

Democracy and international society

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Since the end of the Cold War the virtues of democracy have been championed on all sides. In his *Agenda for Peace*, the then Secretary-General of the United Nations, Boutros Boutros-Ghali, insisted that 'respect for democratic principles at all levels of social existence is crucial: in communities, within states, and within the community of states.'¹ At much the same time, the Council of Europe and the European Union were indicating to the westward-looking ex-communist states that they would have to establish their democratic credentials before being allowed to join the club. The Commonwealth drew up the Harare Declaration in 1991, pledging themselves 'to work with renewed vigour to promote the fundamental democratic values of the Organization'. Four years later they went further, establishing a standing Committee of Foreign Ministers (CMAG) 'to deal with serious or persistent violations' of the Harare principles.²

For its part, the United States, now in lonely eminence as the one remaining superpower, enthusiastically endorsed—indeed, some might say fashioned—the mood of democratic optimism. Anthony Lake, President Clinton's first National Security Adviser, announced that 'the successor to a doctrine of containment must be a strategy of enlargement.' This strategy, he continued, 'is based on a belief that our most fundamental interest lies in the consolidation of democratic and market reform'.³ It had not always been so. George Kennan, the author of the strategy of containment, had frequently deplored the American tendency to see their own political system as a model for humankind. In the mid-1970s, when President Jimmy Carter had briefly flirted with an ethical foreign policy, Kennan wrote that 'misgovernment, in the sense of the rise to power of the most determined, decisive and often brutal natures, has been the common condition of most of mankind for centuries ... It is going to remain that condition for long into the future, no matter how valiantly Americans insist on

¹ Boutros Boutros-Ghali, *Agenda for Peace: Preventive Diplomacy, Peacemaking and Peacekeeping*, Report of the Secretary-General pursuant to the statement adopted by the Summit Meeting of the Security Council on 31 January 1992 (New York: United Nations, 1992), para. 19.

² See James Mayall, 'Democratizing the Commonwealth', *International Affairs* 74: 2, April 1998.

³ Anthony Lake, 'From containment to enlargement', *Dispatch* 4: 39, 1993.

tilting against the windmills.’ Better, he argued, that they should concentrate their energies where there were possibilities of useful and effective action. ‘These, as it happens, are ones that have little relation to the cause of democracy as such.’⁴

How much has really changed in the two decades that separate these two sets of views about the nature and possibilities of international relations? Can the internal constitution of states be determined by international society, and can international society itself be democratized? These are not questions to which we can expect to find agreed answers, if only because the nature of international society is contested. Few would dispute Boutros-Ghali’s claim that the promotion of democracy is an end in itself, a condition which, ideally, is part of the birthright of every human being; but whether, as he also argued, it should be ‘part of the responsibility of the United Nations to maintain international peace and security’ is uncertain. It may be a useful first step, therefore, to examine how and why democracy has come to occupy such a prominent position in contemporary international relations, and to sketch some of the opportunities but also the problems that have arisen as a result.

Princes, nations and progress

The story of international society can be told in one of two ways. The standard version traces its emergence to the peace treaties that followed the European wars of religion in the mid-seventeenth century. These treaties established a kind of proto-constitutional order for a society of sovereigns under the formula *cuius regio eius religio*. The establishment of this society was followed by the development and refinement of its major institutions—international law, diplomacy and, more contentiously, the three ordering mechanisms: the balance of power, the special rights and obligations of the great powers, and war.⁵

At its inception the borders of international society were roughly congruent with those of Christendom, but over the next 200 years the society became global, exported from Europe under the impress of strategic, geopolitical, economic and ideological competition. Not all the member states were invariably governed by hereditary, let alone absolute, monarchies—indeed, two of its founding members, Switzerland and the Netherlands, were decentralized republics—but many were. They established the standard. In any case, the formula under which the princes recognized each others’ independence precluded making the internal political arrangements of states a legitimate concern of their neighbours. Conquest could change the map, and when it did so, as in any real estate transaction, the new owners could make whatever changes in the ideological furnishings of their property they saw fit to make. But, in that international

⁴ George F. Kennan, *The cloud of danger: some current problems of American foreign policy* (London: Hutchinson, 1977), pp. 41–6.

⁵ For the most authoritative account, see Hedley Bull, *The anarchical society: a study of order in world politics* (London: Macmillan, 1977).

cooperation between sovereigns was dependent upon non-interference in each others' internal affairs, the underlying value of the society was coexistence. It is in this sense that international society can be described as pluralist: it did not require agreement on substantive values other than sovereignty. Nor did it involve the pursuit of common projects.

The revised version was the product of the European Enlightenment and the rise of nationalism. I have argued elsewhere that, despite successive shocks to the international system delivered by these forces, the society of states survived with its essential structure intact.⁶ Partly this was because, after the defeat of Napoleon, the old regime was restored; partly because what we now see as global processes—demographic change, industrialization, mass education, class conflict, etc.—were for a time successfully internalized or exported through migration to the Americas. Primarily, however, it was a consequence of basing the system on the territorial state.

It was not until 1919 that the principle of national self-determination was finally accepted as the theoretical foundation of a new world order. But the result of making sovereignty popular was to sacralize territory. It could no longer change hands as the result of victory in battle, or be purchased as bride money or, in the New World, outright. Tom Mboya, the first foreign minister of Kenya, informed the Somali population that they could exercise their right of self-determination any time. All they had to do was walk across the border into Somalia. Until forced by NATO to withdraw his forces, Slobodan Milosevic's attitude to Kosovo, though enforced more brutally, was essentially the same. A society of popular sovereigns turned out to be more jealous of its prerogatives than their princely forebears.

So, international society survived. However, the Enlightenment and nationalism had two long-term consequences that have had a bearing on the role of democracy in international relations. The first was to introduce the idea of progress: legal and diplomatic arrangements that states agreed on to facilitate their relations, and overcome conflicts of interest, were no longer viewed, so to say, out of time, but as a way station on the route to a final destination. The goal of political life, abroad as well as at home, was to be human emancipation. The idea of universal human rights that had been inscribed in the American Declaration of Independence and the French Declaration of the Rights of Man and the Citizen held out this possibility for humankind as a whole, not just for Americans and Frenchmen.

The idea that politics should have a solidarist goal, and that this should be reflected in the evolution of international society, was resisted passionately, both in theory and on the battlefield. But the seductive appeal of the progressive idea, harking back to the sovereignty of good over evil, has never been displaced altogether. Hope, it seems, springs eternal. Moreover, since the eighteenth century, the object of hope has been not salvation in another world

⁶ James Mayall, *Nationalism and international society* (Cambridge: Cambridge University Press, 1990), pp. 25–6.

but the improvement of the one we live in. Indeed, it is one of the great ironies of contemporary history that after each of the two world wars—as after the Cold War—there have been energetic, if sadly short-lived, attempts to refashion international society along progressive lines. In each case, the focus was different: after 1918, to redraw the map according to democratic and nationalist principles; after 1945, to transform the state by national and international means into an engine for the production of economic welfare and development; after 1989, to reinterpret sovereignty in a way which would prevent it from being used to protect tyrants who preyed on their own people. Each of these attempts was driven by democratic arguments.

The second consequence of the Enlightenment and the rise of nationalism was to entrench not democracy itself, but democratic values, as the standard of legitimacy within international society. The majority of states were no more democratic than they had been in the past, but after 1919 democratic values were increasingly accepted as a kind of ideological equivalent to the coin of the realm. Democracy was legal tender everywhere, even if circumstances prevented it from being minted in most parts of the world.

By democratic values, I mean not just open representative government, but also the fundamental human freedoms of association, speech and belief, and the rule of law by which these goods are guaranteed to all members of the population, whether supporters of the government or not. The international status of this attractive, although not widely available, package has risen erratically over the past 200 years. There are several reasons for this development. One is the ability of power to generate demonstration effects. In the nineteenth century, it was not just the British Navy which underwrote the Pax Britannica, while sterling lubricated its commerce; British ideas of constitutional government and justice carried enormous prestige. Of course, the exercise of power also produces resentment, but this is more often directed at the powerful state than at the values which seem to accompany its success. The same holds for the United States since 1945. The institutional infrastructure—starting with the United Nations itself—is heavily influenced by the American model of federal democracy: the General Assembly is a kind of House of Representatives, while the Security Council is a kind of Senate and Presidency rolled into one. Each body operates by a free exchange of views leading to a vote, but each also has different responsibilities and represents different interests: in the one case the equality of sovereign states, in the other the political hierarchy of power. The presidency is collective, and a veto of any one of its permanent members is in theory sufficient to stop international action dead in its tracks.

Another reason for the popularity of democracy is the role it played in decolonization. Britain and France, which were primarily responsible for the final enclosure of the world within a single diplomatic and political system, were not merely national, as opposed to dynastic, imperial powers; they were also democracies. They justified their rule by various evolutionary and/or civilizing doctrines, but in time these began to look increasingly threadbare as

anti-colonial nationalists first internalized Western democratic values, and then turned them against the metropolitan governments, with devastating effect.

France and Britain eventually handed over power to presidents and prime ministers, assemblies and parliaments which were in the first instance modelled on metropolitan practice. No matter that in many cases democracy did not long outlast the transfer of power. It had been grafted on late by an essentially authoritarian colonial regime, and authoritarianism was often quick to reassert itself. But democratic politics had played its part in undermining the legitimacy of imperial government, not least because it allowed the emergence of a liberal anti-colonial 'fifth column' within the French and British political establishments. It is no accident that it was non-democratic Portugal that was the last of the European imperial powers to decolonize.

The final reason for its popularity was that democracy was regarded as a necessary ingredient of modernity. Admittedly, until very recently, there were many who believed that modernity was best pursued by holding some democratic values in reserve. Few anti-colonial nationalists were serious Marxists, but many saw in democratic centralism and the command economy a doctrine which, from their point of view, had multiple virtues. It was anti-capitalist, important in countries where the government presided over a society that lacked an indigenous capitalist class. It was anti-Western, a bonus for regimes which were often uncomfortably aware of the continuing power of the West in their affairs. And it offered an alternative, non-Western route to the promised land of economic affluence to which all governments aspired. As Professor Hansen pointed out, even so liberal a leader as Jawaharlal Nehru pursued throughout his political life a dream that it would be possible to combine a Western polity with a Soviet-style economy.⁷

Paradoxically, the fact that there were two alternative versions of democratic theory available, each sponsored by a superpower, ensured that international society would continue to work as a minimalist and pluralist association, in circumstances which were roughly analogous to those that had led to the establishment of the European states system in the seventeenth century. Both theories had their own versions of what human solidarity across international borders ideally required, but in neither case had the implications of these requirements for international relations been systematically addressed. The sudden collapse of communism internationalized liberal democracy almost overnight. The circumstances could hardly have been less propitious.

How should we measure the impact of democracy and democratization on international society over the past ten years? Before turning to this question we need to confront another which was of no great concern in the original version of international society, nor except at the margin in the revised version, but is unavoidable if plural democracy is to be regarded as potentially a worldwide system of government. Are there cultural preconditions which must be met

⁷ A. H. Hanson, 'Power shifts and regional balances', in Paul Streeton and Michael Lipton, eds, *The crisis of Indian planning* (Oxford: Oxford University Press/RIIA, 1968), p. 43.

before democratic values can become embedded in both national and international politics?

Culture and democracy

The question did not arise in traditional international society because what went on within a prince's jurisdiction was essentially his own affair. Indeed, it is plausible to assume that one reason why the institution of diplomacy evolved was to provide a core of specialists who could understand foreign cultures sufficiently well to minimize the risk of conflict and/or develop a ritualized way of doing business between countries that did not, therefore, have to understand one another. Even within mid-twentieth-century international society the question arose only marginally, because the geostrategic stand-off between the rival camps largely confined the battle for hearts and minds to propaganda. And in any case both camps of cold warriors conducted the debate in a remorselessly Western, not to say fundamentalist, idiom.

Does the question arise now? Not if one assumes that the technological and economic pressures of globalization have created a homogenized MacWorld full of computerized nomads, all empowered with abstract rights but empty of significant cultural difference. One does not need to invoke Freud's narcissism of minor differences to know that this is not, in fact, the world we inhabit. So the question is important, however difficult it is to answer. My own inclination is to suggest that what matters is not so much the idiosyncrasies of particular cultures—the clothes we wear, the food we eat or even the God or gods that some of us still worship—that create the major obstacle to universalizing democratic government. The essential problem lies in the different forms of life still to be found among human societies.

This point is, perhaps, best illustrated by example. Between 1803 and 1806 President Jefferson sent Captain Merriweather Lewis to explore upper Louisiana. Lewis was to find a navigable water route to the Pacific. He did not find it, because no such route existed; but he did make the journey, providing along the way the first ethnographic account of the peoples who lived along the Missouri and across the Rockies on the banks of the Columbia River. It was American policy to bring peace among the various Indian nations, in order to incorporate them into the American trading system and to break the British monopoly of the northern fur trade. Like the British policy of substituting legitimate trade for the slave trade in nineteenth-century Africa, this policy had little to do with democracy as such, although Jefferson apparently hoped that the Indians—unlike the slave population from Africa—could in time be civilized and fully integrated into the American system.

Lewis set about his task of peacemaking among the nations of Missouri during the first winter he spent at the Mandan villages in today's North Dakota. He explained the advantages that would flow from a general peace, but his arguments came up against an insurmountable cultural obstacle. This arose not

from a failure to understand democratic reasoning, but from its own logic. The old men agreed with him, but only because they 'had already gathered their harvest of laurels, and having forcibly felt in many instances some of those inconveniences attending a state of war'. But a young warrior then put a question which Lewis admits he could not answer. '[He] asked me if they were in a state of peace with all their neighbours what the Nation would do for chiefs.' The present chiefs, he continued, 'were now old and must shortly die and the Nation could not exist without chiefs'.⁸ The Hidatsa Indians, like most of their neighbours, lacked a hereditary ruling class. All men were armed, and leadership was exercised by approbation and example, not by right. In an egalitarian and nomadic society, direct democracy of this kind is not merely the norm, it is a prerequisite for survival.

It may reasonably be objected that this is an extreme example, that the subsequent American policy of 'ethnic cleansing' made the United States safe for representative democracy, and that there are few parts of the world so untouched by modern ideas as was the Missouri River in the early 1800s. But the point is not about the survival of indigenous peoples, although this is an important issue in any discussion of the international protection of human rights. It is rather to illustrate how different forms of life, such as nomadism, pastoralism, settled agriculture or industrialism, structure the range of options. We know, for example, that in at least one contemporary case, Somalia, the attempt to graft the institutions of a Weberian state on to a pastoral nomadic society with no pre-existing tradition of centralized government went disastrously wrong. Southern Somalia is now in effect stateless, and while many people suffer as a result, devising an electoral system which would command the consent of all Somali clans, while addressing their actual fears and aspirations, has so far eluded Somali and non-Somali alike.

It may still be objected that this is another extreme example, an anomalous and marginalized country in what is economically and politically the most marginal of continents. But if respect for democratic values is to be not merely the ideological coin of the realm, but the entry ticket into international society, it will have to embrace the indigent underclass of states as well as those with medals on their chests and national museums full of the looted art of the world's major civilizations. However it is dressed up, that is what democracy means. In any case, while Somalia may be an anomalous case, in that nomads are notoriously difficult to turn into national citizens, once it is conceded that ways of life limit the forms of government which will be viable under different circumstances, it is difficult to avoid the conclusion that there are many other countries where the preconditions for representative democracy are simply missing.

Ernest Gellner summed up the problem with his usual incisiveness. 'While democracy is not inherent in human nature, it does have some kind of affinity

⁸ Quoted in Stephen E. Ambrose, *Undaunted courage* (New York: Touchstone, Simon & Schuster, 1996), pp. 188–9.

with the condition in which we find ourselves.⁹ He meant those of us who live in industrial societies, 'committed to growth and hence to occupational instability', and who consequently cannot rely on a rigid social hierarchy to enforce order. But, at the other end of the spectrum, he could equally have been referring to the Missouri Indians or the modern Somali. The problem lies not with fully industrialized societies, or with the few surviving pastoral or hunter-gatherer societies. It lies with all those that occupy neither of these positions.

It does not follow from these observations that a commitment to democratic values should have no place in international relations; merely that the democratization of international society, if feasible at all, will necessarily involve a great deal of constitutional ingenuity on the one hand, and hypocrisy on the other. To quote Gellner again: 'Theorists of democracy who operate in the abstract without reference to concrete social conditions, end up with a vindication of democracy as a general ideal, but are then obliged to concede that in many societies the ideal is not realisable.'¹⁰

Hypocrisy is the price that vice pays to virtue. Whether it is a price worth paying will depend on whether the attempt to establish democracy internationally saves human lives, reduces the level of arbitrary oppression, and provides at least some people with opportunities they would not otherwise have enjoyed; or on the contrary, leads to high levels of oppression and social conflict. This is a question of judgement, not of principle. The answer will vary from case to case, and even then, will be necessarily indeterminate. It remains to ask how well the institutions of international society have dealt with this challenge.

Democracy and the institutional infrastructure

At first sight, international law, the bedrock institution on which the idea of an international society stands or falls, is not well suited to the discriminatory flexibility that seems to be called for if democratic values are to be seriously pursued at the international level. To begin with, this was not a major problem since the scope of international law was quite deliberately restricted to what could be agreed between, so to say, consenting sovereigns acting in private. Indeed, according to Professor James Crawford, classical international law was 'deeply undemocratic, or at least capable of operating' in six deeply undemocratic ways. In summary, these are, first, the executive has comprehensive power to agree to and apply international laws over the heads of the people and often without their knowledge; second, there is no democratic control over the international obligations to which a state is bound; third, the executive has 'virtually exclusive' control over the availability of international remedies; fourth, the principle of non-intervention protects 'even non-democratic regimes in relation to action taken to preserve their own power against their own

⁹ Ernest Gellner, *Conditions of liberty: civil society and its rivals* (London: Hamish Hamilton, 1994), p. 187.

¹⁰ *Ibid.*, p. 188.

people'; fifth, the principle of self-determination is not allowed to alter territorial boundaries; and sixth, a government can bind its successors far into the future.¹¹

If the final test of international democracy is taken to be the translation of the society of states into a community of mankind, no doubt overcoming the first three of these undemocratic legacies will be crucial. Unless rulers, both individually and collectively, are answerable not merely to their national populations but to people everywhere, and unless individuals can indict their rulers when their fundamental rights are abused, it could be argued that international law will act to restrain the process of democratization rather than to encourage it. Given the diversity of cultures, constitutions and social conditions, moulding them into a single legal regime would not only be a Herculean task, it would consign the discussion to the realm of utopian speculation.

It is not surprising, therefore, that it is in respect to the fourth and fifth undemocratic aspects of international law that the pressure for change has been most sustained since the end of the Cold War. To recap, these are that 'the principle of non-intervention extends to protect even non-democratic regimes'; and that 'the principle of self-determination is not allowed to modify established territorial boundaries'. These are the most obvious pressure points because they expose the tension between state power and the doctrine of popular sovereignty.

For the layman, it is often difficult to tell the difference between an emerging principle of customary international law and what governments may choose to do for particular reasons. Or, to put it in more concrete terms, how many interventions in civil conflicts will it take to consolidate an unambiguous right of humanitarian intervention? If it is argued that state practice during the 1990s has already demonstrated that such a right exists, what happens to the law if state practice changes? Still, there is little doubt that there has been a significant shift in public attitudes, at least in Western countries, about sovereign immunity in cases involving gross violations of human rights. Twenty years ago, it would have been virtually unthinkable to have indicted a former head of state in a third country for human rights offences, committed while he was in office. It would have been equally unthinkable for NATO to have launched an aerial bombardment of a sovereign country. Yet in the Pinochet case, the House of Lords voted six to one that the indictment was lawful, and the NATO bombardment of Yugoslavia, over Kosovo, was supported by many international lawyers.

We do not know if the apparent change from the sanctity of sovereigns to the sanctity of human rights will harden into an uncontested principle of international law. It is difficult not to be sceptical, partly because, as Lord Goff reminded the Law Lords, 'state immunity is a matter of particular importance to heads of state of powerful countries whose actions may make them targets of governments of states which for deeply felt political reasons deplore their action

¹¹ James Crawford, *Democracy in international law*, inaugural lecture, 5 March 1993 (Cambridge: Cambridge University Press, 1994), pp. 8–10.

while in office.¹² It is also difficult to avoid the conclusion that had an uncontested right of humanitarian intervention already emerged, governments would have weakened in their opposition to secessionist self-determination. So far, in Yugoslavia, as earlier in Iraq and Bosnia, they have deliberately, if perversely, refused to draw this conclusion.

Regardless of the outcome, the new doctrine clearly has powerful advocates. As William Rees-Mogg described it, the doctrine has two leading characteristics. 'It extends the justification for war from self-defence to defence of human rights inside another state. It leaves the judgment to the individual nation or alliance, and does not refer it to the United Nations, or any other international body. It thereby removes both consensus and certainty from international law.'¹³ From the perspective of international society, politically this is a high price to pay, even if it is being paid in the name of democratic values. Moreover, some democratically elected governments, such as that in India, are among the fiercest critics of the NATO campaign in Kosovo.

There is a riposte to this line of argument, although it depends on reasserting the primacy of politics over law in international society. Within the classic account of how the society of states operated, it was often noted that the great powers ascribed to themselves special responsibilities for the maintenance of international order through the balance of power. This might require them to breach international law in order to uphold the edifice on which the law, as all the other institutions of international society, ultimately depended. Now that the central balance has been broken, it could plausibly be argued that there is no alternative but for the remaining superpower, in concert with such of its allies are prepared to help, to uphold the new democratic standard in international politics by all necessary means. To have gone to the Security Council over Kosovo would have invited a double veto from Russia and China. So, on this view, it was necessary to do what had to be done unilaterally, and to rely on the emerging legal doctrine of humanitarian intervention for justification.

One can have sympathy with this argument, in so far as the concept of international society predates the establishment of the United Nations, and should not be regarded as a synonym for it. If international society cannot be made more responsive to human rather than state needs by consensus, because of a runaway free-rider problem, then the democratic powers must act in the general as well as in their own interests. At the same time, there are two reasons for concern about the direction that international politics has taken in pursuit of democratic values. The first is the role of force in international relations; the second the issue of moral responsibility. Let us consider each in turn.

The sovereign's right to go to war for reasons of state, rather than in self-defence, was not unambiguously outlawed until 1945. The move to establish a new

¹² House of Lords, Session 1998–99, *Judgement—Regina v. Bartle and the Commissioner of Police for the Metropolis and others ex parte Pinochet, Regina v. Evans and Another and the Commissioner of Police for the Metropolis and others ex parte Pinochet (on appeal from a Divisional Court of the Queen's Bench Division)*.

¹³ *The Times*, 29 March 1999, p. 20.

security order may have been thwarted by the Cold War and the ever ready use of the veto, but it represented the first serious attempt to ensure that force would only be employed to uphold rather than undermine international peace and security. That was why the reinvigoration of the Security Council after 1985, and in particular the support that was mobilized in the Council for Operation Desert Storm, gave rise to such optimism about the prospect for a genuine improvement in international relationships.

This is not the place to rehearse the reasons why support for an enhanced security role for the United Nations subsequently eroded. Suffice it to say that it was not because regional organizations such as NATO or ECOWAS have demonstrated that they have a clearer understanding of how to intervene effectively in civil conflicts where the parties have not committed themselves to a credible ceasefire, let alone the search for a political solution. From this point of view, NATO's decision to take action against Yugoslavia without Security Council approval has almost certainly damaged the reputation of the Council, or at least made it less likely that other states will look to it when faced with traditional security threats, or engulfed in a humanitarian catastrophe of their own making. Whether the situation has been retrieved by the action in East Timor remains to be seen.

The attempt to remove war from the arsenal of foreign policy instruments was originally a reflection of the liberal democratic revulsion against the doctrines of power politics that were held responsible for the First World War and Fascist expansionism. Indeed, there is a sense in which the political objective of all wars since the American entry into the Second World War has been to create the conditions for democratic reconstruction. The breakdown of internal order in many post-communist Third World states after 1989 was seen as threatening not merely the process of democratization in these states themselves, but also the stability of neighbouring democratic states, suddenly faced with a flood of refugees. It was this combination of humanitarian concern and fear of the political consequences that led, more by accident than design, to the expanded notion of international peace and security.

Diseases and cures

The problem is, of course, that under some circumstances the cure of democratization can be worse than the authoritarian disease. As the UN Secretary-General put it in his 1996 Report to the General Assembly: 'Both democratization and democracy raise difficult questions of prioritization and timing. It is therefore not surprising that the acceleration of democratization and the renaissance of the idea of democracy have met with some resistance.'¹⁴ Behind the bland euphemisms of UN prose one may detect a perfectly sensible plea for

¹⁴ United Nations General Assembly, *Support by the United Nations system of the efforts of governments to promote and consolidate new or restored democracies*, A/51/761, 20 Dec. 1996.

caution in the diplomatic pursuit of democracy, whether bilaterally or through international organizations.

So far as the latter are concerned, expansion of UN peacekeeping and peace building went hand in hand with diplomatic efforts to promote human rights, the rule of law and democratization. To quote the more recent report of Secretary-General Annan on this subject: 'Recent developments in many countries demonstrate that an effective system for protecting human rights, including the rule of law, is an indispensable condition for stopping the vicious cycle of violence and conflict, and thus for ensuring democratic development.'¹⁵ Whether this somewhat circular piece of reasoning is true or not, it certainly represents a sufficiently strong consensus to have persuaded all but the strongest of undemocratic states (such as China), or the most isolated (such as Myanmar), or those which have in effect collapsed (such as Somalia), to go through the motions of creating a more open society.

The motives of different governments in seeking to establish their democratic credentials are no doubt mixed. For some, like Mozambique or possibly Cambodia, it may be to resolve a deep-seated structural conflict; for others, like Kenya, it may be the minimum that has to be done to satisfy international creditors; while in others—Fiji perhaps, or Nigeria, or apartheid South Africa in the last days of the white regime—the political class may be driven by a desire to overcome its diplomatic isolation. But however unheroic the motives, the fact that the United Nations supports their efforts (since 1989 it has received over 140 requests for electoral assistance alone, and is heavily involved in providing technical assistance in all aspects of democratization) seals them with a stamp of legitimacy. It is easier to carry through reforms which are endorsed by an international organization of which one is a member than when they are extracted by stronger powers in return for some economic or political concession. If the Western powers turn their backs on the UN in the security field—and arguably they have already demonstrated a disproportionate concern for the plight of the Kosovars when compared with their neglect of the situation in Rwanda, Myanmar or Sierra Leone—they put at risk their more general interest in the incremental liberalization of political conditions everywhere.

Without the support of the United Nations, moreover, bilateral efforts to export democracy by diplomatic means—generally through aid conditionality or sanctions—are likely not only to be resented by those on the receiving end, but to be frustrated. Sometimes this will be because of a lack of information about what can realistically be expected, sometimes because of a lack of capacity even when the government of the targeted state is eager to comply. There can be no doubt that, by the end of the Cold War, in many countries the state had become paralysed by a swollen bureaucracy and the political kleptocracy that controlled it. But, even before political conditionality was added to the economic conditions attached to structural adjustment programmes, the effect

¹⁵ United Nations General Assembly, *Support by the United Nations system of the efforts of governments to promote and consolidate new or restored democracies*, A/53/554, 29 Oct. 1998.

of rolling back the state in countries where it lacked deep indigenous roots was sometimes to roll it virtually out of existence. The forces of globalization—including a worldwide trading regime policed by the WTO—will also inevitably create losers as well as winners. In these circumstances there is a real need for the United Nations, as well as for other organizations such as the Commonwealth, to provide a forum where the special difficulties of the weaker states can be examined. If the channels between North and South are not kept open on the basis of mutual respect, the alternative will be the creation of a democratic affluent citadel, surrounded by a criminalized and brutal hinterland, whose unfortunate population will have to be kept out—indeed, are already being kept out—by force.

The use of economic sanctions to change the behaviour of delinquent states—a kind of democratic surrogate for siege warfare—has always been more popular with governments than with academics. In the Cold War, when governments felt compelled to take some action in response to crises where the use of force risked an unacceptable escalation, sanctions could at least be justified on opportunity cost grounds. But as a weapon in the battle for a democratic world order they will surely prove ineffective.

Sanctions might be expected to work best against democratic wrongdoers, since in this case it would be reasonable to assume a link between the electorate and its representatives. But against tyrannical regimes which have no compunction in clinging on to power while imposing the costs on their long-suffering populations, they are likely to have perverse effects. The experiences of both Iraq and Yugoslavia suggest that, although sanctions undoubtedly raise the cost of defying the international community, they provide valuable propaganda advantages to targeted rulers, who are able to blame the economic plight of their people on foreign aggressors. As the experience of the Commonwealth has shown, even where the member states have committed themselves explicitly to protect democratic values and have set up a body to monitor persistent violators and bring the miscreants to heel, achievement of these goals requires much more than the imposition of sanctions. If Nigeria is anything to go by, the foreign ministers need the intervention of divine providence and a prudent willingness to overlook all-round rigging in the subsequent elections. With the UN, which does not similarly have to justify itself in terms of a common political programme, the task is far more difficult. There is some evidence that the ethical and practical problems involved in the imposition of sanctions are now being recognized. Again, without the restraints imposed on states by the United Nations, there will be increased incentives for their use for short-run political reasons.

This danger may well increase where decentralization accompanies democratization. In many parts of the world this is both a sensible and a necessary approach if government is to be made more accountable to the people. But democracy is notoriously fickle. Because it relies upon public opinion—that is, on the willingness of people to change their minds about who should govern

them—it has a potential for doing harm as well as good. This is a general problem of democratic government. It would be naïve to assume that it will disappear if government is made more approachable via decentralization, however desirable this might be on other grounds. When, in Ibsen's *Enemy of the People*, Dr Stockmann accuses the liberals of being the enemies of freedom and insists that the majority never has right on its side, it is local democracy he has in his sights. Already in the United States, which has long been more ready than most countries to impose sanctions unilaterally, state and even city governments have started to impose their own more severe embargoes and boycotts when they consider the measures adopted by the federal government to be inadequate or ineffective.¹⁶ It is not a reassuring prospect.

A discussion of the inadequacies of sanctions theory may seem a strange point at which to arrive in a discussion of the place of democracy in international society. But it illustrates what seems to me a general weakness in liberal international theory. The original way of settling intractable conflicts of interest was trial by combat. To the liberal mind it is anathema, partly because it personalizes what should be impersonal and partly because it concedes that a right may be derived from an act of violence, in other words from a wrong. Yet, it had at least the advantage that the antagonists took their fate in their own hands, and accepted responsibility for the consequences of their actions. Where trial by combat is the final moral arbiter, there is no room for limited liability.

It is perhaps no accident that the same civilization that developed the concept of limited liability as a way of persuading individuals to accept risk and responsibility in the public interest, without putting themselves in jeopardy, should have transformed the ancient art of siege warfare into a form of pressure for peaceful change, or more accurately into a form of invisible violence where the responsibility is shifted on to the victims and often barely acknowledged by the instigators. It seems to me that there is a parallel process at work in the attempt to transform international society from a pluralist association of states into a solidarist community of democratic peoples.

The danger in both cases arises from a familiar form of liberal utopianism: the attempt to improve the world not so much by effort as by rules, procedures, institutions, all underpinned by the correct application of liberal precepts. Liberals want a mechanical—built-in—technological solution to human problems. The economic order that will deliver not merely prosperity but peace and security (and hence eventually do away with the need to waste money on armed forces) was identified by David Ricardo and treated as an article of faith by Richard Cobden. Something approaching it is now being policed by the WTO. The political order that will secure people in their fundamental rights and freedoms was developed during the French and American revolutions, elevated into an international doctrine for the reform of international society by Woodrow Wilson, and revived after the Cold War by the Western democracies

¹⁶ 'Local interference with foreign policy', *Boston Globe*, 9 Nov. 1998.

and the United Nations. In Kosovo, an attempt to police it was conducted by NATO.

It is, by and large, a noble vision, and certainly one to be preferred over the bleak prospect of clashing civilizations or a humanity waiting to be unified by a galactic invasion. But it is full of contradictions. It is also constantly weakened by the temptations faced by the most powerful states to go for a quick fix. It is a terrible indictment of the democratic world order that its belief in a technological solution to human problems persuaded NATO that it could bomb Yugoslavia into respect for fundamental human rights, while fearful respect for what Western electorates would and would not tolerate led it into the enterprise without first planning for the ground force that every kind of expert, and a great many ordinary citizens, knew perfectly well would be required from the start.

John Vincent once likened international society to an egg-box, a construct designed to keep the states from dashing dangerously against one another.¹⁷ His own solution, in pursuit of an international order based on respect for human and democratic rights, was to modify the egg-box. As I have tried to suggest, some useful modifications have indeed been introduced over the past decade. Sadly, it is, I fear, the eggs that remain the problem.

¹⁷ R. J. Vincent, *Human rights and international relations* (Cambridge: Cambridge University Press/RIIA, 1986), p. 123.