Failure**,” Fen Osler Hampson’s contribution to *Managing Global Chaos*, Hampson describes negotiated peace settlements as “little more than a road map to the peace process. A settlement indicates the direction the parties must move if they are to consolidate the peace, but it usually does not tell them how to get there except in very general terms” (p. 541). “Getting there” may involve a considerable range of tasks: demobilization, disarmament, refugee resettlement, reconstruction of infrastructure, elections, promotion of human rights, and creation of civilian police, as well as judicial, political, social, and economic reforms. The terms and timetables of each task also frequently require renegotiation and monitoring.

Hampson sees a crucial role for third parties in the implementation of peace settlements. They provide funds, expertise, and equipment. They may also engage in a period of “proxy governance,” temporarily replacing the diminished administrative and fiscal capacities of states that have been engaged in conflict. Third parties help to mediate ongoing supplementary negotiations, foster trust and build confidence by monitoring compliance, and provide status or legitimacy by recognizing all parties at the table. Where peace settlements are “orphaned,” Hampson asserts that failure is more likely:

In those instances where a workable settlement was reached, such as El Salvador and Namibia, third parties made a critical contribution to the peace process by helping not only with the negotiations but also with the implementation of the agreements. On the other hand, in those instances where the peace process clearly failed, failure was associated with a lack of adequate third-party support and involvement during the peace process. (p. 548)

How well are third parties supporting peace settlements? That question drives a comparative study of aid delivery to six postconflict countries. The grant-supported study, “**Good Intentions: Pledges of Aid for Post-Conflict Recovery**,” edited by **Shepard Forman** and **Stewart Patrick**, was conducted by teams of scholars and practitioners from donor and recipient countries. It addresses six varied cases: class-based civil war in El Salvador, Cambodia, and Mozambique; struggle for racial equality in South Africa; ethnic conflict in Bosnia-Herzegovina; and national liberation in the West Bank and Gaza. The six cases also span a range of success and durability, from relatively stable peace in El Salvador to a far more fragile situation in the West Bank and Gaza.

These six cases were selected from some forty countries presently struggling to emerge from protracted violence. Many of the forty are among the poorest countries in the world. Poverty contributed to their conflict and complicates their postconflict recovery. Their absorptive capacity is low because of both their impoverishment and the destruction caused by past conflict. Under such circumstances, aid is necessarily a hybrid, bridging emergency humanitarian relief and long-term development assistance.

Many countries emerging from conflict are facing a triple transition: from war to peace, from an authoritarian to a more representative political system, and from a controlled to a free market economy. Failure in one area may jeopardize success in the others, as a recurrence of violence will quickly destroy economic and political gains. Yet the relationship between them is often unclear; economic development does not always promote liberal democracy. And they may even be contradictory, with gains along one dimension undermining progress in another, as market reforms require structural adjust-

Many countries emerging from conflict are facing a triple transition: from war to peace, from an authoritarian to a more representative political system, and from a controlled to a free market economy.

ments whose short-term costs fall on society's most vulnerable members, disrupting nascent social cohesion.

The researchers engaged in this study acknowledge a number of obstacles to measuring the flow and use of aid, and they note that neither measure reveals impact. In many countries, data on aid, budgets, expenditures, employment, and education are unreliable, inconsistent, or incomplete. Some countries, like Cambodia, lack a basic data collection agency; Bosnia-Herzegovina has three different official and mutually contradictory databases.

Data provided by donors are also often flawed. When the need for reconstruction assistance is immense, donor countries participate in pledging conferences. The public character of these conferences and peer pressure may encourage donors to pad their pledges. Researchers found double counting and many other murky recording practices. Some pledges counted commercial loans, International Monetary Fund standby agreements, and standard contributions to international organizations as aid. In-kind assistance was often valued at higher than market prices. Some aid was tied, obligating the recipient to purchase goods or services from the donor, again not calculated at the market price. In many instances, there were significant gaps between the amount pledged and that delivered. Researchers tended to conclude that the gaps were greater than current databases suggested. They also noticed great variety and multiple fluctuations from year to year, from one donor to the next, and across various sector destinations—whether physical infrastructure, peace implementation, political practices, rule of law, or social institutions.

Donors and recipients repeatedly faced trade-offs between critical immediate needs and long-term investment.

Problems in Aid Delivery

Across the six cases, researchers identified a number of problems in mobilizing, organizing, and delivering assistance. The most obvious—that the delivery of massive aid from multiple sources raises enormous problems of coordination—is, of course, true. Researchers saw not only unintentional duplication and waste, but also outright rivalry and determined efforts at cross-purposes. Turf wars, competition, and struggles to occupy niches occurred between different international organizations, various UN agencies, the plethora of NGOs, and even between the foreign ministries and development agencies of single donor countries. The limited absorptive capacity of recipient countries was also a problem across the board, as were lack of management skills, accounting procedures, and transparency in countries only just emerging from protracted conflict. In addition to these consistent patterns, researchers in the six cases discovered a number of other problems.

Recipient needs and donor priorities were often mismatched. Recipients expressed a dire need of immediate support for peace implementation, including establishing civilian police, creating emergency employment programs, or providing cash payments to non-combatants. Recipients were also searching for funds for recurrent expenditures. Generally favoring lowered military expenditures, donors rarely cared to provide money for security. They were also interested in projects with greater political visibility (or “flag-pole value”) and often preferred to fund physical infrastructure rather than political reform. In a number of cases, recipients were simply unable—because of lack of infor-

mation or skill—to specify their own needs or define an agenda. This was another obstacle for donors trying to meet recipient needs. And, while most donors wanted careful accounting and transparency to prevent waste or corruption, none wanted to provide funds to monitor such.

Another frequent tension was between short- and long-term priorities. Donors and recipients repeatedly faced trade-offs between critical immediate needs and long-term investment. On the one hand, current expenditures purchased crucial short-run political stability, yet only with an opportunity cost in terms of future sustainable development and local capacity building. While short-term needs compete with long-term development, the two are connected, as the long run is only the eventual accumulation of short-term decisions. Reviewing this problem in the concluding chapter to Forman and Patrick's "Good Intentions," **James K. Boyce** recalls Keynes's famous remark that "in the long run, we're all dead." Boyce points out, however, that when peace is at stake, death is the likelihood in the short term as well.

Macroeconomic conditionality requirements set primarily by international financial institutions also complicated aid delivery and use. These institutions are criticized for designing aid conditions as though conflict had never occurred and as though transitions to peace have no costs. Their macroeconomic conditionality requirements often directly collided with peacebuilding objectives. In some cases, macroeconomic conditions were met and budget deficits lowered—but, as the World Bank itself noted in Cambodia, only at the ruinous cost of unmaintained infrastructure and inadequate public expenditures. Disputes over macroeconomic conditionality requirements were particularly heated in El Salvador. There, the government held to a neoliberal economic program under the direction of the World Bank. Researchers found that the program's negative effects on credit availability, interest rates, and rehabilitation of the agriculture sector actually exacerbated the grinding poverty in rural areas. Across many cases, researchers found that economic programs shaped by international financial institutions made funds unavailable to fulfill peace accords and imposed conditions that threatened to aggravate social inequality, undermine political reconciliation, and harm prospects for peace.

Political conditions on aid were also an issue, particularly in the consistency of their application. Some institutions pegged disbursement of funds to the achievement of commitments made in peace accords; others refused to do so. Recipients could play the different donors against each other or simply wait out an unfavorable decision. In Bosnia-Herzegovina, for example, officials soon learned that foreign staff had a fairly rapid turnover. Officials could easily wait for the expiration of brief contracts and then submit the same requests to new staff.

Perhaps no case of consistent application of conditions was trickier than that involving the Palestinian Authority. No donor was willing to halt assistance, despite the Palestinian Authority's poor performance or its excessive role in the local economy, for fear of weakening this entity and the already fragile peace process. In particular, the Palestinian Authority was permitted to use international funds for emergency job creation and recurrent expenditures far more than donors would have liked. This not only helped to maintain the Palestinian Authority but also shaped it in particular ways, for example, by providing the resources for it to engage in patronage.

Despite peace settlements in their various stages, aspects of ongoing conflict also had a profound impact on the flow of international aid. Again, the case of the West Bank and Gaza is apt. Absorption capacity was limited by legacies of the Israeli occupation: underdeveloped infrastructure, heavy economic dependence, and a weak and fragmented public sector. But no factor had so great an impact on obstructing aid flow than the periodic and unpredictable Israeli closures restricting all movement in and out of Palestinian-controlled areas. The closures interrupted employment, trade, and investment; disrupted the flow of building materials and mobility of project personnel; and inhibited long-term planning and coordination. It was the hardship imposed by such closures that led to the diversion of resources into emergency job-creation projects. In this situation, no donor was willing or able to impose conditions or sanctions on Israel.

“Such predation by the powerful—too often tolerated, if not encouraged, by donors in the name of political expediency—corrodes the long-run prospects for a lasting peace.”

The situation in El Salvador raised similar problems of coordination and cooperation because of remaining conflict. There, the United States channeled funds through counterinsurgency agencies with which it had prior relationships. It refused to allow civic organizations associated with the main rebel movement to participate in planning or to implement some projects. Other international donors, disapproving of such arrangements, refused to contribute to many of these projects and eventually created parallel ways to channel funding outside of the government. The degree of U.S. support of the government became an obstacle to donor coordination.

Local ownership is another concern in the handling of international aid. On the one hand, limited local capacity undercuts the impact of external resources. On the other hand, foreign expertise and strict economic or political conditionality requirements may not further local capacity or enable sustainable development. Recipients become dependent on aid, with few incentives for mobilizing local resources. The flow of international aid also shapes the profile of local capacity. In the West Bank and Gaza, for example, donors eager to strengthen the Palestinian Authority spurned many local nongovernmental groups. Similarly in South Africa, donors wanting to support the post-apartheid government often declined to channel funds through existing nongovernmental organizations, perhaps furthering the decrease in civil society that some observe there.

The issue of local ownership and sovereignty also arises when conditions are placed on aid delivery. Various researchers reflect, however, that any influx of external resources, regardless of conditionality requirements, invariably affects the distribution of income, wealth, and power in the recipient country. In this sense, it is external assistance itself—not the presence or absence of conditions—that compromises national sovereignty.

Considering the distributive implications, does international aid also generate trade-offs between peace and justice? In the Forman and Patrick study, Boyce phrases this as a trade-off between elite pacification and egalitarian development. In some of the six cases, there were one-time buyouts, such as the trust fund for the insurgent force Renamo in Mozambique. In other cases, long-term funding streams were diverted to elites, such as the privatization of Bosnian industry into nationalist hands or timber harvest licenses for Cambodian military officers. Such measures may achieve immediate acquiescence among elites but further erode the livelihood of desperately impoverished populations. According to Boyce in his conclusion to this comparative study, “Such predation by the

powerful—too often tolerated, if not encouraged, by donors in the name of political expediency—corrodes the long-run prospects for a lasting peace” (p. 9).

Money Can't Buy You Peace

Across all six cases, the various researchers repeatedly observed that international donors can do nothing in the absence of a local commitment to peace. The willingness of internal actors to renounce violence and to devote domestic resources to reconstruction is critical. Aid infusions, no matter how great, cannot create peace, democracy, or economic development. Researchers cite Mozambique, where, despite ample difficulties in the peace process, neither side was willing to return to war. No amount of aid would have been effective without that foundation. Conversely, the situation in the West Bank and Gaza demonstrates that even substantial external aid cannot establish peace in the absence of political will among all local parties, nor generate prosperity in the face of multiple economic shocks and structural constraints. In this regard, “pledge inflation” may have generated excessive expectations not only among recipients, but among donors as well.

Six

Forces of Insecurity

Proliferation and Privatization

What is the relationship between states and the use of force? Max Weber classically defined the state as having a monopoly on the legitimate use of force. That definition comes under scrutiny in some unforeseen ways. The state's purported monopoly is now challenged—not by a rival concentration of force, but by its vast dispersal. The proliferation of small arms out of the control of states has become a major security problem in several regions of the world. And the state may itself choose to subcontract its monopoly on force, outsourcing the security services that were once its sole domain. Yet while the privatization of security formerly conjured images of mercenaries, it now may include corporations providing logistical support for humanitarian operations. Such phenomena call for the reassessment of expectations of state behavior and the formulation of new policy responses.

Small Arms Proliferation

The proliferation of small arms is gaining attention around the world. The **Disarmament and Conflict Resolution Project** of the United Nations Institute for Disarmament Research has produced a series entitled *Managing Arms in Peace Processes* that includes a volume on general issues and individual volumes on Somalia, Liberia, Nicaragua and El Salvador, and Haiti. A further volume on training and a study of regional peacekeeping in southern Africa are planned. Attention to small arms in Africa is also found in *Small Arms and Control in Southern Africa*, prepared for the South African Institute of International Affairs by grantee **Glenn Oosthuysen**. These works identify the patterns of small arms proliferation, articulate security concerns arising specifically from this phenomenon, and offer some policy suggestions.

The category of small arms includes such weapons as pistols, rifles, assault rifles, light and medium machine guns, grenades, mortars, and mines. The profile of small arms is different from that of major weapons systems in every respect. Small arms are easy to use and require little training. They tend to be technically simple, suitable for reverse engineering and local production, and are almost devoid of obsolescence. Small arms require little maintenance, rarely break down, and are quite durable. Being small and light, they are easily concealed, transported, and smuggled. A large cache of such weapons can be broken up and individual pieces distributed and hidden. Small arms tend to change hands many times, becoming impossible to trace or register. They are widely available and also very cheap. Small arms are held and traded by a range of actors, from national armed forces to irregular militia, militant groups, ex-combatants, smugglers, criminals, and regular citizens.

The supply of small arms in every region of the world can be traced to a range of earlier conflicts, including struggles for independence from colonial rule, Cold War superpower proxy wars, internal conflicts, full-scale civil wars, and regional destabilizations. Commercialization of

the international arms market also facilitated the flow of these weapons. As Oosthuysen describes southern Africa,

The years of conflict and war have transformed the region into a small arms bazaar. Many, if not most of the weapons which were used in the numerous liberation and post-independence wars in Angola, Mozambique, Namibia, and South Africa are no longer in the hands of the authorities. As a result there is a flourishing regional black market trade in these weapons. . . . The decades of armed conflicts have left millions of land mines, automatic rifles, firearms and ammunition unaccounted for and in the hands of clandestine groups or individuals. (p. 38)

The proliferation and transfer of light weapons has been overlooked until quite recently by the international community. Several factors contribute to this inattention. Standard strategic thinking has tended to focus on the significance of concentrated firepower rather than its diffusion. Further, as a practical matter, small arms flows have been almost impossible to map and measure. Researchers and policymakers have relatively little reliable data on production (including by small workshops), sales (legal or covert), or usage. A third reason is that in post-conflict situations, disarmament has rarely been sufficiently planned or successfully conducted. The weapons that remain once a conflict is over then become available for the next conflict, which is more likely to occur in part because of that availability.

The potential to derail postconflict peace is of particular concern to those monitoring small arms proliferations. A related peril of small arms stems from the nexus between their proliferation and rising crime. This is again linked to the aftermath of a peace agreement. Too often, ex-combatants are able to keep their weapons, relying on them for a new, criminal, livelihood. Describing the situation of ex-combatants, Oosthuysen writes:

Feeling abandoned by their former political masters, the lure of organized crime and gangsterism, which provides its own riches, power and respect could be seen as an irresistible and natural substitute for many. Similarly, those ex-combatants who have had to wait months and even years before reporting for integration and demobilization, have long since found alternative ways of life. These factors, in the context of the widescale availability of arms accumulated in the course of decades of militarization, have facilitated not only the rise in crime, gangsterism and violence, but continue to perpetuate it through further demand for small arms. (p.8)

In addition to small arms' direct costs and damage, pervasive crime also raises opportunity costs, requiring states to spend more on police and public order. Any of these are significant obstacles to the consolidation of peace in postconflict situations.

Policy Responses

Many policies have been proposed to address the proliferation of small arms. Oosthuysen's recommendations include teaching conflict resolution in schools, tightening licensing requirements for firearms, improving police capacity to locate and confiscate illegal firearms, strengthening border controls, and improving cooperation between neighboring states. The great difficulty with any plan to improve state control over small arms is that the states where proliferation is most problematic are often also the states with the least enforcement capacity. Regardless of the political will to implement arms control, the relevant institutions—military, police, customs—are generally quite weak and ineffective. According to Oosthuysen, “Widespread corruption, lack of accountability on the part of officials, limited manpower, training and operational resources are just some of the factors which mitigate against effective controls being implemented by these states” (p. x).

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To address this shortcoming, grantees **Henry van der Graaf** and **Robin E. Poulton** have another suggestion. In “**The Weapon Heritage of Mali: Weapons Collection and Disposal as an Element of Post-Settlement Peace-Building**,” they discuss the role of local communities. In their view, “It is the community which can best appreciate the maturity of its own members and which is most at risk from misuse of firearms. In the huge spaces of northern Canada or northern Mali, police officers are few and far between: communities must perform ‘police’ functions themselves” (p. 27). Arguing that it is the local population that best knows who the gun runners are, they suggest providing communities with incentives. An irrigation motor pump and fuel, for example, might be offered in exchange for a certain number of weapons turned in. Van der Graaf and Poulton foresee mutual cooperation between local communities and state security forces.

The international community can also play a role. Arms control measures applied to major weapons systems are irrelevant. A limitation on production or export licenses is inapplicable to the innumerable small workshops using common materials—fertilizer, bicycle frames, trucks’ steering housing—to produce weapons. The widespread distribution of small arms also makes any form of recall inconceivable. The Disarmament and Conflict Resolution Project formulates several other suggestions for international action: arms embargoes, disarming combatants, providing cash, land, or training in exchange for weapons, and destroying and disposing of weapons. They see a particular need for greater attention to disarmament and demobilization within larger peacekeeping and post-conflict efforts.

Other analysts also see a need and a role for the local communities and international involvement. Oosthuysen considers a place for the private sector in financing and executing some tasks in the effort to stem the proliferation of small arms. He warns, however, against shifting the basic responsibility for public security from the state to the private sector. “A country’s security,” he asserts, “cannot and should not become privatized. In fact, this responsibility is an integral part of the ‘social contract’ between state and society. If government reneges on this element of the ‘contract,’ it should not be surprised when society in turn fails to maintain its ‘contractual’ responsibilities” (p. 111).

Privatization of Security

The implicit contract to provide public security is now subject to scrutiny. While Machiavelli famously warned the Prince that mercenaries are “useless and dangerous,” it is not clear that he would make the same judgment now, considering the array of private security services currently available. Ranging from soldiers of fortune open to the highest bidder, to protection of embassies and UN operations, this phenomenon is as difficult to define as it is to monitor or regulate.

Yet grantees **Greg Mills** and **John Stremmlau** make an effort to do so in their edited volume, ***The Privatization of Security in Africa***. The private provision of force has a long history. Mercenaries have been in use since the beginning of organized warfare, and there is nothing novel about subcontracting violence to private firms. Indeed, according to **Jeffrey Herbst** in “**The Regulation of Private Security Forces**,” “the supply of military forces for hire was a routine aspect of international relations before the twentieth century” (p. 108). Contemporary security companies are merely the latest entrants in a long

corporate history that includes the Dutch East India Company and the British South Africa Company. While there are historic precedents, the current privatization of security nonetheless does include some novel elements.

Regarding the mercenaries Machiavelli had in mind, **Garth Abraham** in “**The Contemporary Legal Environment**” observes that “because of their potential for duplicity and the moral opprobrium attached to contracting, effectively, to kill in return for blood money, mercenaries and mercenarism have been viewed with suspicion” (p. 81). In the current market, close to mercenaries on a scale of opprobrium are warlords, bandits, and security personnel who guard an installation by day only to loot it at night, as experienced by a number of humanitarian operations. There would appear to be a distinct line between such forms of quasi-criminal activities and companies hired to conduct military training for formal armed forces, provide logistical support for regular military activities, assist police, protect embassies in risky environments, or help defend sovereign states from guerrillas.

Yet at second glance the line dividing these may not be so sharp. On what side of the line, for example, would one place those regimes which operate in the interest of a small group of power holders? In their introduction to *The Privatization of Security in Africa*, editors Mills and Strelau argue that national armies have become privatized by their use to secure personal gains for members of the governing regime. **Christopher Clapham** concurs in “**African Security Systems: Privatization and the Scope for Mercenary Activity**”:

The management of security by at least a substantial number of African states is in practice essentially “private,” in that such security as exists is primarily concerned to protect the lives, power, and access to wealth of specific groups and individuals who control the state, and is not substantially different from the security provided, say, by a warlord who is not formally recognized as representing a state. (p. 24)

When the state is defined as access to wealth through force, it becomes a target for what grantee **Jimmy D. Kandeh** calls the “militariat.” In his work, “**Coups from Below: The Militariat and State Power in West Africa**,” Kandeh argues that the lower military ranks make coups not in pursuit of political authority but of private wealth. Coups are calculated not to control the state, but to create disorder and seize resources. As he quotes a soldier in the armed forces of Sierra Leone, “that’s what happens in revolutions—looting” (p. 273). For soldiers and subalterns, violence becomes a mode of private accumulation.

Asset stripping by renegade soldiers is one thing, but is providing security to transnational corporations so that wealth may be extracted—from which security forces will be paid—so very different? Here again, analysts suggest that distinctions become muddled. Remarking on the readiness of states to mortgage diamond, mineral, petroleum, and timber rights, Mills and Strelau observe that these “are not only the pay but the purpose of private security services” (p. 3).

A different set of concerns is raised by the contracting of firms to provide logistics, protection, or training in situations where regular armed forces could be deployed but are not for lack of political will or public commitment. Clapham cites the example of “Military Professional Resources, Inc., created with official approval to carry out func-

Coups are calculated not to control the state, but to create disorder and seize resources.

tions in the former Yugoslavia and elsewhere for which official U.S. Army involvement would raise unacceptable political risks” (p. 42). In such situations, is the employment of a private security corporation an expression of the public will, or an instance of certain agencies within the state getting around the lack of public will?

Finally, consider guerrillas purchasing the services of private providers of force to challenge an established government. On the one hand, that act certainly falls outside Weber’s concept of the legitimate use of force. Yet what if opposition has arisen in response to a government’s gross human rights violations? As Mills and Strelau formulate this puzzle, “Some actions, like assassination or helping to overthrow a legitimate government, are clearly contrary to established international legal norms, but supporting an insurgency against a regime widely held to be culpable of major human rights abuse may not be” (p. 12).

Clapham strives to introduce an alternate mode of defining private forces to replace inadequate dichotomies of public/private or state/commercial. He proposes an emphasis on efficiency and accountability.

Rather than confronting a sharp distinction between public (or state-managed) security systems on the one hand, and private (commercial or even criminal) ones on the other, we are faced by a proliferation of different kinds of security systems, each displaying some varying combination of the two basic criteria by which any security system needs to be judged: its efficiency in maintaining some kind of order on the one hand, and its accountability to those people whose security is at stake on the other. (p. 25)

Clapham’s suggestion points toward some conceptual clarity of a phenomenon that is inarguably messy at a practical level. As Herbst expresses the tangle, “In the modern world where only one type of unit—the nation-state—is sovereign, it has long been assumed that states would regulate firms, not be beholden to them for their very existence” (p. 110).

Monitoring and Regulation

While researchers differ in their analysis of the privatization of security, all agree that it is occurring all over the world, that regimes of all types, from elected to dictatorial, have employed private security forces and that such firms are established everywhere. While some of the better known include Executive Outcomes of South Africa, Sandline of Britain, and Military Professional Resources, Inc., of the United States, similar firms proliferate in many nations. Their growth may be fueled by the end of the Cold War and the resulting surplus of “retired generals with Rolodexes” and unemployed soldiers.

While private security firms are employed around the world, there are as yet no international norms or institutions to monitor or regulate them, to define acceptable behavior, or determine liability for wrongdoing. An international convention against the recruitment, use, financing, and training of mercenaries was prepared in 1989 but has not been ratified by a sufficient number of states. Indeed, according Abraham,

the legal impact of the convention is rendered even more tenuous by the fact that of the sixteen signatories, three—Angola, Congo, and Nigeria—have either hired or dealt directly with private security companies, while a fourth, the Ukraine, is a significant source for the supply of pilots to the most effective of the security companies, Executive Outcomes. Further, a fifth signatory, the

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Zaire of Mobutu, hired individual mercenaries in its doomed effort to resist the advancing force of current strongman Laurent-Desire Kabila. (p. 100)

In general, analysts suggest that the weakness of international law on all aspects of mercenarism simply places greater responsibility on domestic law and on the responsibility of states to ensure that their own nationals act in a manner not to undermine states' obligations to the international community, including respect for the territorial integrity and political independence of other states.

Perhaps even more than domestic law, markets may determine what shape privatized security takes. Private security forces, according to Clapham, occupy a particular niche market that requires a combination of factors. On the demand side, there needs to be the lack of indigenous forces of sufficient quality, adequate funds to hire mercenaries, and enough legitimacy to withstand the domestic and external criticism that frequently accompanies such a move. Thus the potential employer "must have enough support to make the use of mercenaries feasible, but not so much that it becomes unnecessary" (p. 39). On the supply side, there must be the assurance of adequate pay. This puts another limit on the market. At least in the African context, the employment of mercenaries is apt to be restricted to those states that possess valuable raw materials, such as oil, diamonds, gold, cobalt, or uranium. Tea and cocoa will never foot the bill. Mills and Stremmlau conclude that, ironically, the failed states and intrastate conflict that often lead to the employment of private security forces may also provide a brake on the market. "Weak states and poor rebels," they write, "... offer a quick return but at very high risk" (p. 15).

Herbst's analysis of the market for private security services raises another issue, the potential bifurcation between those working within international law who have an interest in maintaining a good reputation, and low-rent, short-lived firms available for quick endgames. For the former, working for the UN or other aid agencies in the field represents a "pot of gold" that may have a substantial impact on the shape private security services take in the future. For the latter, peace will never be in their interest. In "**Mercenaries and the Privatization of Security in Africa in the 1990s**," Alex Vines foresees "private military companies engaging in hostile actions to undermine each other in their efforts to obtain new clients" (p. 77).

Over a longer historical trajectory, analysts begin to discern larger trends. Mills and Stremmlau suggest that outsourcing to private contractors is becoming legitimate over a range of services once considered the province of states—from providing health care and undertaking commodity extraction, to perhaps tax collection and even the use of force. Herbst also places the current boom in private security services within a larger historical timeframe, pondering the likely impact of continued international unwillingness to become engaged in African conflicts—an analysis that might apply to other regions as well.

As long as industrialized countries remain militarily disengaged from Africa and allow states to fail, there will be a market for private security forces. Indeed, thirty years from now, the period from the early 1960s to the early 1990s may appear as little more than an aberration because the superpowers and the great powers were briefly willing to exert a military presence in many states that obviated the market for private security forces. When, after the Cold War ended, the superpowers no longer felt the need to intervene and the great powers no longer saw Africa as an important arena, the private provision of security resumed, albeit in a slow and halting manner. (p. 126)

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Seven

Terror

Threats and Policy Responses

“What if terrorists exploded a homemade nuclear bomb at the Empire State Building in New York City?” Thus grantee **Jessica Stern** begins *The Ultimate Terrorists*. She and other United States Institute of Peace grantees, staff, and workshop participants provide graphic what-ifs, formulate likely scenarios of terrorist attacks, and examine terrorists’ motivations and access to weapons of mass destruction. They further explore the factors that shape government policy responses and define a range of strategies for preventing terrorist attacks, minimizing their impact, and perhaps bringing terrorism to an end.

Nuclear, chemical, and biological weapons of mass destruction can thus “evoke moral dread and visceral revulsion out of proportion to their lethality.”

Dread

Stern begins with the clear distinction between terrorism and other forms of violence: terrorism is aimed at noncombatants and uses violence for dramatic purposes to instill fear in a target population. “This deliberate invocation of dread,” she writes, “is what sets terrorism apart from simple murder or assault” (p. 11).

Nuclear, biological, and chemical weapons of mass destruction are particularly suited to terrorism because they are “inherently intimidating and mysterious” and evoke disproportionate dread (p. 30). Noting cross-cultural aversions to poison and impurity, Stern explains that neither a “flight or fight” response is possible in the face of such dangers. The materials themselves are horrifying, so no one would want to touch or engage them, and if their poison has already penetrated—then flight is also impossible. Other dread-inducing qualities of these weapons are that the attack may occur without our even knowing it, and effects may be invisible or delayed.

Stern also explains that the correlation between objective risk and public dread may be quite low. Although driving to work or going swimming may be far riskier activities, people tend to exaggerate the likelihood of horrible events that are easy to recall or imagine. Spectacular disasters stay rooted in public consciousness and cause disproportionate fear. Nuclear, chemical, and biological weapons of mass destruction can thus “evoke moral dread and visceral revulsion out of proportion to their lethality” (p. 48).

Terrorists: Motivations, Organization, and Thresholds

Who would use such weapons and why? Stern ponders the motivations of different types of terrorists. For the religiously motivated, unleashing weapons of mass destruction permits terrorists to mimic their notion of the divine by, for example, bringing about plagues or the apocalypse. Other terrorists may aim to win recognition or impress a target audience—perhaps an ethnic group or, in the case of Aum Shinrikyo in Japan, space aliens. Economic terrorists have other goals, such as destroying crops, poisoning food, contaminating pharmaceuticals, or killing livestock. Targeting a particular country,

industry, or company may also be the aim, particularly companies closely associated with their country of origin—such as Coca-Cola, Stolichnaya, or Guinness.

Stern also discusses the more recent emergence of “macroterrorism.” The standard wisdom has been that terrorists wanted a lot of people watching their act rather than a lot of people dead. This appears to be changing. Stern cites the foiled 1993 attempt to bomb the World Trade Center, which, if it had occurred as planned, would have caused the death of some 50,000 people—and which was only one of many plots foiled in what was to have been a “summer of mayhem.”

Organizational characteristics may make some terrorist groups more apt to use weapons of mass destruction than other groups. Because of group dynamics, terrorists might use such weapons not to pursue political objectives but to maintain the integrity or support of the group itself. Even if the leaders of a terrorist group wanted to cease violent acts, they might perceive such acts as the only way to attract publicity, recruits, and financial support. Stern also notes that amorphous constituencies involved in “leaderless resistance,” and those who are sure of their ability to remain anonymous and escape detection, may be more apt to use weapons of mass destruction.

Another factor affecting terrorists’ actions are predecessors who have crossed thresholds. Stern describes a historical pattern. Until the 1960s, assassination of political figures was the predominant terrorist tactic. In the late 1960s, random attacks on innocent people began. In the 1970s, hostage-taking and, later, hijacking planes and attacking embassies became more widespread. The 1980s saw a rash of car bombings; the practice of blowing up airplanes was initiated. Beginning in the late 1980s, Iraq’s repeated use of chemical weapons first against Iran and then against its own citizens—to which the international community did not respond—marked the crossing of another threshold. Each of these actions, according to Stern, makes more likely subsequent attacks that build on the previous level of terror.

Restraints

What factors restrain terrorists from using weapons of mass destruction? In part, many terrorists may themselves be terrified of handling such weapons. There are also a number of technical obstacles to acquiring and disseminating or exploding such devices. Political constraints are also relevant, as terrorists must not alienate those they wish to influence. Stern gives the example that Osama Bin Laden may be more likely to use weapons of mass destruction than the Irish Republican Army, which is dependent on its constituency for financial support. Moral obstacles may also play a part. Terrorists must find ways to morally disengage themselves from the consequences of their actions, perhaps by dehumanizing their victims or displacing responsibility onto a leader.

Obstacles to Policy

What can any nation or the international community do in response to the terrorist threat? Any policy response is complicated by several factors. One factor is the public’s disproportionate dread of nuclear, chemical, and biological agents—a dread that terrorists may use to their advantage. To illustrate, Stern discusses the regulatory procedures devised to deal with accidents at nuclear reactors. While these may be more rigorous than

required for public safety, they are often not rigorous enough to reassure the public. Stern offers the example of the nuclear facility at Rocky Flats in Colorado. If a radiation level five times higher than background radiation were detected outside the facility, officials would be required to evacuate the city—although scientists consider this level harmless. Terrorists whose objective is to create panic and wreak havoc (rather than kill people) could disperse a small amount of radioactive material near the facility, thereby causing the evacuation of the city, with significant economic and psychological repercussions for residents.

Another factor that complicates policy options is public distrust of the government and the scientific community. For a variety of reasons, people have lost faith in what experts and public figures say about exposure to chemical hazards. In the event of a major terrorist attack, that distrust could seriously impede any effort to control panic—and panic itself is dangerous, multiplying the potential harm.

In the event of a major terrorist attack, that distrust could seriously impede any effort to control panic—and panic itself is dangerous, multiplying the potential harm.

A third factor that makes crafting antiterrorist policies a formidable task is that many terrorists may not be rational actors, or may simply be aiming to create uncontrolled chaos. This makes it far trickier to envision effective disincentives, intimidation, or deterrence. Standard policy reasoning “assumes that terrorists are actually trying to achieve their purported political goals, and that they are capable of rational analysis. But if terrorists are calculating costs and benefits,” Stern writes, “it is hard to understand why politically motivated terrorism persists.” She further quotes Thomas Schelling that “terrorism has proved to be a remarkably ineffectual means to accomplishing anything” (p. 78).

Policy Options

What, then, is to be done? Stern is not alone in arguing that no single policy will succeed in preventing terrorism. She is joined in this conclusion by the participants in a 1999 working group meeting of the International Research Group on Political Violence which is co-sponsored by the Institute and the Airey Neave Trust. That meeting, which included forty current and former government officials, security consultants and academic specialists, is reported by Institute Research and Studies program officer **Jon B. Alterman** in *How Terrorism Ends*. Participants in that meeting, like Stern, recommend the use of several policies simultaneously.

One policy initiative is to use coercive capacity to deter terrorist attacks. This would include military strikes against terrorist bases, assassinations of key leaders or collective punishment. An example of deterrence is the U.S. cruise missile attack against Osama bin Laden in Afghanistan in 1998 (see the November 1998 U.S. Institute of Peace Special Report by **Namahashri Havana, Patrick Cronin, and Jon Alterman**, *The Taliban and Afghanistan: Implications for Regional Security and Options for Action*). The drawback of this approach is that it may lead to unacceptable violations of human rights and excessive collateral damage.

Enhancing defense and making targets harder to attack is another approach. Of paramount concern to Stern is the careful allocation of resources for such purposes. In her view, it is far more likely that terrorists will use biological or chemical weapons than nuclear devices. Yet it is the threat of terrorists' use of nuclear weapons that receives both inordinate attention and disproportionate resources. Stern questions the amounts regu-

larly allocated for such purposes as ballistic missile defense systems or stealth bombers, relative to what is available for defending against the more likely forms of terrorism.

Participants in the working group on political violence raised another drawback of a policy geared to enhancing defense of probable terrorist targets. When targets are fortified, they argue, terrorists may simply shift their sights to “softer” targets. An example is the 1998 truck bombs against U.S. embassies in Kenya and Tanzania. Participant Margaret Crenshaw pointed out that while those attacks are believed to have been coordinated by terrorists with Middle East ties, the security on Middle East targets had become so strong that their aim shifted to less secure sites in Africa.

Promoting the disintegration of a terrorist group is another strategy. Governments could encourage divisions within the group and undermine group solidarity. Tactics include offering large rewards for inside information or promising leniency to group members already imprisoned.

Governments could also try to divide a terrorist group from its popular base. Reform policies that address underlying grievances could satisfy the public and reduce its support for the terrorists. Launching a major campaign to win the “hearts and minds” of those sympathetic to terrorists could also be effective.

Directly negotiating and reaching a peace settlement with terrorists is a final policy option, but one that carries many risks. In the working group meeting, Margaret Crenshaw pointed out that in endeavoring to negotiate with terrorists, a government may face opposition on two fronts: rank-and-file members of the terrorist group, who may not approve of the leaders’ willingness to negotiate; and the public, who may charge that negotiating with terrorists rewards violence. Other actors opposed to peaceful reconciliation may also try to sabotage the negotiating parties, perhaps by undertaking terrorist actions of their own. Crenshaw cautions governments to be very careful of their timing when considering negotiating with terrorists. In her judgment, it is crucial for such initiatives to occur when a government does indeed possess the ability to reward good behavior and punish bad, and when a terrorist group is undergoing a period of internal questioning.

Other Policy Concerns

Any of these policies clearly require good intelligence. Regarding potential negotiations, Crenshaw suggests that intelligence is crucial both to identify auspicious times and to help shape the nature of the gesture. But deterrence and defense are equally in need of good intelligence on such matters as a terrorist group’s access to weapons, its internal organization, and its bases of support.

Stern is utterly dismayed at the current status of intelligence on terrorists. Currently, according to Stern, U.S. government agencies maintain at least twelve databases related to weapons of mass destruction, with significant duplication of effort and data. She further charges that little of that information is properly analyzed or disseminated. Stern argues that the cost of analysis is minimal, while the collection of data that goes unanalyzed is simply a waste of resources.

Another important concern in selecting and formulating a policy response to terrorism is public perception of risk. Stern argues that because weapons of mass destruction

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evoke dread out of proportion to their objective risk, government policy is sometimes tailored to the perception of risk rather than its actual extent. Disproportionate fears then receive disproportionate attention and resources. Stern encourages citizens to inform themselves better and urges politicians not to be swayed by the level of subjectively perceived threat.

The balance between public safety and civil liberties is another concern in formulating policies against terrorism. Stern suggests that the balance may need to be renegotiated. For example, laws governing the use of informants and monitoring of communications may need revision. The dissemination of such information as murder manuals or recipes for chemical agents may need to be curtailed, either by changing existing law or through public campaigns to dissuade publishers from producing such material.

Everyone involved in exploring policy options to deal with terrorism also cautions against unintended consequences. The use of excessive force or other strong measures may radicalize a whole movement, provoke a desire for revenge, create martyrs, or feed paranoia and secretiveness. Further, outright failure is possible. As Stern points out, even “a combination of preventive war and unprecedentedly intrusive international inspections has not destroyed Iraq’s capacity to use these weapons in acts of terrorism around the world” (p. 127).

Minimizing Impact

Another important responsibility of governments facing possible terrorist attacks is to prepare to minimize those attacks. Here again, Stern expresses strong reservations about current efforts in the United States. She notes that mock exercises and trial runs have revealed many deficiencies in the capacity of emergency personnel to cope with potential attacks. In some cases, cooperation between agencies has been difficult, with some having the capture of terrorists as the key goal, while others pursue disabling the terrorist device as their chief concern. Coordination and communication need to be improved. Emergency personnel should be trained to recognize the effect of nuclear, chemical, or biological poisoning, which is not always evident. Detection devices should be developed and widely distributed. Pharmaceuticals and body bags should be stockpiled.

International Cooperation

A final overarching theme, for Stern as for the working group participants, is that terrorism is an international threat and stopping it requires international cooperation. Money and weapons flow across borders, as do media images that publicize terrorist attacks. Terrorists often establish bases in countries other than those they are targeting. Governments’ efforts to stem terrorism must be equally international. This will include sharing information and expertise, defining joint strategies, and providing resources to countries either particularly vulnerable to terrorist attacks or particularly susceptible to terrorist theft. As grantee **Rensselaer W. Lee III** details in his *Smuggling Armageddon: The Nuclear Black Market in the Former Soviet Union and Europe*, possible theft of nuclear material or stockpiled weapons from the states of the former Soviet Union is a particular, but not unique, concern.

Regardless of the resources, intelligence, experience, and expertise that go into defining policies and developing tactics to confront and prevent terrorism, all those addressing the topic of terrorism acknowledge that it will be very difficult to eliminate. Stern dwells for a moment on terrorist groups that have expressive rather than instrumental aims, those that feel they have nothing to lose, and those that pursue martyrdom. Ultimately, she writes, “It is hard to deter a group that is seeking to bring on Armageddon” (p. 130).

Eight

Peace between People

At one level, violent conflict engages combatants, military officers, warlords, and government representatives. At another level, the rest of the populace is ensnared. Whether caught directly in combat or not, citizens become involved in hatred and fear of the enemy, and often develop distorted views of themselves and their own history.

One level of peacemaking must address the soldiers and guerrillas, the generals, and the politicians. But that in itself will not necessarily bring about resolution and reconciliation among a populace living amid violence. Relevant tools for enabling peace—as for instilling hatred—among people, particularly the young, are school programs and textbooks. Mass communication media are crucial, but the simpler media of maps and tour books are also relevant. More recent developments are programs working directly with individuals and groups to overcome fear and hatred. These aim to instill a capacity for tolerance and respect, teach skills of communication and conflict resolution, and establish a basis for peaceful coexistence. Some United States Institute of Peace grantees have investigated the textbooks and similar materials used in places of conflict or postconflict. Recently, the Institute has also created opportunities for those who have founded youth programs to reflect on their experiences, share their trials and errors, study their disappointments, and celebrate their achievements.

Teach Your Children Well

The textbooks provided to schoolchildren will be one frame of reference for their sense of collective identity, perception of others and view of history—and therefore of the present. In a number of places of recent or ongoing conflict, children's textbooks unfortunately perpetuate the half-truths that have sent their parents down a path to violent conflict.

Grantees Barinovic, Hodzic, and Ivas have studied the textbooks now in use in Bosnia-Herzegovina. As they report in "Education for Peace," this one country has three separate school systems and three different sets of textbooks: one Croat, one Serb, and one Bosniac. The researchers discover that each set of texts favors the history of its own ethnic group and neglects the history of the others. None gives much attention to the multiethnic character of their country. Children from the three different ethnic groups "do not learn about the history of Bosnia and Herzegovina as their common history. They learn about three national histories and they learn that these histories are different" (p. 44).

What discussion there is of other groups is often pejorative. The researchers provide an example from a Serbian fourth grade history text that offers a positive discussion of the Serbian desire for nationhood, while deriding the same desire among Albanians. The researchers point to the text's use of the psychiatric term, "obsession," to describe this desire, and its characterization of Albanians as "separatists and enemies of Yugoslavia."

Barinovic, Hodzic, and Ivas also find that the textbooks' treatment of other topics is not conducive to peacemaking. Historic battles are given extensive attention. While rec-

ognizing that these are significant episodes of a people's history, the researchers observe that extensive and positive coverage of such events may have the effect of naturalizing them, presenting them as the normal way to handle differences and disputes. The researchers also noted that the most frequently mentioned consequence of war is territorial expansion. Little mention is made of suffering, displacement, loss of life, or destruction of villages and cities. Overall, Barinovic, Hodzic, and Ivas find that the textbooks connect current ethnic conflicts with those from the past, "emphasizing the continuity of irreconcilable differences and conflicts through history"—and thereby projecting them into the future (p. 80).

The textbooks used by Israeli and Palestinian children have been studied by a team of professional educators, one Israeli and one Palestinian. Grantees **Ruth Firer** and **Sami Adwan** report their findings in "**The Narratives of the Palestinian and Israeli Conflict in Palestinian and Israeli History and Civics Textbooks and Curricula Statements.**" Their study attends to the inclusion, exclusion, and manner of presentation of dates, names, labels, descriptions, and histories of each group and of the other.

Before Israel existed, Zionists were producing their own textbooks. The subsequent Israeli textbooks have presented the land as standing empty and abandoned, with no reference to the Palestinians who lived there before 1948. The texts provide information on numbers of incoming Jewish immigrants, but not of expelled Palestinians. Firer and Adwan find that it is difficult to learn anything about Palestinian history or demography from these texts. Stereotyped language describes Palestinian groups as "mobs" or "gangs," while Israeli groups are "organizations" and "special squads." The only relationship among the groups that is discussed is conflictual; historic coexistence in daily life is not presented. Firer and Adwan report that even without the many explicit stereotypes, "embedded in the narrative is the view that the winners are the bravest, strongest and wisest" (p. 55). Firer and Adwan note that, in the past decade, many Israeli textbooks have been substantially revised. Negative stereotypes of Palestinians are less prevalent. "In spite of the improvement in the language," they write, "the basic narrative of the conflict is almost unchanged" (p. 177).

Palestinians have not had their own educational system. Those living in the West Bank have used Jordanian textbooks, while those in Gaza use Egyptian texts. Neither of these provide substantial attention to Palestinian identity and history. The Palestinian-Israeli conflict is presented within the context of the Arab-Israeli conflict. History books emphasize the harmonious relations between Arabs and Jews generally, and between Muslims and Jews in particular, until this was interrupted by "Zionist colonial interests," which, according to these texts, introduced enmity and hatred. Israelis are presented as aggressors who have made victims of Palestinians. At this time, new Palestinian textbooks and curricula are under development.

Firer and Adwan advocate serious revision of textbooks and curricula to "uproot the explicit animosity and stereotypes . . . [and] integrate the stories of 'others' and the common heritage of both nations" (p. 131). Specifically, they advocate providing different versions of problematic events and more discussion of peaceful relations. "The far-reaching goal," they write, "is to bring children of both sides to a new . . . reality that preserves

each other's identity in a context of tolerance and acceptance rather than hatred and enmity" (p. 5).

One of the authors of early Zionists textbooks that celebrated Israeli heroism and denied the prior presence of Palestinians was the father of grantee **Meron Benvenisti**. Benvenisti reflects on the work of his father and many others in "**Suspended Landscape: The Transformation of the Holy Land, 1948–1998**." He examines the historiography and symbolic representation of the land and its inhabitants in fifty years of Israeli maps, textbooks, travelers' accounts, and tour books.

To Benvenisti, mapmaking is a political act. Assigning place names symbolizes taking possession and redefines history. He notes the conspicuous effort of the Negev Names Committee "to find biblical-sounding names [for cities] that would therefore be regarded as ancient" (p. 7). He also observes the white places left on Israeli maps where Arab villages were or had been. Looking at textbooks, Benvenisti examines a three-volume study of Israel in which he finds two pages on Arabs, which subdivides them into so many sub-categories that any group appears to be a small fragment. Discussing the destruction of citrus and olive groves to make room for planned field cultivation, Benvenisti argues that Israelis did not merely appropriate the land, but also eradicated an Arab way of life, settlement pattern, and relationship with the land.

Benvenisti also addresses some of the struggles between different Jewish groups—kibbutzim, moshavim, earlier and later immigrants, settlers, Sephardim, and Ashkenazi. In the course of their disputes over land use, concentration of landholding, agricultural subsidies, and the availability of land for immigrant housing, Benvenisti perceives a gradual transformation of Israelis' view of the land from sacred collective birthright to commercial real estate. He therefore concludes that although the Jewish view of the landscape triumphed over the Arab, "it was a Phryric victory" (p. 171).

Youth Groups

A number of initiatives work directly with youths and young adults to counter a collective experience of living in a world where conflict is pursued through violence, where alternative methods of conflict resolution are not demonstrated, and where the other is little known but much feared and hated. Changing the view of the other often entails changing the view of the collective self as well. There is no one way to do this. Approaches vary by place, orientation of leaders, type of conflict, and local culture. Methods develop over time, as years and even decades go by and trainers see the fruits and the shortcomings of their labors.

Institute fellow **John Wallach** is a founder of the Seeds of Peace International Camp for Conflict Resolution that brings together young people from the Middle East. In ***The Enemy Has a Face: The Seeds of Peace Experience***, he reflects on the goals, methods, and progress of this endeavor. As Wallach articulates its premise: "The mission of Seeds of Peace is to help humanize a conflict that has thrived partly because both sides have so successfully dehumanized each other" (p. 8).

Each summer since 1993, the camp takes about four hundred young people from the Middle East to a safe neutral site in Maine. The mix includes Israelis, Palestinians, Egyptians, Moroccans, Tunisians and Yemenis, with composition designed to be approxi-

mately 40 percent Israeli and 50 percent Arab and Palestinian. Participants must speak English and are selected by their countries. By dealing with people thirteen to fifteen years old, Seeds of Peace aims to catch them when they are young enough to still be forming their identities but old enough to appreciate the complexity of the undertaking. Participants engage in standard American camp activities, with nationalities intermingled in living quarters, sport teams, and recreational events.

The “heart of the program,” as Wallach describes it, is the daily “coexistence sessions.” In these often emotionally charged and intense encounters, campers confront their views of “the enemy,” the history of the conflict, and their place within it. Although each summer session is different, Wallach observes patterns. In the early coexistence sessions, the different groups try to outdo each other in portraying their own peoples’ suffering. Tension often builds until there is a crisis—perhaps a politicized performance on the camp’s “culture night,” perhaps an event, such as a terrorist attack, in the outside world. Wallach sees these crises as opportunities for growth, pushing the campers to see the pain the crisis has caused in people they have come to care about during their shared camp life. In Wallach’s assessment, the campers discover they have bonded with each other even if they cannot agree on much.

Wallach perceives a set of fundamental lessons emerging over several summers. He states that campers learn that “the enemy has a human face” and begin to distinguish individuals within the “other side.” They become aware that their knowledge of history is biased and incomplete; they recognize stereotypes. They discover that their own stories can powerfully affect others. Wallach writes that “Many youngsters arrive believing that they can do very little to change the world, yet when they experience the reaction to their own stories, they discover their own power. Seeing people absorb their message also relieves them of the burden to continue focusing on it” (p. 112). Campers learn that they have power over their own identity and discover their potential as peacemakers. They take these lessons home with them where, Wallach writes, “like a thousand little Atlases, each shouldering the weight of his or her neighborhoods and schools, the youngsters push their friends and schoolmates the way they were pushed at camp” (p. 90).

As the campers learn, so does the camp itself. Awareness has steadily grown among the camp staff of the crucial importance of providing continued support to these “little Atlases.” On returning home, graduates often face resistance and animosity from family, friends, teachers, and classmates. While they have improved their listening and debating skills and strengthened their self-confidence at camp, they still need further support and particularly the opportunity to remain in contact with one another. Seeds of Peace has therefore established an office in Jerusalem, the newspaper *Olive Branch*, and an e-mail network that is in constant use among the former campers who can thereby “cross borders without leaving their homes.” Wallach considers the Internet “one of our most consistent tools for sustaining the effects of the program” (p. 106).

Graduates’ ongoing contact with each other strengthens their connections and affects their surrounding communities. Wallach shares the remarks of Sa’eb Erakat, a chief Palestinian negotiator whose daughter attended camp in 1997. In 1998, Jericho was devastated by floods. Erakat did not receive “a single telephone call from any of the Israeli officials with whom he had been negotiating for five years—since the beginning of the

Oslo peace process. 'But twenty-one Israeli kids, thirteen to fifteen years old, called Dalal to see if she was okay, to see if we were okay,' said Erakat. 'This is the future. This is what I am working to build, the culture of peace'" (p. 99).

A culture of peace is also the aim of a training program in Bosnia described by grantee **Branka Peuraca** in "**Mladi Mladima: Youth-to-Youth Project.**" The project began with peer mediation in 1995 and has evolved into a broader program of leadership training, communication, and conflict resolution skills. Mladi Mladima (Serbo-Croatian for "Youth-to-Youth") enables participants to connect with other youth not only from the "enemy" states of the former Yugoslavia, but also from opposed or isolated groups within their own countries, including refugees and rural dwellers.

The premise of the project is to demonstrate an alternative to violence. Peuraca explains the program's orientation:

Violence has too often become a common if not legitimate means for a person to achieve his or her goals in postwar societies. During the armed conflict, violent acts or violent language were not questioned or criticized. The general public became inured to such violence, and after the war such behavior remained tolerated by the general public. . . . Local people still do not have sufficient knowledge of and experience with alternatives to violence in resolving conflicts. At the core of the Youth-to-Youth Project is an attempt to promote an alternative to violent solutions: non-violent communications, conflict resolution and dialogue. (p. 44)

Over the years of Mladi Mladima's operation, the staff has determined practices critical to its performance. In addressing the local situation, they find it imperative not to create "an 'artificial paradise' in a training program." While the project aims to provide a safe environment, it also grapples with the real problems of participants' communities. Staff are "mindful that for participants who have experienced losses and atrocities, games, feedback and panel discussion may not be an experience that is strong enough to affect their views and behavior" (p. 45).

Another important realization from the early experiences of the program was that "encounters between youth from the 'enemy' side may, in fact, do harm." Participants' return to their home communities was painful because those communities had not changed. Peuraca writes that "After the participants in such encounters had realized that the 'enemies' have a human shape, they felt even more isolated back home because their friends and families had not gone through similar experiences with the 'enemy.' Their potential in peace-building is diminished without a support system and committed allies in their surroundings" (p. 45). Mladi Mladima now works only with youths who have adults committed to supporting them after their return from training.

Of the youth programs presented here, the School for Peace has the longest experience to draw from. The joint Arab-Jewish village of Neve Shalom/Wahat al-Salam was founded in 1972. It describes itself as the only village in Israel where both peoples live in a single community by choice. In 1979, the community founded the School for Peace to promote its philosophy. The school's director, grantee **Rabah Halabi**, has edited "**Conflict Intervention: The School for Peace Approach.**" In this collection of essays, staff members reflect on the school's departure from standard conflict resolution practices, its search for new methods, and its breakthroughs and limitations. The essays are part of the school's ongoing process of self-evaluation.

Some 22,000 Arabs and Jews have participated in activities led by the School for Peace. Its two principal programs are a four-day residential workshop for eleventh graders from Jewish and Arab schools and a year-long university course offered jointly with the social psychology departments at Haifa, Tel Aviv, Ben Gurion, and Hebrew Universities. The different programs include encounter sessions, dialogues on politics and culture, simulated negotiations about the conflict, and reflection on group process.

When the School for Peace began, reigning wisdom in the field of conflict resolution advocated bringing people together as individuals rather than group members. According to this “contact hypothesis,” interpersonal exchange and connection would reduce tension and hatred. Despite the intuitive appeal, School for Peace staff report that this approach failed empirically. Too easily, the individual with whom a connection was forged could be seen as an exception rather than a representative of a group: “Mohammed is nice; he’s not a typical Arab.” Furthermore, within the contact, unequal status between individuals was maintained and confirmed, blocking transformative potential.

Rather than trying to separate people from their social identities, the School for Peace moved forward with the idea that group affiliation becomes even more salient in situations of conflict—and of conflict resolution. They acknowledge that this is a counterintuitive notion that has not yet been tested in social psychology: to decrease hatred between individuals from two conflicting groups, one needs to emphasize and strengthen members’ identification with their respective groups. Through their work, they gradually constructed a new model. “It is a model we have developed over a number of years, through trial and error—and only in hindsight, and sometimes even during work in progress, have we formalized its basis in a number of theories” (p. 46). The steps include both joint and uninational sessions of “unblinking confrontation” with the reality of the conflict. In the words of staff members,

Our goal for the encounters we facilitate is to develop the awareness of the participants about the conflict and their role in it, as well as to enable them to explore and evolve their identity through interaction with the other. . . . [The] direction for both groups is to investigate the oppressive patterns in which they are caught, moving toward liberation from these patterns through the search for what is human in them. (p. 48)

While the goal is the same for both groups, the process of reaching it must be different, given existing social identities and asymmetrical power relations. “The Arabs are coming face to face with the self-aggrandizement of the Jews and with the images of inferiority that they, the Arabs, have of themselves. The Jews are coming face to face with their own feelings of superiority and with the images they have of Arabs as inferior” (p. 115). As one group confronts its weakness, the other must take responsibility for domination.

Given these starkly different processes, Jewish and Arab participants often have very different views of their School for Peace experience. At the end of any session, Jews tend to express satisfaction; they are relieved to be going back to a world in which they rule. Arabs are more apt to feel deep frustration: they have done so much, but nothing has changed in reality, and now they are even more aware of it. Facilitators, who are also con-

stantly reassessing their own roles, will point out the different situations of the two groups and therefore the appropriateness of their different responses.

Over their years of experience, staff members have observed other patterns. Within the School for Peace sessions, changes in power relations occur “only when the Arab group becomes stronger and forces the Jewish group to change accordingly” (p. 51). As they see what occurs in the school’s programs as a microcosm of what is happening in the world, staff members expect change in the Middle East to come via “the awareness of the Arab group, obliging the Jewish group to become more aware and to let go of a little of their power for the sake of a situation offering more equality and more humanity to both sides” (p. 84).

No one is under any illusions about the impact of the programs of the School for Peace. “Encounter, any encounter, does not in and of itself change reality. In the best case it may alter the insight of the participants and thereby change the way they *experience* reality” (p. 55, emphasis in original). Staff members therefore consider it a legitimate question whether they should be engaged in the work they do. They conclude that “if an encounter is going to be held, our model seems to us to provide the more professional and profound approach” (p. 54). On the other hand, they also do not claim to have found the optimal model but, rather, only their current working procedures, still under development. The route to awareness is a painful one, but they continue to pursue it because it “embodies one of the more important human values: the right of choice, and the option to change and be changed” (p. 58).

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First published June 2001

The views expressed in this report are those of the author alone. They do not necessarily reflect views of the United States Institute of Peace.

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