

# PEACE STUDIES JOURNAL

**Volume 14, Issue 1  
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# PEACE STUDIES JOURNAL

Volume 14, Issue 1  
May 2021

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Guest Editor

Sarah Tomasello

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## **ABOUT PEACE STUDIES JOURNAL**

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2. accept with editorial revisions
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## **Legal and Legitimate Humanitarian Intervention: Historical Overview**

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### **Abstract**

This article evaluates the possibility of coexistence between the doctrine of sovereignty and humanitarian intervention where such intervention is both legal and legitimate. It discusses historical development of humanitarian intervention as an issue in international law and the difficulty in coexistence between the doctrine of sovereignty and humanitarian intervention. This examines the right of states to intervene militarily in another state, without Security Council authorization, in order to prevent or stop gross violations of fundamental human rights and international humanitarian law. The article further discusses how the R2P principle arose as an effort to move international law beyond the problems associated with humanitarian intervention in the 1990s and whether R2P found a resolution to the conflict between the doctrine of sovereignty and humanitarian intervention. Article concludes that the R2P principle continues to be controversial and is plagued by disagreements.

## **LEGAL AND LEGITIMATE HUMANITARIAN INTERVENTION: HISTORICAL OVERVIEW**

### **Introduction**

The R2P principle arose as an effort to move international law beyond the problems associated with humanitarian intervention in the 1990s. The controversy surrounding humanitarian intervention in international law that led to the development of R2P arose from the convergence

of the principles of sovereignty and non-intervention; international law on use of force; human rights; and international humanitarian law. The historical development of humanitarian intervention as an issue in international law has been dominated by the principles of sovereignty and non-intervention. These developments demonstrate a difficulty in coexistence between the doctrine of sovereignty and humanitarian intervention. They often in conflict than working together. Interventions made during the 17<sup>th</sup> or 19<sup>th</sup> century by larger states against the weaker states for political and religious reasons was justified for humanitarian reasons. Nevertheless, these justifications were moral and political rather than legal in nature, because if a state can legally use force for any reason, then it can use force for humanitarian purposes without violating any international legal rules. In the 20<sup>th</sup> century, the international community made efforts to restrict the use of force, which reinforced the principles of sovereignty and non-intervention against humanitarian intervention. Other developments in international law, mainly related to minority rights enshrined in treaties after World War I, supported the idea of humanitarian intervention to some extent. Nevertheless, these developments were weak and did not counterbalance the convergence of the principles of sovereignty and non-intervention or attempt to restrict the use of force by states.

This article is an effort to briefly analyze the historical development of international law on humanitarian intervention. The article proceeds first to understand the humanitarian intervention in the 17<sup>th</sup> century until the beginning of the 20<sup>th</sup> century. It then proceeds to briefly analyze the doctrinal development of international law and humanitarian intervention with a focus on the provisions of the Charter of the United Nations followed by a brief discussion about state practice. Finally, it evaluates the possibility of coexistence between the doctrine of sovereignty and humanitarian intervention where such intervention is both legal and legitimate.

### **Humanitarian Intervention and International Law from the 17<sup>th</sup> Century to the End of the 19<sup>th</sup> Century**

The first historical phases of humanitarian intervention issues are dominated by the principles of sovereignty and non-intervention and the lack of any international legal rules restricting the use of force. One of the fundamental international legal principles is state sovereignty, which is the foundation of inter-state relations. By the mid-17<sup>th</sup> century, sovereign equality was embedded in the Peace of Westphalia following the end of the Thirty Years' War that had raged over Europe. As Glanville (2011) notes, by the 17<sup>th</sup> century, states enjoyed unfettered rights to self-government and non-intervention in internal affairs. In the Westphalian system, the ultimate holder of legal authority and power is the state.

The idea of state sovereignty developed with the rise of positivist thinking in the 17<sup>th</sup> century. Scholars in the 17<sup>th</sup> century, such as Jean Bodin and Thomas Hobbes, regarded sovereignty as a final political authority. The positivist idea that states need not account for their actions in their territories is most forcefully expressed by Hobbes, who regarded sovereignty as “absolute, unified, inalienable, and based upon a voluntary but irrevocable contract” (Merriam, 1968, p.378). He argued that a state cannot harm a citizen, any more than a master could injure his slave. In *Leviathan*, Hobbes emphasized the immunity of the sovereign from legal accountability (Merriam, 1968). According to Bodin (1606), sovereignty is the highest, absolute, and continuous power over the citizens. Therefore, during the 17<sup>th</sup> century, sovereignty was regarded as absolute

power within a state. According to Fodéré, intervention in internal affairs for any reason was illegal because it constituted a violation of the independence of states (Pierre, 1973).

Natural law ideas that developed during the 17<sup>th</sup> century took a different view, arguing that interventions into the affairs of other states could be justified and legitimate. During this period, interventions did happen and were based on Christian beliefs and the religious notion of the self-respect of man (Pierre, 1973). Using such religious ideas, Thomas Aquinas stated well before the 17<sup>th</sup> century that a sovereign state has the right to intervene in the internal affairs of another state when that state greatly mistreats its subjects. These religious notions became the basis for natural law arguments justifying interventions into the affairs of sovereign states. According to Grotius (1625), the law governing every human society should be informed by a principle of humanity. If a sovereign, although exercising his rights, ill-treats his own population, the right to intervene may be lawfully exercised. Under this perspective, a sovereign may take up arms to punish a nation which is guilty of an enormous transgression against natural law.

During this period, international law had no regulations governing when a state could resort to force, meaning states could go to war for any reason. Although the use of force was not restricted by any legal rules during this period, some jurists tried to identify limitations on the use of force by states. By mid-17<sup>th</sup> century, Grotius recognized the principles of sovereignty and non-intervention and the lack of positive rules restricting a state's rights to wage war. However, according to Grotius, states had a duty to observe the rules of warfare regardless of the reasons they were waging war (Grotius, 1625). In his book III, Grotius further advocated a "Just War" theory, which prescribes when war is morally justifiable. Grotius explained the right conduct in war, or *jus in bello*, and under this notion, acts of war should be directed only towards enemy combatants, and not towards civilians. He identified: (1) limits on war taken from the just war theory, and (2) a right of intervention concerning a state's significant mistreatment of its people. Grotius managed to identify both authority and responsibility in his approach to sovereignty and war. However, his approach was heavily dependent on natural law, which was not necessarily the same as the law of nations in 17<sup>th</sup> century. During this period, the law of nations was still a fluid mixture of positivist and natural law thinking, yet, in state practice, the actual law of nations did not seem to reflect all the ideas of Grotius.

During the 19<sup>th</sup> century, there was a clear tension between sovereignty and the unlimited right to wage war, in which weaker states were vulnerable to the interests of more powerful states. There was a strong reflection of sovereignty and non-intervention in international law. Many liberals in new democracies sought to defend the non-intervention norm, expecting that it would discourage autocratic states from intervening to preserve monarchical rule. However, the "standard of civilization" was an exception for the strong adherence to sovereignty and non-intervention during this period. The imperialists believed that only "civilized" Western powers were sovereign, and the rest of the globe was considered uncivilized (Strang, 1996). As Strang states, the Western standard of civilization was used to evaluate non-Western polities. In its relations with Western nationals, a civilized state had all the freedoms, including the freedom of trade and the freedom of internal politics.

In addition, there was an agreement among some states that intervention might be used for debt collection and to save populations from suffering. Western states increasingly permitted

interventions to protect Christian populations within the Ottoman Empire. In fact, the term “humanitarian intervention” appears to have been first introduced and used during this period. One of the first humanitarian interventions took place in 1827 when France, Britain, and Russia intervened in order to prevent massive bloodshed in Greece, then under Ottoman occupation (Behuniak, 1978). The 1827 Treaty of London signed between the three powers illustrated the specific humanitarian grounds on which they justified their intervention (Chesterman, 2001). Also, France intervened militarily in Syria in 1860 to protect the Christian population from slaughter at the hands of the Ottoman Empire (Abiew, 1992). Though French troops stayed on and became an occupying force, this case was widely accepted as a case of humanitarian intervention to save the Christian population (Brownlie, 1963). Another example of intervention that was justified in the name of humanity was the Russian intervention in Bosnia, Herzegovina and Bulgaria in 1877, which were all under Ottoman rule (Abiew, 1992). The Cuban invasion by the United States in 1898 was also justified on humanitarian grounds (Brownlie, 1963). Addressing the United States Congress in 1898, President William McKinley emphasized that “the purpose of the intervention was in the name of humanity and to put an end to the barbarities, bloodshed, starvation and horrible miseries now existing there” (Abiew, 1992, p.54).

These interventions made to protect civilian populations were important for later developments of international human rights law and international humanitarian laws as well. However, although these interventions were justified on humanitarian grounds, these justifications had no direct legal implications. Such interventions did not need a legal justification when states could use force for any reason, which makes the justifications essentially moral or political in nature. The 19<sup>th</sup> century, therefore, saw no real changes with states having the right in international law to use of force without restriction. Episodes of humanitarian intervention based largely on moral and political reasoning echoed the natural law thinking used by Grotius, but they did not really affect international law on sovereignty and the use of force or create any serious notion of universal human rights.

However, the law of armed conflict developed in the 19<sup>th</sup> century, and this began the process of creating legal responsibilities on how states waged war. This era marked the start of a process for turning Just War Theory concepts of *jus in bello* into international law. Prior to the 1860s, customary rules of warfare were largely determined by monarchs and commanders or agreed upon between belligerents with a view to satisfy their desires and convenience. After witnessing the devastation at the Battle of Solferino in 1859, a decisive battle in the second Italian war of independence, Swiss social activist Henry Dunant published his book, *A Memory of Solferino*, in 1862 (Dunant, 1862). This book and its ideas led to the establishment of the International Committee of the Red Cross (ICRC) in Geneva. The ICRC led the development of the 1864 Geneva Convention, the first codified international treaty that covered the sick and wounded soldiers on the battlefield. The Geneva Convention contained ten articles designed to ensure that all soldiers wounded on the battlefield - regardless of the side they were on - were taken care of without distinction (Geneva Convention, 1949). The Convention provided rules to protect both the medical personnel and the medical facilities treating the wounded. The Geneva Convention centered on the needs of war victims. All these rules aimed to protect humanitarian values in the midst of wars.

The 1863 Lieber Code was another set of rules related to *jus in bello*. President Abraham Lincoln issued the Code as instructions for the Union armies fighting in the American Civil War and, as such, the Code did not have the status of a treaty. This Code was the first official comprehensive codified regulations for military activities during armed conflict. The ICRC, Geneva Convention, and Lieber Code are important to the story of humanitarian intervention in international law because they mark the start of developments in international law on armed conflict, which later evolves into international humanitarian law.

Towards the end of the 19<sup>th</sup> century, the Hague Conventions were adopted stipulating the way wars should be conducted (Final Act of the International Peace Conference, 1907). The Hague Conventions of 1899 and 1907 are international treaties and declarations negotiated at two international peace conferences at The Hague in the Netherlands. The Hague Conventions of 1899 consisted of three main treaties and three additional declarations that addressed the rules governing wars on land. These documents included the rules governing the treatment of prisoners of war, the prohibition of using poisons, the prohibition of killing enemy combatants who have surrendered, the prohibition of looting towns or other places, and attacking or bombarding undefended towns or habitations. Along with the 1864 Geneva Convention, the Hague Conventions were among the first formal statements of the laws of war and war crimes in international law. These rules limited the state's right in international law concerning how wars are fought.

These developments marked a change in international law on armed conflict that emphasized both authority to wage war and responsibility for how wars are fought. Nevertheless, disputes between the major powers began to increase towards the later part of the 19<sup>th</sup> century and the beginning of the 20<sup>th</sup> century. Among these were the outbreak of the 1884 Sino-French War, the 1898 Spanish-American War, the 1898-1900 joint great-power intervention in China, and the 1904 Russian-Japanese War. With these incidents, the relationship between sovereignty, non-intervention, the use of force, and conduct during war became more complicated and controversial.

### **Humanitarian Intervention and International Law in the First Half of the 20th Century**

In contrast to the 19<sup>th</sup> century, where international legal changes occurred mainly with respect to the law of war, the 20<sup>th</sup> century witnessed more comprehensive changes in international law relevant to humanitarian intervention. The first half of the 20<sup>th</sup> century involved attempts to restrict the right of states to use force. Developing such restrictions created a doctrinal need for a legal justification for using force for humanitarian purposes, as opposed to formulating just a political or moral justification. However, during the first half of the 20<sup>th</sup> century, neither international human rights law nor international humanitarian law developed enough to provide a legal basis for humanitarian intervention.

In practice, however, the efforts to restrict the use of force were not successful during this period. One such effort occurred in the Covenant of the League of Nations, which introduced a limited restriction on the sovereign right to resort to war (League of Nations, 1919). The Covenant required states to guarantee their people freedom of conscience (freedom to worship in one's own way, including the right not to worship) and religion. It further prohibited the slave trade and required states to secure and maintain fair and humane labor conditions. Especially with the development of minority rights, the Covenant sought to restrict sovereignty within a state's own territory, which

raised questions about the legitimacy of outside interference or intervention in a state's affairs for humanitarian reasons associated with protecting certain populations from persecution. However, the Covenant did not prohibit the use of force by states. Instead, members of the League agreed that, if any dispute was likely to lead to an armed conflict, they would submit the issue either to arbitration or to inquiry by the Council of the League. Further, they agreed that, in no case would they resort to war until three months after either an award by the arbitrators or the report by the Council. Thus, the Covenant established procedural mechanisms to encourage states to have a "cooling off" period and to try to resolve disputes peacefully before commencing hostilities. Nevertheless, once the procedural safeguards laid down in the Covenant were exhausted, a state could still legally resort to war.

A different effort occurred in 1928, with the General Treaty for the Renunciation of War signed on August 27, 1928, commonly called the Kellogg-Briand Pact. This pact went beyond the Covenant with respect to the use of force. This treaty represented the first attempt to outlaw war, as the parties condemned any recourse to war for the solution of international controversies and renounced war as an instrument of foreign policy in their relationships with each other. This prohibition banned a use of force undertaken for any reason except in self-defense, and this prohibition effectively banned using force for humanitarian purposes. The Kellogg-Briand Pact's purpose was not really connected to humanitarian intervention as an issue because it aimed to regulate the use of force more comprehensively as a feature of international relations. However, the pact had no impact on state behavior after its adoption. The Kellogg-Briand Pact failed to prevent the outbreak of World War II.

Although the Covenant and the Kellogg-Briand Pact both attempted to restrict a state's right to use force, the use of force during the first half of the 20<sup>th</sup> century revealed how the idea of humanitarian intervention could be severely abused. States using force during this period often appealed to humanitarian justifications, in particular to protect minority rights. Japan invaded Manchuria in September 1931, and initially characterized the intervention as necessary to protect Japanese nationals from violence carried out by Chinese military forces (Murphy, 1996). Under this pretext, Japan declared a new state of Manchukuo in 1932 and embarked on a full-scale war with China, which dragged on until the end of World War II. Although Japan tried to rationalize its invasion on humanitarian reasons, the Japanese invasion of Manchuria was regarded as blatant aggression. Similar events occurred in October 1935 when Italy invaded Ethiopia, and when Germany annexed Bohemia and Moravia in Czechoslovakia in March 1939. Italy and Germany rationalized their actions as humanitarian intervention. However, many saw such humanitarian justifications as abusive under both international law and natural law. This potential for abuse of humanitarian justifications in the use of force also threatened sovereignty and non-intervention in international law.

### **Humanitarian Intervention and International Law during the Cold War**

The promulgation of the UN Charter following World War II created a set of principles and norms to govern the international system. There were major developments concerning humanitarian intervention during this period: international legal rules on the use of force (especially Articles 2(4) and 51 of the UN Charter), the robust authority given to the Security Council to authorize the use of force, the development of international human rights law, and the continued evolution of

international humanitarian law. During the latter half of the 20<sup>th</sup> century, these changes raised a major international legal debate on whether states could use force when atrocities occurred in other states.

## **Doctrinal Developments**

During the Cold War, tensions emerged in international law between strong support for maximalist interpretations of sovereignty and non-intervention, restrictive rules on the use of force, and the emergence of responsibilities under international human rights law and international humanitarian law.

### ***International Law on Sovereignty and Non-intervention***

The complimentary principles of state sovereignty and non-intervention support the idea that each state is a sovereign actor capable of deciding its own policies, internal organization, and independence. These principles played a key role in the evolution of the international order, and there is no doubt that they became well-established in international law. During the Cold War, the most vigorous supporters of sovereignty and non-intervention policy were developing countries, mostly newly independent states emerging from colonial rule, often strongly supported by socialist states.

The principle of non-intervention is recognized in the UN Charter, which provides in Article 2(7) that:

[N]othing contained in the present charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the members to submit such matters to settlement under the present charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII. State practice at the UN during the Cold War demonstrated support for a maximalist interpretation of the UN Charter's prohibition of intervention. This view was reflected in UN General Assembly resolutions, such as the Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of Their Independence and Sovereignty, adopted in 1965 (G.A. Res. 2131(XX), 1965).

This declaration reads in part that “no state has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any state” (¶1). This general prohibition of intervention was reaffirmed in the Declaration on Principles of International Law Concerning Friendly Relations and Cooperation among States in Accordance with the UN Charter adopted by the UN General Assembly in 1970 (G.A. Res. 2625(XXV), 1970).

### ***International Law on the Use of Force***

The principles of sovereignty and non-intervention in the internal affairs of states are directly linked to the question of the use of force. The restrictions on the use of force in international law have an influence on the legality and legitimacy of humanitarian intervention. The prohibition of the threat or use of force was laid down in Article 2(4) of the UN Charter, which provides that:



[A]ll members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purposes of the United Nations.

Article 51 of the UN Charter provides for the right of states to use force in self-defense, including collective self-defense, in response to an armed attack:

[N]othing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

Further, Chapter VII of the UN Charter empowered the Security Council to authorize UN members to use force to address a threat to international peace and security.

The presence of these rules in the UN Charter creates the legal necessity for an exception to the prohibition on the use of force for military action for humanitarian purposes. As previously described, the absence of effective restrictions on the use of force in international law before World War II meant that a legal justification for using force for humanitarian purposes was not required under treaty and customary international law. Under the Charter, the clearest legal justification for using force for humanitarian purposes would come from a decision of the Security Council.

Beyond that, controversies emerged, for example, about the precise scope of the prohibition of the use of force under the UN Charter. The question is whether the language of Article 2(4) should be construed as a strict prohibition, or whether unilateral use of force without Security Council authorization should be allowed, especially when the goal is to protect human rights and purposes not otherwise inconsistent with the objectives of the UN. This debate focused on whether states with genuine humanitarian motives can act collectively to protect civilian populations without violating Article 2(4) in cases where the Security Council fails to take effective action in protecting civilian populations from mass atrocities.

Some scholars interpret the UN Charter to permit humanitarian intervention without Security Council approval. Tesón (1988) states that humanitarian intervention supports the overall purpose of the UN Charter because the preservation of human rights is one of the Charter's primary objectives. He also states that humanitarian intervention does not violate Article 2(4) of the UN Charter because such an intervention impairs neither the territorial integrity nor the political independence of the targeted state. Mackinlay and Chopra (1992) argue that, in cases where UN approval of the use of military force is extremely difficult to obtain, humanitarian intervention should be legal. Fonteyne states that humanitarian intervention remains legal under the UN Charter as the drafters of the UN Charter did not explicitly ban humanitarian intervention, although they had the opportunity to do so (Pierre, 1973). Other scholars, such as Hathaway and Shapiro, argue

that Article 2(4) permits individual and collective self-defense, but bars all other forms of intervention without express Security Council authorization (Koh, 2013). For Koh, this “per se illegal” rule is plainly overbroad. Koh does not believe humanitarian intervention is illegal under international law. For Koh, a nation could lawfully use or threaten the use of force for genuinely humanitarian purposes, even without Security Council authorization. However, commentators advocating the illegality of humanitarian intervention argue that state practice does not support the legality of humanitarian intervention. They argue that states that intervened in the past usually did so for their own political gain, not with any humanitarian motives (Schachter, 1984). According to Brownlie (1963), the Security Council has a monopoly on the use of force except in cases of self-defense as specified in Article 51 of the UN Charter.

### ***International Law on Human Rights***

Under the UN Charter, the Security Council can authorize the use of force to address grave violations of human rights when the Security Council decides that such violations represent a threat to international peace and security. However, another debate emerged about whether the development of international human rights law provided a legal justification for use of force for humanitarian purposes in the absence of Security Council authorization. Human rights qualify and limit the principles of sovereignty and non-intervention by (a) obligating states to respect the rights of individuals, and (b) giving states an interest in how other states treat their citizens. Therefore, human rights create the responsibility to go with the authority the principle of sovereignty creates. The UN Charter provided initial principles for the protection of human rights. The preamble of the Charter re-affirms faith in fundamental human rights, in the dignity and worth of human person, and in the equal rights of men and women. One of the purposes of the UN Charter is promoting and encouraging respect for human rights. Pursuant to Article 55, UN Member States reaffirm a commitment to promoting universal respect for, and observance of, human rights and fundamental freedoms for all without distinction of any kind. Further, under Article 56 of the UN Charter, all members of the UN pledge themselves to take joint and separate action in cooperation with the organization for the achievement of the purposes set forth in Article 55.

International legal protection for human rights has undergone dramatic development since the founding of the UN in 1945. The international human rights movement was strengthened on December 10, 1948, when the UN General Assembly adopted the Universal Declaration of Human Rights (UDHR). Adoption of the UDHR further highlighted the need to respect the fundamental human rights of every person. The preamble of UDHR emphasizes that recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world. The UDHR includes the complete range of civil and political rights, as well as economic, social and cultural rights. It is generally agreed that many provisions of the UDHR gained formal legal force by becoming part of customary international law.

In addition to the UDHR, other international instruments were adopted which aimed to protect human rights. One such effort was the International Covenant on Civil and Political Rights (ICCPR), which was adopted in 1966 by the UN General Assembly and entered into force in 1976. This Covenant sets out, in much greater detail than the UDHR, a variety of rights and freedoms. It imposes obligations on each state party to respect and ensure to all individuals, within its territory

and subject to its jurisdiction, the rights recognized in the Covenant without distinction of any kind. Similarly, the International Covenant on Economic, Social and Cultural Rights (ICESCR) was adopted by the UN General Assembly in 1966 and entered into force in 1976. It elaborates upon most of the economic, social and cultural rights provided for under the UDHR. These two Covenants, together with the UDHR, constitute the International Bill of Human Rights. Additionally, the European Convention on Human Rights (1950), the American Convention on Human Rights (1969), and the African Charter on Human and Peoples Rights (1981) are some of the regional human rights instruments clarifying certain obligations towards the protection of the human rights norms.

Importantly, some of these human rights are considered as having gained the status of customary international law, and some fundamental human rights are recognized as *erga omnes* norms, or obligations owed to the international community as a whole. Therefore, a state may no longer plead the principles of sovereignty and non-intervention as a bar to intervention by the international community to protect those human rights. Some commentators argue that, when a government commits egregious human rights abuses against its citizens, and when international organizations fail to prevent these abuses, the international community has the right of humanitarian intervention to address those abuses (Lillich, 1967).

This idea of contingent sovereignty suggests that statehood itself is legally dependent on acceptable government behavior, and the failure of a government to meet certain minimum standards invalidates its claim to non-interference. Therefore, these claims suggest that, under international law, a state, group of states or an organization can use force against another state when a state abuses its sovereign power and violates human rights. However, international law does not generally impose obligations on states to undertake humanitarian interventions, even in cases of large-scale violations of human rights. Nevertheless, the UN Charter's inclusion of human rights provides the legal counterweight to the principles of sovereignty and the prohibition on the use of force found in the Charter. The other legal counterweight emerges from developments in international humanitarian law.

### **Developments of International Humanitarian Law in during the Cold-War Period**

International humanitarian law developed more significantly in the post-World War II period in supporting the need for humanitarian intervention in certain circumstances. The development of international humanitarian law contributed to advocacy for humanitarian intervention in contexts not involving Security Council authorization.

One of the main developments during the Cold War was the 1948 Convention on Prevention and Punishment of the Crime of Genocide, which set limits on behavior during an armed conflict. Another major development occurred with the adoption of the four Geneva Conventions of 1949: the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field; the Geneva Convention for the Amelioration of the Condition of Wounded, Sick, and Shipwrecked Members of Armed Forces at Sea; the Geneva Convention Relative to the Treatment of Prisoners of War; and the Geneva Convention Relative to the Protection of Civilian Persons in Time of War. The four Geneva Conventions were supplemented by two further agreements: The Additional Protocols of 1977 relating to the protection of victims of armed

conflicts. Additional Protocol I expands protection for the civilian population and military and civilian medical workers in international armed conflicts. Additional Protocol II extends similar but more limited protections during non-international armed conflicts.

The development of international humanitarian law during the Cold War connected with the emergence of human rights law to support a claim that international law permitted humanitarian intervention in response to large-scale atrocities, even in the absence of a Security Council resolution. The convergence of international humanitarian law and international human rights law produced, in the limited context of large-scale atrocities, an international legal right to resort to force to stop the atrocities from continuing. This right acts as a customary exception to the Charter prohibition on the use of force not dependent on the right of self-defense or an authorization from the Security Council. Under these claims, substantively the violations have to be large-scale and, procedurally, the use of force has to be the last resort and is subject to all rules regulating the use of military force.

These arguments in favor of humanitarian intervention generated controversy. Often the right of humanitarian intervention was criticized as an attempt to legitimize political interference of internal affairs of other states (Verwey, 1985). Many but not all states rejected the idea of humanitarian intervention, and international legal scholars disagreed over the legality of humanitarian intervention. While some scholars recognized the lawfulness of the right to humanitarian intervention, others maintained that unilateral humanitarian intervention violates Article 2(4) of the UN Charter and the principles of state sovereignty and non-intervention. Some who wished to support humanitarian intervention to halt mass atrocities and protect civilians worried about the consequences of authorizing a right to engage in humanitarian intervention as a matter of law (Schechter, 1991).

## **State Practice**

The legality of the use of force for humanitarian purposes in the absence of Security Council action arose on a number of occasions during the Cold War. India gained independence from Great Britain in 1947. As Great Britain withdrew from India, two separate nations came into existence: India and Pakistan. Pakistan was also geographically divided into East and West. In 1970, West Pakistan gained political and economic control of East Pakistan. This development created unrest in East Pakistan. In the meantime, general elections were held in Pakistan in December 1970 in which the Awami League, an opposition party in East Pakistan, won a majority of seats in the National Assembly and demanded more autonomy for the East. In opposition to the outcome of this election, the central government of Pakistan postponed the convening of the National Assembly indefinitely. As unrest in East Pakistan escalated, Mujibur Rahman, the leader of the Awami League, issued a Declaration of Emancipation on March 23, 1971.

On March 25, 1971, Pakistani government forces attacked East Pakistan and began the indiscriminate killing of unarmed civilians, in particular the minority Hindu population (Eisner, 1993). As the crisis worsened, relations between India and Pakistan became tense. On December 3, 1971, India attacked Pakistan and formally recognized East Pakistan as the independent state of Bangladesh on December 6, 1971. India initially justified the intervention into East Pakistan on humanitarian grounds. The Indian representative to the UN stated that India had pure motives and

its intention was to rescue the people in East Pakistan from their suffering (UN Doc S/PV 1606, 1971). This claim was rejected by a number of states, including the United States, Argentina, Tunisia, China, and Saudi Arabia (UN Doc S/PV 1606, 1971). These countries argued that principles of sovereignty and non-interference should take precedence and that India had no right to meddle in what they viewed as an internal matter (Finnemore, 2004). In response, the Indian delegation later justified its action as lawful self-defense (Wheeler, 2000).

Some commentators argued that India's change of justification from humanitarian to self-defense meant India acknowledged that humanitarian intervention was not legal (Arend & Beck, 1993). Frank and Rodley (1973) did not consider the Bangladesh case that constitutes the basis for a definable, workable, or desirable new rule of international law which, in the future, would make certain kinds of military interventions permissible. State practice concerning India's military intervention did not support the idea that international law permitted the use of force for the purpose of humanitarian intervention.

Vietnam's military intervention in Cambodia and overthrow of the Pol Pot regime in 1979 was another case initially justified on humanitarian grounds. The Communist Party of Kampuchea (Khmer Rouge) took control of Cambodia in April 1975 (Jackson, 1989). In the process of restructuring Cambodia, and in an attempt to wipe out foreign influence, the Khmer Rouge killed millions of Cambodians (Jackson, 1989). A special rapporteur for the UN concluded that the Cambodian crisis was the worst violation of human rights since the Nazi era (UN Doc E/CN.4/1335, 1979). The war between Vietnam and Cambodia began with clashes along the land and sea borders of the two countries. After more mass killings by the Khmer Rouge, Vietnam invaded Cambodia on December 25, 1978, and took control of Phnom Penh on January 7, 1979. Later, Vietnam justified its invasion as self-defense from Cambodian attacks that started from a border dispute between the two nations (Ratner, 1993).

However, international reaction to the invasion of Cambodia by Vietnam was hostile to Vietnam's claimed justifications. The UN General Assembly called for the withdrawal of all foreign forces from Cambodia and accepted the credentials of the Khmer Rouge delegation at the UN, rather than the credentials from the Vietnam-supported People's Republic of Kampuchea (UN Doc A/34/46, 1979). The UN also did not agree with Vietnam's claim of self-defense. As Chesterman (2001) notes, Vietnam's concern with Cambodia was only partly humanitarian in origin. This episode also provides little evidence that state practice supported the idea that international law recognized a right to use force for humanitarian purposes.

A claim of humanitarian intervention was initially raised by Tanzania in 1979 when it attacked Uganda and overthrew Idi Amin. Amin's regime committed mass atrocities and human rights violations against civilians in Uganda during its eight years of power from 1971 to 1979 (Frank, 1984). The Ugandan regime killed thousands of civilians, and episodes of rape, torture, and other inhumane and degrading violence against civilians was discovered and reported by Amnesty International as evidence of the brutality of Amin's regime. Amin's regime not only massacred its own civilians, but also attacked neighboring Tanzania. In October 1978, Ugandan troops invaded Tanzania and occupied the Kagera salient, an area located between Uganda and Tanzania that borders the Kagera River (Tesón, 1988). In response to this act, on November 15, 1979, Tanzania launched an offensive against Uganda and toppled Amin. Tanzania later justified its intervention

as self-defense from Ugandan aggression (Brown, 2001). After the intervention, the Tanzanian leader stated that the war between Tanzania and Uganda was caused by the Ugandan army's aggression against Tanzania, and there was no other cause (Arend & Beck, 1993). Except for a few countries, such as Kenya, Libya, Nigeria, and Sudan, the Ugandan intervention by Tanzania was tolerated by other states (Murphy, 1996). This intervention was not discussed in any UN branch. The Secretary General was involved only at a later stage in an effort to mediate a ceasefire. The Organization for African Unity (OAU), despite non-intervention provisions in the OAU Charter, never condemned the intervention.

Tanzania's intervention in Uganda is widely perceived as producing a desirable result and as a victory for human rights. According to Tesón (1988), humanitarian considerations were prominent in this intervention and, in general, Tanzania's action was accepted by the international community. Tesón concluded that it was a genuine instance of humanitarian intervention. However, some commentators, like Ronzitti (1985) rejected the claim that Tanzania was acting legally. Similarly, according to Burrows (1979) the Tanzanian intervention was illegal under international law and that Tanzania's action would have been legal only if Tanzania had obtained Security Council approval. In terms of state practice, Tanzania's actions fall somewhere between its humanitarian and self-defense justifications. Chesterman (2001) suggested that it can be said with confidence that "the action was not condemned," and he concluded that "there is little evidence of *opinio juris* beyond an affirmation of the right of self-defense" (p.79).

As seen from these cases, these debates focused on humanitarian intervention and the use of force. The cases did not involve atrocity or conflict prevention efforts or post-conflict rebuilding strategies. The international community did not accept humanitarian intervention as a justification for the unilateral use of force with respect to these episodes. State practice illustrates great reluctance on the part of states during the Cold War to defend the use of force on the basis of humanitarian intervention. This situation makes sense analytically because international human rights law and international humanitarian law were still developing in this period, making it legally risky to claim that international law clearly permitted the use of force for humanitarian purposes. Thus, humanitarian intervention as an exception to the prohibition on the use of force was not widely supported by state practice.

### **Humanitarian Intervention and International Law in the Early Post-Cold War Period**

There were many political changes during the early post-Cold War period. The Soviet Union disappeared, the bi-polar superpower competition ended, and East-West ideological rivalry vanished. The political space created by the end of the Cold War created more room for the development of international human rights law and international humanitarian law. Developments in the post-Cold War era concerning humanitarian intervention suggest a change in attitudes, specifically in increasing challenges to state sovereignty and the principle of non-intervention. International humanitarian law also developed during this period, with the establishment of the International Criminal Tribunals for the Former Yugoslavia and Rwanda, as well as creation of the International Criminal Court. The Security Council was actively engaged in taking action in various crises and, in fact, began to authorize a number of interventions for humanitarian purposes, such as in Haiti and Somalia. With these developments, the dynamics in international law between sovereignty and non-intervention, the prohibition on the use of force, human rights, and

humanitarian law became more volatile. This instability led to controversies in the 1990s, especially with respect to crises in Rwanda and Kosovo that led the international community to look for a new strategy to guide international responses to atrocities.

## ***Rwanda***

In the early 1990s, the world was confronted with a serious humanitarian situation in Rwanda (Hook & Spanier, 2007). Although the world witnessed dire human rights and humanitarian violations in Rwanda, not one state responded to the crisis in a timely and effective manner. There was great reluctance among UN Member States to respond to the Rwandan crisis. This reluctance to respond among the Member States on the Security Council led to a failure of the international community to react effectively to the Rwandan crisis. This situation raised many questions, including who bears the responsibility to protect innocent victims of humanitarian atrocities, such as those in the Rwandan genocide. Although the UN had some responsibility to respond to the crisis, the UN was powerless without state desire to take any action. Edward Luck stated later that “the genocide in Rwanda in 1994 was a very important piece of R2P” (2011). Thus, in order to understand the significance of the Rwandan crisis in the development of the R2P principle, it is important to analyze the Rwandan conflict and the various responses of the international community.

When the 1990s began, the Rwandan government was led by members of the Hutu tribe. The opposition Rwandan Patriotic Front (RPF), a Ugandan-based rebel group composed mostly of Tutsi refugees, invaded northern Rwanda on October 1, 1990, in an attempt to defeat the Hutu-led government. This power struggle exacerbated ethnic tensions in the country. Continuing ethnic strife resulted in the Tutsi rebels’ displacing and killing large numbers of Hutus in the north, while Tutsis were killed by Hutus in the south (BBC, 2013).

As the violence in Rwanda intensified, the international community took some efforts to prevent further escalation of atrocities. The international community pressed the Hutu-led government of Juvénal Habyarimana to sign the Arusha Accords in 1993, which led to a ceasefire and were intended to end the Rwandan conflict. In order to implement the Arusha Accords between the Rwandan government and the RPF, the UN established the United Nations Assistance Mission for Rwanda (UNAMIR) on October 5, 1993, through Security Council Resolution 872. UNAMIR’s authorized strength was 2,500 personnel, but it took approximately five months for the mission to reach that level. The United States and the United Kingdom refused further strengthening UNAMIR (Stanton, 2009).

The assassination of Habyarimana in April 1994 set off a violent reaction, during which Hutu groups conducted mass killings of Tutsis (BBC, 2013). These mass killings had reportedly been planned by members of the Hutu tribe, many of whom occupied positions at top levels of the Hutu-led government. These killings of Tutsis were supported and coordinated by the national government, as well as by local military, civil officials, and the mass media (Human Rights, 1994). According to Human Rights Watch, this genocidal slaughter of Tutsis by Hutus took tens of thousands of lives and displaced many more Rwandans.

With this genocidal slaughter, the international community felt the need to react to stop such atrocities. Considering the scale of violence, some Member States of the UN expressed the belief that UNAMIR forces lacked the strength to stop the mass atrocities. However, the United States and some other states were not willing to send their own troops (Weiss & Hubert, 2001). Only on May 17, 1994, was the Security Council able to adopt Resolution 918, which imposed an arms embargo against the Rwandan government and authorized UNAMIR's expansion to include: (a) actions to secure the safety of displaced persons and refugees; and (b) ongoing security during the distribution of humanitarian aid. On June 8, 1994, the Security Council adopted Resolution 925, which noted that acts constituting genocide had been carried out in Rwanda. On June 22, 1994, the Security Council adopted Resolution 929 and authorized France to take control of the Rwandan situation with a view towards improving security and protecting displaced persons, refugees, and civilians at risk. However, France did not intervene until the latter stages of the mass killings, which ended primarily because of the RPF's military victory. The French were not willing to risk their soldiers. In fact, at the height of the crisis, the Security Council ordered UNAMIR to withdraw, rather than sending additional troops to stop the genocide (Loomis & Rice, 2007).

The main reason for this decision was that some Member States felt they had no core national interests at stake in Rwanda. Nor did states believe they had any obligation under international law to respond. The reluctance of some Member States, in particular the United States and the United Kingdom, to send a stronger UNAMIR force created the impression that nothing could be done effectively. This unwillingness of states to react with military force in Rwanda is a clear indication that international law imposes no such obligation. Despite massive atrocities in Rwanda, neither the Security Council nor individual states seemed interested in using force for humanitarian purposes.

Much criticism was levied at the exceedingly slow and tardy actions of the international community in Rwanda. Wheeler (2000) argued that "the point is not that lives were saved, but that more lives could have been saved had France selected military means that were appropriate to its humanitarian claims" (p.239). However, according to Finnemore (2004), no significant constituency was claiming that intervention in Rwanda for humanitarian purposes would have been illegitimate or an illegal breach of sovereignty. Finnemore (2004) emphasized that Rwanda caused a shift in the burden to act and that after Rwanda, the international community understood that it had not just a right to intervene, but a duty to intervene. However, there was no obligation for states to intervene and, thus, no legal duty existed to intervene, only a moral duty. The Rwandan crisis never tested the question whether states have a right under international law to use force for humanitarian reasons without Security Council authorization.

Given the UN and international community's failure to respond to the Rwandan crisis in a timely and adequate manner, Secretary General Kofi Annan (Millennium Report, 2000) stated that, although both human rights and sovereignty should always enjoy support, in places where crimes against humanity occur no legal principle should ever serve as a shield. However, he added, when all peaceful measures were exhausted, the Security Council had a duty to act to protect civilians from mass atrocities. In 1999, the Security Council appointed an Independent Inquiry to assess the UN's role in the Rwandan crisis and found that the UN had failed to protect the Rwandans from genocide. It noted that the lack of capacity, including resources for the UN peacekeepers, to face these challenges, as well as an inadequate mandate for UNAMIR, were primary reasons for the



failure. The UN and other international actors failed to recognize and respond to early warning signs. Therefore, the failure of the international community to respond effectively to the Rwandan crisis became a normative assertion about the moral responsibility of the international community to protect civilian populations. However, this moral duty neither justifies humanitarian intervention nor imposes any legal obligation on states to act. Therefore, such a moral duty does not change international law on responding to humanitarian crises.

### ***Kosovo***

The UN and the international community were criticized for their collective failure to take timely and adequate actions to stop mass killings in Rwanda. The international community was then criticized for the use of unauthorized, excessive force in Kosovo. In the 1990s, in particular, after the international community's failure in Rwanda, a general acceptance emerged among some UN Member States regarding a "right to intervene" in order to protect civilian populations from mass atrocities. However, this right was not controversial if the Security Council authorized intervention, and whether the right existed outside Security Council authorization remained controversial. Some Member States on the Security Council accepted the idea that they had a responsibility to protect human rights (Glanville, 2012). However, the international community realized the perilous nature of this right to intervene when they faced the crisis in Kosovo. The unauthorized NATO intervention in Kosovo heightened the discussion on the right to humanitarian intervention and led the international community to commence a review process which, in turn, led to the creation of the R2P principle.

The Kosovo conflict lasted from 1998 until 1999. It was fought by the Federal Republic of Yugoslavia forces, the Kosovo Albanian rebel group known as the Kosovo Liberation Army (KLA), and NATO (Shah, 2001). After its formation, the KLA began its first campaign in 1995 by attacking Serbian law enforcement in Kosovo. In June 1996, the KLA accepted responsibility for targeting the Kosovo police. The KLA continued its attack against Kosovo law enforcement personnel. In 1998, attacks targeting Yugoslav authorities in Kosovo resulted in the increased presence of Serb paramilitaries and regular forces.

As the conflict intensified, the international community tried to take some preventive efforts to stop mass atrocities. The Security Council adopted Resolution 1160 on March 31, 1998, imposing an arms embargo and economic sanctions on Kosovo. The Member States also reached a broad agreement that the situation in Kosovo constituted a threat to international peace and security. However, China abstained on the resolution, stating that the Kosovo crisis should be treated as an internal matter and that the international community should not intervene (UNSC/6496, 1998). The Security Council then adopted Resolution 1199 on September 23, 1998 and called for the immediate withdrawal of Serbian forces from Kosovo. Under Resolution 1199, which was voted on under Chapter VII of the UN Charter, the Security Council emphasized the deteriorating situation in Kosovo as a threat to international peace and security. The resolution demanded that the Milosevic regime and Kosovo Albanians cease hostilities in order to avert a humanitarian catastrophe.

While the United States extended its full support to resolution 1199, Russia and China were reluctant to vote for it. Russia did not agree with the use of force by NATO against the Kosovo

Albanians. Sergey Lavrov, the Russian Ambassador to the UN, stated that the Security Council should not authorize military force or sanctions, which would destabilize the Balkans region, and also result in long-term adverse consequences throughout Europe (UN Doc S/PV. 3930, 1998). China did not believe that the situation in Kosovo was a threat to international peace and security. The Chinese Ambassador argued that Resolution 1199 would adversely affect the possibilities for a peaceful settlement of the conflict. Speaking later at the UN General Assembly, Chinese Ambassador Qin Hu Asun condemned the NATO air campaign, stating it “amounts to a blatant violation of the UN Charter and of the accepted norms of international law” (UN Doc S/PV. 3930, 1998, p. 2).

By end of March 1999, Yugoslav government forces began a campaign of retribution targeting KLA sympathizers as well as political opponents in a drive which left thousands of combatants and civilians dead and produced hundreds of thousands of refugees (Judah, 2009). After the failure of attempted diplomatic solutions, some states felt the need to react with more serious measures. NATO intervened and claimed Kosovo was a humanitarian war (Tanner, 1999).

However, Yugoslav forces continued to commit atrocities. In order to stop the widespread violence, on March 24, 1999, NATO launched Operation Allied Force, an air campaign that targeted Serb military positions and Serb leadership in Belgrade. The NATO-led bombings lasted until June 11, 1999, when Milosevic agreed to “end all violence in Kosovo, withdraw all Serb forces, and submit to an international presence under UN auspices” (Loomis & Rice, 2007, pp. 78-79). The war ended with the Kumanovo Treaty as Yugoslav forces agreed to withdraw from Kosovo in order to make way for an international presence (Podgorica, 2012).

Following the NATO bombing of Kosovo, thousands of Albanian refugees returned. Therefore, after the NATO intervention, the international community realized the need to rebuild Kosovo and, in 1999, by adopting Resolution 1244, the Security Council took measures to establish the UN Interim Administration Mission in Kosovo (UNMIK). The Mission was mandated to help ensure conditions for a peaceful and normal life for all inhabitants of Kosovo and advance regional stability in the Western Balkans. Among its priorities, the Mission aimed to promote security, stability and respect for human rights in Kosovo and in the region. In furtherance of its goals, UNMIK continued its constructive engagement with Pristina and Belgrade, other communities in Kosovo, as well as regional and international actors. Under UNMIK, the UN Human Settlements Program (UN Habitat) resumed the daunting task of rebuilding the municipal governments in the region, establishing who owns which property in the process. Kosovo declared independence on February 17, 2008, and its sovereignty has been recognized by more than 100 UN Member States.

Nevertheless, a report by Amnesty International (2008) asserts that the UNMIK failed to rebuild Kosovo. According to Amnesty International, UNMIK failed to comply with international legal standards concerning the right to fair trial. Amnesty International reported that “hundreds of cases of war crimes, crimes against humanity, including rapes and enforced disappearances, as well as other inter-ethnic crimes, remain unresolved seven years after the UN began its efforts to rebuild the Kosovo judicial system. Hundreds of cases have been closed, for want of evidence that was neither promptly nor effectively gathered. Relatives of missing people report that they have been interviewed too many times by international police and prosecutors new to their case, yet no progress was ever made” (Amnesty International, 2008).

Clearly, Kosovo raised the issue of humanitarian intervention in the Balkans. The bombing campaign against Milosevic and Serbia in support of the Kosovar Albanians was carried out without Security Council authorization and remains controversial today (Byers & Chesterman (2003). Initially, the United States and its NATO allies sought a Security Council resolution that specifically authorized the use of force. However, this effort proved impossible because of strong opposition from both Russia and China (Wheeler, 2000). Despite this resistance, the United States and its allies were determined to undertake collective action through NATO.

NATO leaders offered many reasons in support of the alliance's intervention. (Gray, 2004) Highlighting the importance of preventing genocide, Bill Clinton, President of the United States, stated that NATO's action was a result of the "moral revulsion at the killing in Kosovo and to prevent genocide in the heart of Europe" (Broder, 1999). Emphasizing humanitarian considerations as the main impulse of the action, French President Jacques Chirac asserted that the action was justified due to the horrific humanitarian crisis (Guicherd, 1999). Tony Blair, the British Prime Minister, commended the United States' vision to see the international impact of instability, chaos, and racial genocide in Kosovo and emphasized his support for the U.S.-led air campaign against the Milosevic regime (Hoge, 1999). German Chancellor Gerhard Schroder maintained a favorable stance with regard to NATO's air strikes and stated that, in reference to UN Resolution 1199, NATO was indeed acting within the framework of the United Nations (Guicherd, 1999). The NATO air campaign was the first time that German military forces participated in combat since World War II.

UN Secretary General Kofi Annan agreed that there are times when the use of force may be legitimate in the pursuit of peace (Daalder & O'Hanlon, 2000). Traub (2006) quotes the Secretary General as saying "when you look at the Declaration of Human Rights, the principle behind intervention in Kosovo was quite legitimate. The fact that the council couldn't come together doesn't make it not legitimate" (p.96). According to Bellamy (2004), Secretary General Annan's view accurately reflected the popular sentiment in international society.

The question whether NATO could legally use force without UN authorization was extensively debated during the crisis in Kosovo. Bellamy (2004) stated that, subsequent to NATO's action in Kosovo, there has been growing acceptance of the idea that intervention can be legitimate in humanitarian emergencies. Rice and Loomis (2007) observed that "NATO violated the law but acted in accordance with the spirit of the UN Charter" (p. 80). The United States characterized atrocities in Kosovo as a humanitarian tragedy and, thus, justified NATO action as a moral imperative to end the killing of ethnic Albanian civilians. This moral justification, however, did not mean it was legally justified. Therefore, a view emerged that, if humanitarian intervention is not possible with the authorization of the Security Council, then military action may still be morally justified in order to avoid, or end cases of, humanitarian disasters (Greenwood, 2000).

The need to protect civilian populations from mass atrocities has been generally recognized by the international community, even before the Rwandan crisis. NATO's intervention in Kosovo was also justified by the need to protect civilian populations from mass atrocities. Western allies, namely the United States, United Kingdom, and France, supported humanitarian intervention to protect civilian populations from mass atrocities. However, China and Russia did not accept any

type of foreign intervention in sovereign states. Instead, they called for the peaceful resolution of crises through political dialogue. Therefore, there was a division in the international community between those who supported humanitarian intervention and those who opposed it. Ultimately, the international community felt the need to create a new concept that represented a significant departure from prior concepts of humanitarian intervention, which ultimately led to the inception of the R2P principle.

## Conclusion

The historical development of humanitarian intervention as an issue in international law has been dominated by the principles of sovereignty and non-intervention. These developments demonstrated a difficulty in coexistence between the doctrine of sovereignty and humanitarian intervention. They are often in conflict with one another rather than working together. Interventions made during the 17<sup>th</sup> or 19<sup>th</sup> century by larger states against the weaker states for political and religious reasons were justified for humanitarian reasons. Nevertheless, these justifications were moral and political rather than legal in nature, because if a state can legally use force for any reason, then it can use force for humanitarian purposes without violating any international legal rules. In the 20<sup>th</sup> century, the international community made efforts to restrict the use of force, which reinforced the principles of sovereignty and non-intervention against humanitarian intervention. Other developments in international law, mainly related to minority rights enshrined in treaties after World War I, supported the idea of humanitarian intervention to some extent. Nevertheless, these developments were weak and did not counterbalance the convergence of the principles of sovereignty and non-intervention and attempt to restrict the use of force by states.

The developments in international law during the 20<sup>th</sup> century made humanitarian intervention a controversial, yet critical, issue that required high-level political attention. The controversies and disagreements during the 20<sup>th</sup> century created by the developments of international human rights law and international humanitarian law challenged the principles of sovereignty and non-intervention and the rules on the use of force. The principles of sovereignty and non-intervention were integrated into the UN Charter. International legal rules on the use of force were included in the UN Charter and the authority given to the Security Council became a central feature of international law. The link between human rights violations and threats to international peace and security was widely recognized by the international community, and humanitarian intervention authorized by the Security Council did not create much international legal controversy. Thus, the authority of the Security Council under Chapter VII of the UN Charter is unhindered in situations where internal crises produce humanitarian catastrophes, with or without cross-border repercussions.

However, if intervention was not authorized by the Security Council, its legality under international law became more controversial. Nevertheless, the UN Charter's inclusion of human rights norms and the convergence of international humanitarian law and international human rights law provided sufficient justification for the international community to argue international law permitted humanitarian intervention to protect civilian populations from mass atrocities. However, state practice during the Cold War involved reluctance to defend the uses of force on the basis of humanitarian intervention.

With the political and social changes in the post-Cold War period, international human rights and international humanitarian law received more attention. The relationships in international law between sovereignty and non-intervention, the prohibition on the use of force, human rights, and humanitarian law became more unstable. These circumstances formed the source of the controversies in the 1990's, especially the crises in Rwanda and Kosovo. The international community did not violate international law on the use of force in Rwanda, nevertheless it was considered a massive failure of the legitimacy of the actions of the international community. In other words, its actions were legal but illegitimate. By contrast, NATO's intervention in Kosovo without Security Council authorization was considered illegal but was otherwise viewed as legitimate action to stop mass atrocities. In other words, the intention was widely believed to be illegal but legitimate. Given this situation, and with the increased unrest around the world, there was a great desire to move international law on humanitarian intervention to where such intervention is both legal and legitimate.

The R2P principle arose as an effort to move international law beyond the problems associated with humanitarian intervention in the 1990s. There has been a longstanding debate about humanitarian intervention in international law and, in particular, concerning the right of states to intervene militarily in another state, without Security Council authorization, in order to prevent or stop gross violations of fundamental human rights and international humanitarian law. What underlies the debate is an apparent tension among the values of ensuring respect for fundamental human rights, respect for the norms of sovereignty and non-intervention, and the prohibition on the use of force by states.

Since its inception in 2001, substantial attention has been paid to the R2P principle, both within and outside the UN. As a direct result of the UN Secretary General's reports, as well as other debates analyzed in this chapter, the UN has made a significant effort to make the R2P principle a guiding force. Nevertheless, R2P continues to be controversial and is plagued by disagreements, and there is still a lack of consensus among UN Member States on R2P.

## References

- Abiew, F.K. (1992). *The evolution of the doctrine and practice of humanitarian intervention*. Kluwer Law International.
- African Charter on Human and Peoples' Rights Organization of African Unity. (1981). CAB/LEG/67/3 rev.5, 21 I.L.M. 58.
- Amnesty International. (2008). *Justice failed in kosovo*. EUR 70/001/2008.
- Arend, A.C. & Beck, R.J. (1993). *International law & the use of force*. Routledge Publishers.
- BBC. (2013). *Rwanda profile*. <http://www.bbc.co.uk/news/world-africa-14093238>.
- Behuniak, T. E. (1978). The law of unilateral humanitarian intervention by armed force, a legal theory survey. *Military Law Review*, 79, 157-160.
- Bellamy, A. (2004). Motives, outcomes, intent and the legitimacy of humanitarian intervention. *Journal of Military Ethics*, 3, 219.
- Bodin, J. (1606). *Six books of a commonwealth*. (Tooley, M.J, Trans). Basil Blackwell Oxford.

- Broder, J. (1999). *President's reasons: Moral revulsion and weight of US interests*. The New York Times. <http://www.nytimes.com/1999/03/25/world/conflict-balkans-white-house-president-s-reasons-moral-revulsion-weight-us.html?pagewanted=2>.
- Brown, D.G.A. (2001). The Tanzanian invasion of Uganda: A just war? *International Third World Study Journal & Review*, XII, 9.
- Brownlie, I. (1963). *International law and the use of force by states*. Oxford at the Clarendon Press.
- Burrows, N. (1979). Tanzania's intervention in Uganda: Some legal aspects. *The World Today*, 35, 306-309.
- Byers, M. & Chesterman, S. (2003). Changing the rules about rules? Unilateral humanitarian intervention and the future of international law. In J.L. Holzgrefe, J.L., & Keohane, R.O. (Eds.), *Humanitarian Intervention: Ethical, Legal and Political Dilemmas*. Cambridge University Press.
- Chesterman, S. (2001). *Just war or just peace: Humanitarian intervention and international law*. Oxford University Press.
- Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. (1984). 1465 U.N.T.S. 85.
- Convention on the Prevention and Punishment of the Crime of Genocide. (1948). 78 U.N.T.S. 277.
- Daalder, I. & O'Hanlon, M. (2000). *Winning ugly: NATO's war to save kosovo*. Brookings Institution.
- Dunant, H. (1862). *A memory of solferino*. International Committee of the Red Cross. <http://www.icrc.org/eng/assets/files/publications/icrc-002-0361.pdf>.
- Eisner, D. (1993). Humanitarian intervention in the post-cold war era. *Boston University International Law Journal*, 11, 195-202.
- European Convention for the Protection of Human Rights and Fundamental Freedoms as amended by *European Journal of International Relations*, 17, 234. <https://journals.sagepub.com/doi/10.1177/1354066109346889>.
- Final Act of the International Peace Conference. (1907). *American Journal of International Law*, 1, 103.
- Finnemore, M. (2004). *The purpose of intervention: Changing beliefs about the use of force*. Cornell University Press.
- Frank, M.T. & Rodley, N.S. (1973). After Bangladesh: The law of humanitarian intervention by the law of humanitarian intervention by military force. *American Journal of International Law*, 67, 275, 305.
- Frank, T.M. (1984). Of gnats and camels: Is there a double standard at the united nations?. *American Journal of International Law*, 78, 811, 825.
- G.A. Res. 2131(XX), ¶ 1, U.N. Doc. A/6014 (Dec. 21, 1965).
- G.A. Res. 2625(XXV), U.N. Doc. A/8028 (Oct. 24, 1970).
- G.A. Res. 34/22, U.N. Doc. A/34/46 (1979).
- General Treaty for the Renunciation of War as an Instrument of National Policy [Kellogg-Briand Pact]. (1928). 94 L.N.T.S. 57.
- Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field. (1949). 75 U.N.T.S. 85.
- Geneva Convention for the Amelioration of the Condition of Wounded, Sick, and Shipwrecked Members of Armed Forces at Sea. (1949). 75 U.N.T.S. 85.

- Geneva Convention Relative to the Protection of Civilian Persons in Time of War. (1949). 75 U.N.T.S. 287.
- Geneva Convention Relative to the Treatment of Prisoners of War. (1949). 75 U.N.T.S.135.
- Glanville, L. (2011). The antecedents of sovereignty as responsibility. *Sage publications*.
- Glanville, L. (2012). The responsibility to protect beyond borders. *Oxford Human Rights Law Review*, 12(2).
- Gray, C. (2004). *International Law and the Use of Force*. Oxford Publishers.
- Greenwood, C. (2000). International law and the NATO intervention in kosovo. *International and Comparative Law Quarterly*, 49, 933-934.
- Grotius, H. (1625). *The law of war and peace*. bk.1, ch.3, sec.16.  
<http://www.lonang.com/exlibris/grotius/gro-103.htm>.
- Guicherd, C. (1999). International law and the war in kosovo. *Survival*, 41, 28.
- Hoge, W. (1999). *Crisis in the balkans: Blair under domestic pressure on ground forces*. The New York Times. <http://www.nytimes.com/1999/05/18/world/crisis-in-the-balkans-britain-blair-under-domestic-pressure-on-ground-forces.html>.
- Hook, S. & Spanier, J. (2007). *American foreign policy since world war II*, 262. Sage Publications.
- Human Rights Watch. (1994). *Genocide in Rwanda*.  
<http://repositories.lib.utexas.edu/bitstream/handle/2152/5197/2502.pdf?sequence=1>.
- International Covenant on Civil and Political Rights. (1966). 999 U.N.T.S.171.
- International Convention on the Elimination of All Forms of Racial Discrimination. (1966). 660 U.N.T.S.195.
- Jackson, D.K. (1989). *The khmer rouge in context in Cambodia 1975-1978: Rendezvous with Death*. Princeton University Press.
- Judah, T. (2009). *The Serbs: History, myth and the destruction of yugoslavia*. Yale University Press Publications.
- Koh, H.H. (2013). Syria and the law of humanitarian intervention (Part II: International law and the way forward). *Just Security*. <http://justsecurity.org/2013/10/02/koh-syria-part2/>.
- Lillich, R.B. (1967). Forcible self-help by states to protect human rights. *Iowa Law Review*, 53, 325.
- League of Nations Covenant. (1920). Articles 1, 8, 11 & 22.
- Loomis, A.J. & Rice, S.E. (2007). The evolution of humanitarian intervention and the responsibility to protect. In Daalder, I. (Eds.), *Beyond Preemption*. Brookings Publications.
- Luck, E. (2011). U.N. News Center.  
<http://www.un.org/apps/news/newsmakers.asp?NewsID=38>.
- Mackinlay, J. & Chopra, J. (1992). Second generation multinational operations. *Washington Quarterly*, 15,113.
- Merriam, C. E. (1968). *History of the theory of sovereignty since rousseau*. Batoche Books.
- Millennium Report of the Secretary General of the United Nations. (2000, p.48).  
[http://www.un.org/en/events/pastevents/pdfs/We\\_The\\_Peoples.pdf](http://www.un.org/en/events/pastevents/pdfs/We_The_Peoples.pdf).
- Murphy, D.S. (1996). *Humanitarian intervention: The united nations in an evolving world order*. Penn Press.
- Pierre, L. J. F. (1973). The customary international law doctrine of humanitarian

- intervention: Its current validity under the U.N. charter. *California Western International Law Journal*, 4, 206, 214, 216, 258.
- Podgorica, S. (2012). The balkan wars: Reshaping the map of south-eastern europe. *The Economist*. <http://www.economist.com/blogs/easternapproaches/2012/11/balkan-wars>.
- Press Release of the Security Council. (1998). *Security council demands all parties end hostilities and maintain a ceasefire in kosovo*. U.N. Release SC/6577.
- Press Release of the Security Council (1998). *Security council imposes arms embargo on federal republic of yugoslavia, pending action to resolve kosovo crisis*. U.N. Release SC/6496.
- Ratner, S.R. (1993). The cambodia settlement agreements. *American Journal of International Law*, 87, 1-3.
- Ronzitti, N. (1985). *Rescuing nationals abroad through military coercion and intervention on grounds of humanity*. Springer.
- S.C. Res. 1160, U.N. Doc. S/Res/1160 (Mar. 31, 1998).
- S.C. Res. 1199, U.N. Doc. S/Res/1199 (Sept. 23, 1998)
- S.C. Res. 872, U.N. Doc. S/Res/872 (Oct. 5, 1993).
- S.C. Res. 918, U.N. Doc. S/Res/918 (May 17, 1994).
- S.C. Res. 925, U.N. Doc. S/Res/925 (June 8, 1994).
- S.C. Res. 929, U.N. Doc. S/Res/929 (June 22, 1994).
- Schachter, O. (1984). The Right of states to use armed force. *Michigan Law Review*, 82, 1629.
- Schechter, O. (1991). *International law in theory and practice*. Springer.
- Shah, A. (2001). The kosovo crisis. *Global Issues*.  
<http://www.globalissues.org/article/126/the-kosovo-crisis>.
- Stanton, G.H. (2009). The rwandan genocide: Why early warning failed. *Journal of African Conflicts & Peace Studies*, 1, 13.
- Strang, D. Contested sovereignty: The construction of colonial imperialism, In State sovereignty as social construct 32-33 (C. Weber & T. Biersteker eds., 1996).
- Tanner, M. (1999). *War in the balkans: The day the men of bela crkva died - Anatomy of massacre*. The Independent. <http://www.independent.co.uk/news/war-in-the-balkans-the-day-the-men-of-bela-crkva-died-1088382.html>.
- Tesón, F.R. (1988). *Humanitarian intervention: An inquiry into law and morality*. (2nd ed.). Irvington-On-Hudson.
- The American Convention on Human Rights. (1969). 1144 U.N.T.S 123.
- The Lieber Code: Limiting the devastation of war. (1863).  
[http://avalon.law.yale.edu/19th\\_century/lieber.asp](http://avalon.law.yale.edu/19th_century/lieber.asp).
- Traub, J. (2006). *The best intentions: Kofi annan and the UN in the era of american world power*. Macmillan Publishers.
- United Nations Charter. (1945). Preamble. United Nations Charter.
- United Nations Charter. (1945). Article 2, paragraph 7 and Article 56.
- U.N. Doc. A/34/46. (1979).
- U.N. Doc. E/CN.4/1335 (Jan. 30, 1979).
- U.N. GAOR, 34th Sess., 1<sup>st</sup>-32<sup>nd</sup> plen. mtgs., at 56-57, U.N. Docs. A/34L 1-32 (1979).
- UN News. *Rwanda: UNAMIR Background*.  
<http://www.un.org/en/peacekeeping/missions/past/unamirS.htm>.
- UN News. *Rwanda: A Brief History of the Country*.



- <http://www.un.org/en/preventgenocide/rwanda/education/rwandagenocide.shtml>.  
U.N. SC/6496. (1998).  
U.N. SCOR, 53<sup>rd</sup> Sess., 3930<sup>th</sup> mtg. at 2, U.N. Doc. S/PV. 3930 (Sept. 23, 1998).  
U.N. SCOR, 53<sup>rd</sup> Sess., 3930<sup>th</sup> mtg. at 3-4, U.N. Doc. S/PV. 3930 (Sept. 23, 1998).  
U.N. SCOR, 66<sup>th</sup> Sess., 1606<sup>th</sup> mtg., U.N. Doc. S/PV 1606 (Dec. 6, 1971).  
U.N. Secretary General. (2000). *Millennium Rep. of the Secretary General of the United Nations*. [http://www.un.org/en/events/pastevents/pdfs/We\\_The\\_Peoples.pdf](http://www.un.org/en/events/pastevents/pdfs/We_The_Peoples.pdf).  
U.N. Security Council. (1999). *Rep. of the independent inquiry into the actions of the united nations during the 1994 in rwanda*, S/1999/1257.  
Universal Declaration of Human Rights. (1948). G.A. Res. 217 A (III), U.N. Doc. A/RES/217 A (III).  
Verwey, W.D. (1985). Humanitarian intervention under international law. *Netherland International Law Review*, 32, 357.  
Weiss, T. & Hubert, D. (2001). *The responsibility to protect, research, bibliography, background*. Transnational Publishers.  
Wheeler, N.J. (2000). *Saving strangers: Humanitarian intervention in international society*. Oxford University Press.

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## Defining Peace in Glacier National Park

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## Abstract

Peace parks – a special type of transboundary initiative – are claimed to deliver a number of benefits and their importance has been repeatedly acknowledged. We provide insight on the peace designation through the example of Glacier National Park (GNP), a component of Waterton-Glacier International Peace Park (WGIPP). We use the literature on peace parks and the data from 97 interviews with GNP's visitors and managers, to address how the peace park idea is understood by the visiting public and park managers. The findings are organized around three main themes: awareness about the peace park designation, perception of peace in the context of a peace park, and perceptions of peace park benefits. Results suggest that there is considerable opportunity to expand the awareness of the peace park status. Additionally, a rich conversation on the many definitions of peace can complement the potential of this designation.

## DEFINING PEACE IN GLACIER NATIONAL PARK

### Introduction

The concept of transboundary conservation is expanding rapidly. Nature does not recognize human-made boundaries, and transboundary conservation efforts have emerged as a practical way to overcome political, social, cultural and economic differences between countries, and encourage cooperative work across international boundaries. Today, there are more than 200 examples of transboundary conservation initiatives ranging from informal agreements to international treaties, and these numbers continue to grow (Vasilijevic et al., 2015). A number of benefits provided by such initiatives are emphasized in literature, and include greater ecological integrity, better survival of migratory species, improved management efficiency, enhanced cultural exchanges, and promotion of good political relations between neighboring states (Mittermeier et al., 2005; Vasilijevic et al., 2015).

The IUCN recognizes three categories of transboundary conservation efforts – “Transboundary Protected Areas (TBPA)”, “Transboundary Conservation Landscapes and/or Seascapes”, and “Transboundary Migration Conservation Areas”. Parks for Peace is a special IUCN designation that applies to any of the three types if their mission extends to the promotion of peace and cooperation (Vasilijevic et al., 2015). That means that in addition to biodiversity purposes, peace parks encourage friendship, cooperation and reduction of tension in border regions. Marton-Lefevre (2007) argues that there is “enormous potential of peace parks in conflict resolution, particularly through building confidence and cooperation between countries.” (p. xiv)

In the context of the emerging popularity in transboundary conservation, the “peace” element that is supposed to differentiate peace parks from other transboundary conservation areas, has had minimal study. Little has been done to assess how peace parks are perceived by different people, which unique values and meanings are associated with this concept, and which benefits they can provide. Currently, there are a variety of social, political and economic contexts where different peace parks operate (Vasilijevic et al., 2015; Hammill and Besancon, 2007). This can lead to confusion over the peace park image and inhibit the utility of the peace park concept.

This research is aimed at getting a better understanding of the peace park concept. First, it will trace the origins of the peace park idea and look at the early definitions of peace. Then, it will explore how peace has acquired multiple roles in the context of peace parks, and analyze the variety of possible definitions of peace across different scales that emerged over time. Using the interview data, this paper demonstrates that there is room to raise awareness about the peace designation. At the same time, the variety of ways peace, and its benefits, are perceived demonstrates the potential for broadening the understanding of the peace park idea, promoting the value of peace, and moving the peace park concept forward.

### The Origin of the Peace Park Concept and the Early Definition of Peace

The first officially designated TBPA, Waterton-Glacier International Peace Park, was established in 1932 to “commemorate the long history of peace and friendship between Canada and the United States, and to emphasize both natural and cultural links” (Sandwith et al., 2001, p.1).

It is believed that the first proponents of the international peace park idea were George “Kootenai” Brown and Henry “Death-on-the-Trail” Reynolds, who were appointed as forest rangers-in-charge in Waterton Lakes National Park and Glacier National Park, respectively, and suggested that the two parks be joined. The idea was, therefore, first driven by park rangers, but the real push was done by Rotary Clubs (Mihalic, 2012). The Cardston Rotary Club called an annual small get-together of Alberta and Montana Rotarians on July 4-5, 1931 in Waterton; that meeting led to the adoption of a resolution to establish the first international peace park. Rotarians from both sides began to lobby their prospective governments to introduce the bills, which were approved by the Senate of the U.S. and by the Canadian Government in 1932. WGIPP was officially established and then dedicated in two ceremonies (Report on the Establishment of WGIPP, 1932). It was less than a year between when the idea was born and the two parks were proclaimed as the first international peace park.

The Rotarians that were standing at the origins of the concept were war veterans who placed a high value on peace and did not take it for granted (Morrison, 2007). It was their desire to commemorate peace and goodwill to the whole world, which is reflected in the peace park legislation and in President Hoover’s message to the public at the first peace park dedication event on 06/12/1932:

The dedication of the WGIPP is a further gesture of goodwill that has so long blessed the relations with our Canadian neighbors and I am gratified by the hope and faith that it will forever be an appropriate symbol of permanent peace and friendship” (WGIPP Historical Brief, 1946).

Therefore, in the context of Canada and the U.S. in 1930s, the focus was on peace, goodwill and friendship. It was a unique chance to celebrate the longstanding friendship between neighbors and demonstrate to the whole world that natural areas that straddle international borders can provide opportunities to strengthen ties between nations and symbolize peace.

While WGIPP was formally established, most of the cooperation happens on a voluntary and informal level. The parks have joint research programs, collaborate in interpretation, search and rescue, resource protection, and visitor management (Mihalic, 2012). The easiness of cooperation with Canada may partly be explained by the “easy” border between the countries. The U.S.-Canadian boundary was established on paper in the XIX century by British, American, and Canadian survey teams due to the rush for gold fields in the mid-1850s and the demand for demarcating the border. There were some occasional disputes, but the longest undefended border in the world has been peaceful since 1821 (International Peace Park, 1981). Tanner et al. (2007) and Quinn (2012) suggest that other factors, such as sharing the same language, priorities of superintendents, and personal relationships and friendships between the staff of both parks contribute to the success of cooperation.

IUCN calls the WGIPP case a “laboratory for transboundary conservation” (Vasilijevic et al., 2015); it gave a start to the peace park idea and became a forerunner in this process in 1932. However, the current understanding of “peace” within this transboundary cooperation is unclear, as a lot has changed in park management, visitation, and societal priorities since then. A number of new management challenges have emerged, and complexity of environmental and social issues

confronting the global community and protected areas have considerably increased (McCool et al., 2015). Did these new challenges affect park values, and where does the peace designation fit in the managerial priorities now? Today, GNP in the U.S. alone is visited by almost 3 million people each year (NPS, 2020), which indicates a clear tourist value of this place. Tourism values of many TBPA have been documented in the literature (e.g. McCallum, 2015), and there are many reasons why WGIPP is sought out by so many people around the world. Its outstanding scenic beauty, abundant wildlife, and natural and cultural heritage make it “one of the continent’s most valued treasures” (State of the Parks, 2002). But is there any connection between those tourism values and peace in the context of WGIPP?

Currently, there is very little understanding and a lack of empirical evidence about the perception of peace and the associated benefits at different scales. There is inconstancy in how the peace component is articulated in the park, and little understanding of how park visitors receive and understand it. This research addresses how peace is perceived by visitors and managers at Glacier National Park.

### **Expanding Peace Definitions in the Peace Park Context**

Several studies have attempted to find and classify the meaning of peace parks. Ali (2007) argues that there are two main ways peace parks can contribute to a culture of peace and cooperation: they can either maintain existing peace or resolve a conflict between communities or countries across the borders. McNeil (1990) provides a more detailed classification and defines four political climates under which trans-border protected areas can be established: between countries having excellent relations; where there is a possibility of improved interaction; where boundary disputes exist; and where there is hostility or tension between two nations. This context defines conditions where peace parks can be established and operate, their possible role and perceived peace meanings. For example, peace in North America and peace in the Middle East can mean very different things, therefore the role of a peace park concept can vary.

Then, there are different types of peace. Pratt and Liu (2016), based on the earlier work of Galtung (1969), distinguish between positive and negative peace. While the latter means the absence of conflict and direct violence, the former focuses on improved human understanding achieved through communication, education, and cooperation. Salazar (2006) makes a similar distinction and suggests that defined passively, peace entails the absence of war, acts of terrorism, and random violence. However, this narrow definition does not consider the fundamental causes of conflicts or sustainability of peace globally and is not a sufficient condition for peace. Defined actively, peace requires the presence of justice, and represents international understanding, cultural learning, friendliness and harmony. It is also connected with creating a deeper sense of global citizenship (Simpson, 2015). This broader definition of peace refers to relationships not only between nations, but also between communities, individuals, and between people and nature. D’Amore (2009), while discussing forms of “peace tourism”, argues that the concept of peace includes peace with ourselves, peace with others, peace with nature, peace with past and future generations, and peace with our Creator.

Which peace is implied when we talk about peace parks? Such a wide array of meanings demonstrate that peace is a rather complex concept, and there is no consensus about its image. It

can be defined across multiple scales from inner peace to the world peace, and original definitions in the peace park context, such as celebrating goodwill and friendship, might be too general to capture the way peace is perceived in any given place by individual people. While in the peace park context it is often implied that peace relates to relationships with others and means “no war” and lack of conflict between nations and people, inner peace and intra peace may be equally important and could play a significant role in the visitor experience. As Simpson (2015) noted, only after changing ourselves first, are we able to start transforming the world for the better. It is evident that peace in the context of a peace park is a complex phenomenon with multiple definitions that is not fully understood.

### **Methodology – Understanding Current Perceptions of the Peace Park Idea at WGIPP**

The primary focus of this research was to understand visitor and manager perceptions of the peace designation in GNP. Ninety-seven respondents (park visitors and managers) were interviewed. In-depth qualitative (Strauss and Corbin, 1997) and free elicitation interviews (Echtner and Ritchie, 1993) were conducted in 2016 and 2017, respectively, and analyzed through the Grounded Theory approach (Corbin and Strauss, 2008). Grounded Theory provides deeper understanding of the phenomena being studied by building theory that arises from analysis; it is a discovery-oriented process that is appropriate for exploratory studies.

#### ***Data collection and sampling frame***

The goal of the first round of visitor sampling was to target those respondents who were aware that they were visiting a peace park and could provide thoughtful comments regarding potential benefits, challenges and opportunities associated with the peace park status. Visitors were interviewed at areas relatively close to the Canadian border (Many Glacier and Bowman Lake) and at a site that was commonly visited by all park visitors (Avalanche). A purposive sampling method was used to interview visitors, aimed at selecting a diverse sample of respondents based on the activity type, age and type of group to collect various and diverse perspectives. Participants were approached at the trailheads, campgrounds and parking lots, and interviewing continued until the “saturation point” (Glaser and Strauss, 1967) was reached when each additional interview failed to add new information to what was already learned.

With park managers, the goal was to interview respondents that had experience working with the peace park concept, so the snowball sampling method was used, when the new respondents were recommended by previous interviewees.

In-depth semi-structured interviews with visitors and managers were conducted in July and August of 2016. The opening question determined if a visitor was eligible for an interview: if a respondent has heard that GNP had peace park status, the researcher proceeded with further questions. In total, 92 park visitors were approached, 32 of them had not heard anything about the peace designation and were not asked further questions, and 5 visitors refused to respond, leaving a sample of 55 visitors, whose responses were used in this study. Interviews lasted from 5 to 45 minutes, with the majority being between 10 and 20 minutes. Eleven park managers were recommended for the study, and all of them agreed to participate. Interviews with park managers lasted from 20 to 50 minutes.

The study objectives determined the topics for the interview guides both with visitors and managers. They included questions about potential peace park benefits, benefit recipients, the meaning of peace, challenges and opportunities associated with the peace status, request for specific recommendations, and demographic questions. The open nature of the interviews generated in-depth information about peace park phenomenon from the perspective of respondents.

Free elicitation interviews were conducted in August 2017. Those were designed to elaborate on the findings from the 2016 interviews, gain a better understanding of how peace fits in the perceived image of GNP, and reveal the uniqueness of the peace park concept, using the answers to three open-ended questions developed by Echtner and Ritchie (1993) to better capture the image of a place. The questions were adapted to the national park setting and study objectives, and visitors were asked the following: (1) What images or characteristics come to mind when you think of GNP as a vacation destination? (2) How would you describe the atmosphere or mood that your trip to GNP has evoked? (3) What are the three distinctive or unique features that you associate with the peace park designation? In contrast with the 2016 study, awareness about the peace designation did not define if a respondent was eligible for the interview. All approached visitors that agreed to participate were interviewed, since the goal was not to ask specific questions about the peace designation, but rather understand how peace fits in the image of GNP. In total, 35 visitors were approached, 31 of them agreed to participate, whose responses were used in the study. Interviews lasted about 10 minutes each.

### *Data analysis*

All interviews were recorded with the permission of the participants and then transcribed; respondents were given pseudonyms to protect their anonymity. Each interview was carefully examined and analyzed, and all ideas that were contained in each part of the interview were explored. These ideas got conceptual names to represent the data – the process known as “coding” (Corbin and Strauss, 2008). As a result, three main themes have emerged, that can be summarized as three specific questions: (1) What do visitors know about the peace park designation? (2) How do visitors and park managers perceive peace and its unique features in the context of a peace park? (3) How do visitors and park managers perceive peace park benefits? The findings from the interview data are organized around these themes.

**Table 1.** Sociodemographic variables for the sample of visitors (left – 2016, right – 2017)

<i>Variables</i>	<i>Frequency (%)</i>	<i>Variables</i>	<i>Frequency (%)</i>
<i>Gender</i>		<i>Gender</i>	
Male	25 (45.5%)	Male	17 (54.8%)
Female	30 (54.5%)	Female	14 (45.2%)
<i>Age</i>		<i>Age</i>	
18-29	8 (14.5%)	18-29	6 (19.4%)
30-39	5 (9.1%)	30-39	5 (16.0%)
40-49	15 (27.3%)	40-49	6 (19.4%)
50-59	13 (23.6%)	50-59	8 (25.8%)
60-69	11 (20.0%)	60-69	6 (19.4%)
70-79	3 (5.5%)	70-79	0 (0.0%)
<i>Residence</i>		<i>Residence</i>	
U.S.	52 (94.5%)	U.S.	28 (94.5%)
Other countries	3 (5.5%)	Other countries	3 (5.5%)
<i>Main activity</i>		<i>Main activity</i>	
Hiking	33 (60.0%)	Hiking	17 (54.8)
Camping/picnicking	13 (23.6%)	Camping/picnicking	8 (25.8)
Backpacking	6 (11.0%)	Backpacking	2 (9.7)
Driving	2 (3.6%)	Driving	3 (6.5)
Motorcycle riding	1(1.8%)	Motorcycle riding	1 (3.2)
<i>Type of group</i>		<i>Type of group</i>	
Individuals	10 (18.2%)	Individuals	7 (22.6)
Couples	17 (30.9%)	Couples	12 (38.7)
Family	20 (36.4%)	Family	7 (22.6)
Friends	8 (14.5%)	Friends	5 (16.1)
<i>Interview location</i>		<i>Interview location</i>	
Many Glacier	30 (54.5%)	Many Glacier	15 (48.3%)
Bowman Lake	15 (27.3%)	Bowman Lake	7 (23.6%)
Avalanche	10 (18.2%)	Avalanche	9 (29.1%)



## Findings

Section 5.1 focuses on visitor awareness of the peace park designation and discusses different levels of awareness, some misconceptions, and possible roots of the problem; these findings emerge from the original data in the 2016 study. Sections 5.2 and 5.3 focus on visitor and park manager perceptions of peace park meanings and benefits, respectively, and are based on the data from the 2016 study of park visitors and managers, and the 2017 study of visitors. Original quotes are presented to support the themes and subthemes that have emerged as a result of the detailed analysis of the data.

### *1.1. Theme 1 - What do visitors know about the peace park designation?*

#### *1.1.1. Visitor awareness of the Peace Park status*

A little over half of sampled GNP visitors were aware that they were visiting an international peace park. Among those visitors that have heard at least something about the peace park designation in GNP, three types of respondents could be identified, regardless of the location (See Table 2).

First, there were visitors that have heard something about the designation but had a very limited understanding of what a peace park actually was, and which benefits it could provide. For example, Mary said:

I guess I do not fully understand what the designation means, or what the goals are, and how it came about.

Lila suggested that the concept is hard to understand:

To me it's vague and squishy. I don't understand why they did it, what the point is at all. So there has always been peace in this region, there might have been wars with Native People, but briefly speaking, they are friendly neighbor to the North, and everywhere is peaceful with Canada!

Second, there were visitors that knew many details and were rather interested in the concept. For example, Nick demonstrated a pretty good knowledge of the peace park establishment process, and was familiar with some joint international events:

It's Waterton-Glacier International Peace Park, it was established in 1932 as a joint effort between the Canadian government and the United States government, it's the first peace park in the world, and there is this famous Hands Across the Border ceremony. So, I've heard about it many times.

Finally, the middle group knew about the peace park status and concept and shared some ideas, but not as many as the second group. As Ryan mentioned,

I've heard about it. It has something to do with the two nations getting along well and being kind of a collaborative effect for the same reason preserving the wildlife.

**Table 2.** Summary of visitors' awareness of the peace park designation

<i>Levels of awareness</i>	<i>Possible roots of the lacking awareness</i>
Have not heard about the peace status	Lack of information about the peace park concept
Very limited understanding	Different priorities while visiting GNP
Some understanding	
Profound understanding	

### *1.1.2. Misconceptions about the peace park concept*

Several visitors had a factually incorrect interpretation of the WGIPP. For example, Natalia was adamant that the peace park was called "Banff-Waterton":

This is actually the Banff-Waterton International Peace Park. It's Banff-Waterton, it's the Canadian version, and the Waterton-Glacier is the American version, but they all are connected in this one corridor that allows wildlife to pass from North to South.

Lara thought that WGIPP was a smaller area and involved peace with Native Americans:

For some reason I was thinking that... I didn't realize all of Glacier was the peace park, I was thinking it was the Waterton portion in Canada, and my understanding is that it's a peace park, that it's the three nations – Canada, the U.S., and the Blackfeet Nation.

Sarah was concerned that the status of a peace park was lower than of a national park:

I was wondering if it would be a little bit downgraded from a national park. I know our country takes a really good care of the national parks, so I was wondering... if it was not really up to a national park level. Glacier, I think, being a peace park, I don't think we have lost anything, I think it's an excellent park.

From the above quotes it is obvious that there is a lack of awareness among even the GNP's visitors that have heard about the peace park concept. Although WGIPP was established 88 years ago and gave a start to the whole system of TBPA on all continents, many visitors have a very little understanding about the peace park designation. Both visitors and park managers were asked about possible reasons for the lack of awareness; several ideas and explanations were provided that were summarized into two possible problems – lack of information and different priorities of visitors to GNP.

### *1.1.3. The desire for information about the peace park concept*

Lack of understanding of the peace park concept by many visitors is connected with the lack of information about it – both in GNP and outside its boundaries. Visitors stated that although they

may have seen a sign or read something about the Peace Park status, the concept is not promoted enough, information is hard to find, and guides and rangers do not always mention that Glacier has a peace park status. Jack has been to Glacier many times, but he argues that he has seen little information about the peace status:

I don't think it is something that is really promoted – since it's my, I don't know, 8th or 9th time I've been here over the last couple of years, and I guess I remember seeing a sign somewhere at some point that mentioned that, but I don't really have an idea what it is. So, it's not really prominent.

Similarly, Gary and his wife did not come across any information about the peace park status, when they prepared for their trip to GNP: *“We did some research before we came out here in Glacier, I don't remember seeing the term Peace park.”*

Like many other visitors, Barbara suggested that the concept should be emphasized more, because currently it does not catch people's attention:

It should be highlighted more. If you are going to have it designated as a peace park, then people should know about it, like I zipped in and out of one of the visitor centers today, and I didn't see anything that said this was a peace park. And it isn't that I looked super carefully, but it wasn't like posted anywhere obvious to get my attention to get me to stop for 5 seconds so that I actually read more and find out more about it.

Interviews with park managers revealed that they understand that many visitors are not aware of the peace park designation, and there is definitely a room for improvement in relation to interpretation. Libby stated that the park managers *“probably don't make as big of a deal of it as we should. Other parks promote their designations more, and Glacier really does not.”* Bill also argued that managers have a lot of potential to enhance the peace park concept and make it more meaningful:

I think we could do a lot more though; I think we need to strive to; perhaps investigate just how we can make this into something even more beneficial for the public and for the communities that surround the park. I think we've just barely touched the iceberg on how international peace park can help just visitors, the community surrounding the parks, I think we have a lot of work that we can do.

#### *1.1.4. Peace park as a “side benefit”*

Visitors repeatedly mentioned that there is so much else to focus on in GNP, and the peace status is not a priority for them. It almost feels like the peace designation is a nice side benefit of the park. As Marina said, that's *“because it's not the main point. It's a good point, and I think it's a great place to bring that concept forward, but people come here for something else.”* Likewise, Gary suggested that there is so much to explore in GNP:

The reason is because there is so much here! I think that's a lot of it, you really do have to pick and choose what are the things you want to do, because again, it's such a beautiful

place. There is so much here, I think it gets lost a little bit with some of the other things. There are the top 50 things to do in GNP, and that's way down the list.

Lisa acknowledged that peace designation was not the main reason for her to come to GNP, but hearing about the peace park concept sparked her interest in the subject:

I saw it as an interesting item in a tour book, it really wasn't something that I thought of as a reason to come, but I would like to hear more why it was designated a peace park, what is the philosophy behind that, what it meant to provide people. I think there is an opportunity to tell the story. But putting it in the context of other peace parks.

As it will be discussed in the next section, peace is sometimes associated with politics, and it's usually not on people's agenda during vacation time. In addition, many visitors don't really understand the meaning of the peace park designation and the difference with a national park. It is quite an elusive, intangible, and rather complex concept which is difficult to fully understand and completely comprehend. Dick said:

I can't talk about other people, but in my opinion, I don't see the focus. You can tell me it's a very beautiful idea, but if you don't see concrete that comes with the idea, the idea is only an idea. I don't see anything that reflects the international peace park.

## *1.2. Theme 2 - How do visitors and park managers perceive peace and its unique features?*

In this section, different peace meanings that visitors and park managers associate with the word "peace" in the context of a peace park are presented that range from peace that means "no war" to inner peace, peacefulness and quiet (see Table 3).

### *1.2.1. Peace as cooperation*

Most visitors associate the word "peace" with cooperation and partnership. For example, Jacob suggested that peace in the context of a peace park primarily means cooperation and referred to the fact that Canada and the U.S. have been working together for a long time. He explains,

it really is a cooperation, I mean Canada and the United States have always worked together very well, and I think it's the spirit of working together, learning from each other, and cooperation as much as anything.

**Table 3.** Summary of perceptions of peace park meanings and benefits

<i>Peace Park meanings</i>	<i>Peace Park benefits</i>
Cooperation, partnership	Cooperation to protect ecosystems

Commonness, unity	Social benefits
Getting along, mutual respect	Conflict mitigation
Acceptance	Physical and mental health benefits
Absence of war	Inspiration, hope
Quiet, solitude, peace with nature	Tourism benefits
Inner peace	
Love, happiness, safety	
Peace with Native Americans	
Politics, government	

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### 1.2.2. *Peace as commonness and unity*

Peace as commonness and unity was brought up by Louis, because it symbolizes that “*Canadians and Americans come as one*”. Lara suggested that peace park celebrates commonness of all humans, who are not very different from each other in reality. *She states, “I think it’s definitely celebrating humanity and our commonness, you know, we are all humans, and we find ourselves separating from each other and thinking we are so different from each other, but we are really not.”*

### 1.2.3. *Peace as getting along and mutual respect*

Many people mentioned that getting along and being respectful for other cultures while sharing a place together were the main meanings of the peace park designation. As Sarah said, “*peace means respect for each other’s cultures and civilizations and understanding of differences and the agreement that we can all be together with others, and we don’t all have to be alike, you know, in just allowing that to happen.*”

### 1.2.4. *Peace as acceptance*

Acceptance was another meaning that is closely connected with the themes discussed above. Max defined peace as “*acceptance of everybody else, compassion, maybe learning some compassion for other people.*” Similarly, Jake said, “*what comes to my mind immediately is acceptance and appreciation for each other’s similarities and differences. Just accepting and embracing other people and their culture without thinking I have to change it.*”

### 1.2.5. *Peace as no war*

Canada and the U.S. have been in peace without major conflicts for two centuries, they share the longest undefended border in the world. Not surprisingly, the “no war” aspect has been brought up multiple times by the respondents. Nick defined peace as “*the absence of war, as Canada and the U.S. have been peaceful for many years*”. A similar connotation of peace was suggested by Tom, who defined it as “*the opposite of war*”: “*Peace is no war between different countries and people. For me personally, the first thing I wanted to tell is not fighting, like the opposite of war.*”

At the same time, some visitors mentioned that the peace park concept goes beyond the “no war” meaning, and it takes efforts to build understanding and develop peace. Sandra said:

The word peace alone is often used as in contrast to war, but as I learned from Eleanor Roosevelt, ending a war does not bring peace. The mere act of stopping fighting does not bring peace, you have to work toward peace, you have to build peace, and peace comes from spending time together and learning about each other.

#### *1.2.6. Peace as quiet and solitude, and peace with nature*

A very different perspective on the meaning of peace parks was emphasized through the notion of peacefulness, quietness, solitude, and peace with nature. This connotation is in line with D'Amore's (2010) forms of peace. Levi said:

What peace means to me is solitude and quiet, and just being immersed in God's creation and praising God for what he has done, and that's pretty much for me in any park.

In her definition of peace, Lara specifically focused on peace with nature, and stressed that this peace is needed in the modern world more than ever:

Well, when I was first reading about it being a peace park out here, I was thinking it was really more about a peace with nature, but given a situation in our world right now, where everyone seems to be going crazy, we need a place where people can be centered and grounded and think more calmly about how to live together. This is definitely a place that can let you reflect, you can find places to be more remote, to be quiet.

#### *1.2.7. Inner peace*

Also, in line with D'Amore's (2010) classification, David said that his primary meaning of peace was peace with oneself, or inner peace, and suggested that efforts should be directed towards communicating this message to visitors:

*For me – I just saw that natural beauty, and I could see that the natural beauty would have a great relationship with the peace, you know. And inner peace first. If you don't have inner peace, you are not going to have outer peace. So why is there tension in the world? I don't think those people have inner peace. If that is societies, or individuals, or whatever. If you want to promote the peace park, then I would think you need to communicate with people about peace and inner peace, and ways to get it – whether it's Zen, or Christianity, or whatever, naturalism, and how you can get to that peace, and this is a way, an option for it.*

#### *1.2.8. Peace as love, happiness and safety*

Inner peace is inevitably connected with love, happiness, and safety. Inna's definition of peace was "*somewhere safe, and calm, and happy, and pretty, and colorful*", while Zoe suggested that it meant love for people in general:

*Less borders, less hatred of other people, less distrust, more openness, more really love of other people. Like I love the Canadians, and when I used to go over the border all the time to Mexico, I loved the Mexican people. It's like I know some people, and I really love people in the other country.*

### 1.2.9. *Peace with Native Americans*

Jessica described peace in the context of a peace park as three nations coming together – Canada, the U.S., and Native Americans. That corresponds with the earlier discussion of the awareness about WGIPP and misconceptions, when it was suggested by one of the respondents (Lara) that peace park includes the Blackfeet Nation: *“I guess I did not really know what that meant, other than it is three nations coming together, hopefully in a peaceful way. I suspect it has or should have something, most to do with the Native nations, peace with the Native nations.”*

### 1.2.10. *Peace as politics and government*

Meanings were not always positive. As mentioned earlier, peace parks were associated with politics and government for some people, which was not necessarily in a positive way. As noted by Linda, *“people come to Glacier for beauty and naturalness, not to hear about politics”*. Other respondents associated it with customs, necessity to bring passports, and government regulations. Mike said: *“We let our passports expire, so my understanding of the peace park is that you can't go across the border because we don't have our passports.”*

### 1.2.11. *Concluding remarks on perceptions of peace – multiple definitions of peace across different scales*

From all these subthemes that emerged from the interview data, it is evident that peace can have meanings at multiple scales – from inner peace on a personal level to broader peace on a global scale. Peace is not always tangible, rather, it can be symbolic; it is also a complex and difficult concept that means a lot of different things to different people. Such a variety of meanings, complexity of peace dimensions and elusiveness of the concept pose another question – do we want this place to have a certain meaning, or should it be open for interpretation? The answer is not obvious, but maybe if people would understand better what the peace park really means, it can lead to a deeper appreciation and support. Levi even suggested that there should be *“kind of some bullet points of what it means to the people.”*

Bill, a park manager, proposed to teach visitors what it actually means to be a peace park, which could bring about appreciation and understanding:

*“If you equip people with more knowledge about what it means, I think that could maybe lead to a deeper appreciation and understanding [...] I think there could be benefits, I think any time people are given something a little deeper to think about and ponder, it forges understanding.”*

Lastly, perceptions of peace depend on the context, the region, and many other factors; depending on where you are, peace would be defined differently along the continuum. What is considered

peace in one area, is not peaceful in another. All that should be taken into consideration in order to enhance the benefits associated with the peace park designation, which will be discussed in the next section. Max said:

*“I don’t know how people interpret that word, I think it means many different things. And I think peace means [something] different to people in North America than it does to somebody in the Middle East, you know. Peace in the Middle East might be two hours of uninterrupted rest, where it means a lot different to folks over in North America.”*

### 1.3. Theme 3 - How do visitors and park managers perceive peace park benefits?

As with the peace meanings, a wide array of possible benefits associated with the peace park designation emerged from the interview data (Table 3).

#### 1.3.1. Cooperation benefits to protect ecosystems

The most dominant subtheme was related to cooperation – combining resources and working together on a number of environmental issues. It was connected to the notion of an artificial political boundary between two countries, and related implications for flora and fauna. For Jake, the main benefit was “*cooperative management of the ecosystem*”. Natalia specifically focused on the ecological benefits of cooperation: “*I think the benefits are...the resource benefits, the wildlife benefits, the plants benefits, the long-term resource benefits*”, while Mike was hoping that the peace designation “*will afford some protections other than a standard national park.*”

#### 1.3.2. Social benefits – respect, tolerance and learning about other cultures

A variety of social benefits, such as bringing people together, respect, tolerance and learning about other cultures was the second dominant subtheme that emerged from the data, which corresponds with the relevant peace meanings. Many respondents talked about how peace parks can help us to see interconnectedness between cultures, foster thinking beyond ourselves, learn about beliefs, traditions and cultural heritage, become more respectful, and get along well with other people. Maria said: “*I am a firm believer that people from different countries should mix a little bit, then world would be a better place. I think it’s wonderful that people from around different countries get together, and the park is facilitating that by being a joint venture.*”

#### 1.3.3. Benefit of conflict mitigation

Canada and the U.S. share a peaceful border, while other peace parks are being established in the areas prone to conflict. Ali (2007) argues that most peace parks exist between countries that do not have any active conflict, but there are peace park proposals between North and South Korea, Jordan and Israel, and other areas with tensions, where the goal is to resolve a conflict. Several visitors and park managers emphasized that in other peace parks the benefit of conflict mitigation can be very powerful and important. Dan said:



*At the border of Belize and Guatemala, on the Belize side there is a lot of parks, and on the West side of that border, it's just completely bare, and so it could be an example for countries, that instead of fighting over land, to set aside borders and protect it as parks and work together, and maybe for more alliances between governments.*

#### 1.3.4. Physical and mental health benefits

Interview respondents mentioned that better health and stress relief could be important potential benefits of peace parks, which can be connected with the meanings of peace related to quietness, peacefulness with nature, and oneself. Sarah said: *"When people have mental health disorders, or past-traumatic stress, they could arrange for trips to peace parks where they come and experience some peace and beauty."*

#### 1.3.5. Benefits of inspiration and hope

Although many visitors had little knowledge about peace park designations, several respondents mentioned that the peace park idea inspires them and gives them hope, which was identified as a potential benefit to many people around the world. For example, Max said:

*I think with all the things that are happening recently around the world, having peace parks is even more important than ever. I think the idea, you know, really inspires me and would inspire other people, I think that's the thing that people are really looking for right now, that kind of ray of hope.*

#### 1.3.6. Tourism benefits

Some interview participants mentioned that international status of GNP can bring tourism benefits, in particular, it can attract more international travelers. It could be argued that this, in turn, would increase social benefits of tolerance and acceptance. Jake said:

*You could come to one location and see both countries, and you could do a trip, I mean, if you put Glacier park as the middle of your trip, there are so many things in Canada and United States that you could see from it, so as far as tourism I see it as a benefit, it will bring more international travelers in.*

#### 1.3.7. Concluding remarks on peace park benefits – ambiguity

Although certain benefits of the peace park designations were identified in this study, many respondents emphasized that benefits are actually not obvious. Mark said:

*I think the benefits would be more obvious if there was some sort of perceived conflict at the border which is true for some peace parks, but not here. Also, if there are tangible peace park benefits, they are probably not obvious to most visitors, certainly not to me.*

There could be several reasons for that. First, some benefits are indirect and difficult to identify and measure. Then, there are the variety of ways in which people currently interpret the peace park

designation, there are many meanings involved, which affects perceptions of different benefits that are associated with these meanings. For example, Canada and the U.S. are peaceful countries, so if the peace park concept is interpreted as “no war” and perceived as a place that can mitigate conflicts, the benefits are not obvious in the WGIPP context. Then, the concept itself is rather intangible, often symbolic and intellectual. Finally, many benefits that were mentioned can potentially be delivered by many TBPA that do not have peace status.

When WGIPP was designated in 1932, the idea was to promote peace and goodwill in the world. Rotarians that were standing at the origins of the concept were war veterans who had gone through the horrendous events of the First World War. They were looking for ways to promote the idea of peace, and that idea is what drove the creation of the original park and represented cooperation of two nations. Today, in a changed context, the role of the peace designation has evolved and broadened. The findings suggest that planting the message of peace, bringing up conversations about different tangible and intangible peace meanings, using the peace element as leverage to talk about other important issues in conservation, social arena and politics, and encouraging peaceful relations that will make this world a better place are the key highlights of this designation that make WGIPP so significant nowadays. Also, as Zach suggested, the power of the peace idea is to make people think about it: *“I think the very power of the idea is to think about the peace, I really do think that’s really the most important thing.”*

## Discussion and Conclusion

This research looked at the peace park concept in the context of WGIPP. Several problems associated with defining, communicating and promoting the values and benefits of peace parks have been identified, and the complexity of the peace park phenomenon was demonstrated. The results will now be interpreted in the light of the three main themes that have emerged from the data.

### *Awareness of the peace designation*

The WGIPP gave a start to the transboundary conservation and the peace park model, and today there are many more examples of similar efforts around the world. There is a network of committed people that care about peace and want to make peace parks more meaningful and distinguishable. However, the example of GNP showed that the idea of peace is neglected in the first peace park: slightly less than half of the sampled park visitors have not even heard about the peace park designation. Among those who were aware about the peace park status, the level of knowledge varied from very limited knowledge to rather deep understanding of the concept. But even the majority of those who knew about it stated they were not sure what it means, what the goals are, the history behind it, how parks cooperate together, and other details. Several visitors had an incorrect interpretation of what the peace park was: for example, they thought that only Canadian part had that status, that it was a smaller area along the border, that it also involved Tribal Nations, or that the status of a peace park is lower than that of a national park.

WGIPP is considered one of the most successful examples of transboundary conservation; it is visited by more than 3 million people each year and provides unique recreation and education opportunities. So why do visitors not know about its important international designation?

Limited awareness can be partly explained by the lack of information about the peace designation both within the park and outside its boundaries. Visitors argued that the concept is not promoted enough, the peace park designation is not noticeable, guides and rangers do not talk enough about it, and the whole peace park idea is rather intangible, open to interpretation, difficult to grasp and understand. Another reason for the lack of awareness and the indifference towards the concept of peace parks is that this peace designation is often not the main reason for these visitor's trips. With this, the peace element simply gets lost: visitors are on vacation in GNP and thinking about the peace park designation is not on their agenda when they are out enjoying beautiful nature with their families. There is no focus, no visible connection to people's lives, and thus people do not care much about it. Also, the distinction with a national park and with a TBPA without the peace status is not evident, which takes away from appreciation of this special designation. It was emphasized by some participants that it is not enough just to call an area a peace park, it should become a meaningful concept with clear personal and societal benefits.

Park managers are aware of these challenges. They agree that there is a lot they could do to promote and market the concept better; the peace park is one of their interpretive themes, and there are plans to put more signs, develop more ranger talks, and to revive staff exchanges and meetings. However, the managers did not seem to realize the variety of meanings that visitors associate peace with, which will be highlighted below.

### *Perceptions of peace in the peace park context*

The findings suggest that the peace park concept is rather confusing and may have very different meanings. In 1932, the focus was mainly on goodwill and friendship; the idea was to demonstrate to the rest of the world that two countries can get along well, and act as a symbol of peace. Now, the concept has evolved from its original definition. Although the original meanings of peace were mentioned by some respondents, the variety of meanings extended far beyond goodwill and friendship. Ten different peace meanings emerged from the data that varied across scales from global (such as "cooperation", "absence of war") to national ("peace with Native Americans"), inter-personal ("mutual respect", "commonness"), and intra-personal ("happiness", "love", "solitude"). It coincides with D'Amore's (2010) forms of peace tourism that include peace with ourselves, peace with others, peace with nature, peace with past and future generations, and peace with our Creator; as well as with Salazar's (2006) active and passive notion of peace, and Pratt and Liu's (2015) distinction between positive and negative peace. As noted in the literature, the narrow definition of peace as "no conflict" is not a sufficient condition for peace. The current, broader, definitions represent international understanding, cultural learning, and harmony not only between nations, but also between individuals and communities, and between people and nature. This claim is supported by current research, which also demonstrates that peace can be defined across different scales from inner peace to the world peace and suggests that original definitions in the peace park context, such as celebrating goodwill and friendship, might be too general to capture the way peace is perceived in any given place by individual people.

Park visitors and managers were largely in agreement about the values and benefits of peace within the context of WGIPP, but visitors tend to look at the peace meanings more broadly. There could be more conversations between park managers and visitors about peace meanings, and it is also

important to think how the many definitions of peace can complement the peace park mission and move it forward.

### *Perceptions of peace park benefits*

A wide array of perceived benefits of peace parks were discovered. Similar to peace meanings, benefits and benefit recipients can differ across scales, from individual to global. Although certain benefits of the peace park designation were identified, many respondents emphasized that they are not obvious, because they can be indirect and interpreted in many different ways. Besides, the peace park concept seems intangible and symbolic to some people, and certain benefits are also typical for all TBPA.

This research confirmed earlier findings that perceptions of peace and peace benefits depend on context and other factors: what is considered peace in one area, is not peaceful in another (Ali, 2007). WGIPP falls in the first political climate under which TBPA can be established, defined by McNeil (1990) as the one with excellent relations between the countries. In other political climates, perceptions of peace can be different. While setting an objective to enhance the benefits associated with the peace designation, that should be taken into consideration, and messages to different target audiences should vary.

In GNP, there is a unique potential to include in its image global, national, inter-personal, and intra-personal peace, and promote different types of peace by providing relevant experiences. Developing programs that encourage spiritual experiences and obtaining personal peace could be one of the examples of such promotion at the inner-personal level. Special programs that raise awareness about other peace parks and global politics and focus on the political dimension of peace at the national and global level, is another example of what the park could do. In the modern world overwhelmed with conflict, wars and terrorism, this political dimension seems very important, but it is not the only one that the park should focus on. The park could also better highlight its role in developing inter-personal relationships and increasing mutual understanding and respect. That will help broaden the original definitions of peace in the peace park context, and help different visitors benefit from peace in a way that is most relevant to them.

GNP can highlight all four levels of peace and provide opportunities to experience them – a unique phenomenon, which does not exist in the majority of other peace parks in the world, where border issues exist, and where tourists are concerned about their safety and personal security. That will help park managers to better communicate the value of the peace designation and foster wider recognition of benefits associated with it among different stakeholders.

### **Suggestions for future research**

This research traced how peace parks were originally defined and then evolved into an international phenomenon with multiple definitions. It also provided insight on the perception of the unique features of the peace designation in GNP. However, it is still unclear if peace can complement the other values of a national park, such as natural and cultural heritage. It would be useful to explore the various attributes of the image of a national park and the role of peace in it. With this, WGIPP can continue setting the stage of transboundary conservation, be a model for

other peace park efforts, and provide innovative solutions aimed at better protection of natural resources, providing higher quality visitor experience, and contributing to the peace in the world.

## References

- Ali, S. H., (2007). *Peace parks: conservation and conflict resolution*. The MIT Press, Cambridge.
- Corbin, J. and Strauss, A., (2008). *Basics of qualitative research* (3rd ed.). Sage Publications Inc.
- D'Amore, L., (2009). Peace through tourism: The birthing of a new socio-economic order. *Journal of Business Ethics*, 89, 559-568.
- Echtner, C.M. and Ritchie, J.B., (1993). The measurement of destination image: An empirical assessment. *Journal of Travel Research*, 31(4), 3-13.
- Galtung, J., (1969). Violence, peace, and peace research. *Journal of Peace Research*, 6(3), 167-191.
- Glaser, B.G. and Strauss, A.L., (1967). *The Discovery of Grounded Theory: Strategies for Qualitative Research*. Aldine Publishing Company, Chicago.
- Hammill, A. and Besancon, C., (2007). Measuring Peace Park Performance: Definitions and Experiences. *Peace parks: conservation and conflict resolution*.
- International Peace Park., (1981). *Interpretive Planning. Parks Canada. Western Region*.
- Marton-Lefevre, F. Forward. In Ali, S. H., (2007). *Peace parks: conservation and conflict resolution*. The MIT Press, Cambridge.
- McCallum, J.W., Vasiljević, M. and Cuthill, I., (2015). Assessing the benefits of transboundary protected areas: A questionnaire survey in the Americas and the Caribbean. *Journal of Environmental Management*, 149, 245-252.
- McCool, S.F., Freimund, W.A., Breen, C., Gorricho, J., Kohl, J. and Biggs, H., (2015). Benefiting from complexity thinking. *Protected area governance and management*, 291-326.
- McNeil, R.J., (1990). International parks for peace. Thorsell, J. *Parks on the Borderline: Experience in Transfrontier Conservation*. IUCN Protected Area Programme Series, (1).
- Mihalic, D.A., (2012). Waterton-Glacier international peace park: observations and retrospection on cooperation issues. *Parks, Peace, and Partnership: Global Initiatives in Transboundary Conservation*. University of Calgary Press.
- Mittermeier, R. A. et al., (2005). *Transboundary conservation: a new vision for protected areas*. CEMEX.
- Morrison, C. (Ed. Djuff, R.), (2007). *Waterton-Glacier International Peace Park: Born of a Vision*. Waterton Natural History Association and Pincher Creek Rotary Club.
- National Park Service Visitor Use Statistics (NPS Stats), (2020). <https://irma.nps.gov/STATS/Reports/Park/GLAC> . Accessed on 03/07/2020.
- Pratt, S. and Liu, A., (2016). Does tourism really lead to peace? A global view. *International Journal of Tourism Research*, 18(1), 82-90.
- Report on the establishment of Waterton-Glacier International Peace Park, (1932). U.S. Senator Thomas J. Walsh, 03/23/1932. Glacier NP Archives.
- Quinn, M. Introduction. In Quinn, M., Broberg, L. and Freimund, W., (2012). *Parks, Peace, and Partnership. Global Initiatives in Transboundary Conservation*. University of Calgary Press, Calgary, Canada.
- Salazar, N.B., (2006). Building a 'Culture of Peace' through Tourism: Reflexive and analytical

- notes and queries. *Universitas Humanística*, (62), 319-336.
- Sandwith, T., Shine, C., Hamilton, L. and Sheppard, D., (2001). Transboundary protected areas for peace and co-operation. IUCN.
- Simpson, C. (2015). Toward a Peaceful and Creative Coexistence through Empathic Recognition of Our Inner Universality. *Peace Studies Journal*, 8:2.
- State of the Parks (2002). A Resource Assessment. Waterton-Glacier International Peace Park. National Parks Conservation Association.
- Strauss, A. and Corbin, J.M., (1997). *Grounded theory in practice*. Sage.
- Tanner, R., Freimund, W., Hayden, B. and Dolan, B., (2007). The Waterton-Glacier International Peace Park: Conservation amid Border Security. *Peace parks: conservation and conflict resolution*, 183-199.
- Vasiljević, M., Zunckel, K., McKinney, M., Erg, B. and Schoon, M., (2015). *Transboundary Conservation: A systematic and integrated approach*. Best Practice Protected Area Guidelines Series, (23).
- Waterton-Glacier-International Peace Park Historical Brief, (1946). Samuel H. Middleton. Glacier NP Archives.

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## Peace, Security and Prosperity in the New World Order

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**Keywords:** peace, security, prosperity, non-traditional threat, expansionism, human security

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### Abstract

Peace, security, and prosperity are imperative to the existence of nation-states and nationals. The very formation of nation-states is to ensure peace, security and prosperity, and the prime responsibility of a nation-states is the protection and promotion of national interests. The national interests of nation-states are mainly to ensure peace, security and prosperity within its territories. However, they differ with regard to the means adopted to achieve these national interests. Since the emergence of modern nation-states, the interaction among nations have become more formal and international laws have become a more acceptable norm for the civilized nations' interactions. Peace, security and prosperity in the emerging global order is in a flux and it is difficult to theorize these concepts. The traditional theories in international relations are inapplicable either in explaining or understanding peace, security and prosperity in the emerging global order. The international organization mandated to maintain international peace and security often remains as a mute spectator rather than an active player in the performance of its mandated responsibility, especially when it is confronted with non-traditional threats to the security of nations and nationals. Such a situation demands a new initiative through global alliance of democratic nations towards a rule-based international order. Thus peace, security, and prosperity in the emerging global order depends largely on solidarity of democratic nations and their exertion to maintain a law-based international order.

## **PEACE, SECURITY, AND PROSPERITY IN THE NEW WORLD ORDER**

### **Introduction**

The prime interest of a nation is peace, security, and prosperity. Nations adopt different means to achieve this common national interest. Therefore, though the national interests are more or less the same, nations follow different foreign policy in pursuance of achieving their goals. Since the emergence of modern nation-states, the interaction among nations have become more formal and civilized nations follow international law in their interactions. The establishment of international organizations not only contributed to the rule-based interactions among nation-states but also laid the foundation for the codification of international law. However, there are violations of international law by nation-states, and due to the failure of international machinery to implement international law, in both letter and spirit, it has less appeal in inter-state interactions. In this context of absence of a supranational agency to regulate the behaviour of nation-states, they are in the Hobbesian state of nature, where those most powerful dictates rules of inter-state interactions.

1. National Interests
2. Peace, Security, & Prosperity
3. Divergent Approaches to Peace, Security, Prosperity
4. Policy of Neo-Imperialism, Neo-Colonialism, Expansionism – Totalitarian Nations
5. Policy of Cooperation and Integration, Acceptance of International Organization, and International Law- Democratic Nations

### **National Interests & its Ramifications**

The international organization mandated to ensure peace, security and prosperity of nation-states is a mere spectator rather than an active player in international politics. The P-5 in the United Nations Security Council (UNSC) decides the course and characteristics of peace, security and prosperity in any given international scenario. The UNSC had been botched to act according to the elaborate provisions enumerated in Chapter VII, especially Article 42 of the UN Charter, If any member of the P-5 violates the provisions of international law, or engages in a breach of peace, threat to peace or act of aggression. Such violations and intransigent attitude of the totalitarian regime in People's Republic of China (PRC) in recent times, through its overt transgression of United Nations Law of the Sea Convention (UNCLOS), undermines the credibility of the UN as an agency to maintain international peace and security, resulting in a loss of faith from the 193 sovereign and independent member countries who rely on them to pursue peace, security and prosperity.

In this context. it is the responsibility of all peace-loving democratic countries to come together and create a global/regional mechanism to address the issues connected to peace, security and prosperity at the international/regional level. The QUAD in the Indo-Pacific region is one such instance of the alliance of democratic nations for a rule-based order in the region. Similarly, the India-Australia- France trilateral alliance is also an attempt to address the same aspirations of



democratic countries cooperation. The formation of such an alliance serves the purpose of deterrence on violations of rule-based order by any intransigent power.

### **Peace: Negative and Positive Approach**

The international Encyclopedia of Social Sciences defines peace as ‘non war’. However, definition of peace as avoidance of war or non-war is considered as negative connotation of the term peace. To understand the concept of peace and its implications two concepts of peace should be distinguished as positive peace and negative peace. The concept of positive peace means patterns of cooperation and integration between nations, while the concept of negative peace means absence of organized violence between nations (Bull, 1977; Richmond, 2016; Suresh, 2012). The primary responsibility of nation-states is to ensure peace within its borders and nation-states are assisted in this endeavor by the UN, which utilizes both positive and negative means to achieve peace. Chapter VI of the UN charter discusses in detail various peaceful means to ensure settlement of disputes. And chapter VII of the charter elaborates nonmilitary and military measures to be taken by the UNSC to maintain international peace and security.

With regard to the positive approach to peace, the UN has taken several initiatives to promote cooperation and integration among nations. The principal organizations within the UN including the UNGA, and the specialized agencies of the UN, work towards the promotion of positive peace with great success. However, complete integration among nations is elusive. This is mainly because nation-states are still sovereign, and the UN is not a supranational agency. Nations follow different means to achieve peace, even coercive means in international relations. Thus, the mandate of the UN is limited to making recommendations to promote cooperation and integration among nations, though the UNSC can take punitive action against an aggressor if the P-5 unanimously agree on identifying the nations that are involved in a breach of peace, threat to peace or act of aggression.

### **Security: The Changing Dimensions**

Security is one of the key concepts in the field of international relations. It is the quest for security which resulted in the origin of institutions like family, community, state, and international organizations at the micro as well as macro level. It was this feeling of insecurity which has prompted the human to form a family, and when they realized that family was not adequate to ensure security, families grouped together to form communities in order to ensure security to its members. And finally, the nation-state was formed to ensure security. However, with the invention of sophisticated weaponry, especially weapons of mass destruction (WMD) and the arms race modern states are again landed up in the same problem of insecurity. Interstate conflicts have increased and two world wars and among many other wars, have killed many people and destroyed property. It was this feeling of insecurity of nation-states which ultimately led to the creation of the UNO after the end of World War II in 1945 under the collective security principle.

The strategy to ensure national security is a very complicated issue in the modern world and requires a tremendous amount of maneuvering based on a thorough understanding of the strategic culture of all, whether friend or foe. To understand the strategic culture of a nation one has to look into the general culture of the nation, which in turn is mostly rooted in the ancient texts, such as

*Arthashastra* of Kautilya in ancient India. They must also learn from the nation's past behavior. National security is closely linked to human security, which can be easily seen when looking at the post-cold war period. Therefore, a concerted effort, both domestic as well as foreign policy orientation, is required to ensure national security. Further, along with traditional threats to security, the non-traditional security threats are greater in quantity and more complicated in nature. The sole source of traditional threats to the security of nations has emanated from the military forces of rival nation/nations. However, the source of a non-traditional threat to security is not only difficult to identify but also unwieldy to address. The non-traditional threat to security includes climate change, extreme poverty and also international terrorism.

Non-traditional security issues have been defined as "challenges to the survival and well-being of peoples and states that arise primarily out of non-military sources, such as climate change, cross border environmental degradation and resource depletion, infectious diseases, natural disasters, irregular migration, food shortages, people smuggling, drug trafficking, and other forms of transnational crime" (Anand, 2011) Thus, unlike traditional security threats which arise mainly from the defence forces of other nations, the non-traditional security threats arise from non-military sources and demand a transnational approach to resolve it. Since the non-traditional threats are emerging more in number a new approach is to be evolved to address these security threats on a priority basis.

The existing structural mechanisms at the national, as well as the international, level are inadequate to resolve the non-traditional threat to national security effectively and efficiently. The emergence of non-state actors such as international terror networks in the international arena poses a major threat to national security. (Suresh, 2015) No nation, however powerful, can singlehandedly address the threat posed by international terrorism. Also, the failure on the part of the UN to define terrorism provides ample scope for the nation-states to practice terrorism as an instrument of foreign and security policy.

Immediately after the end of the cold war, the concept of security has come under examination from scholars of international relations and other disciplines. In the conventional formulation, security is about how nation states use force to manage threats to their territorial integrity, their autonomy, and their domestic political order, primarily from other nation states. This traditional national security formulation has been criticized on various grounds. A nation may be secure, but this does not mean that all people living in that nation are secure. The social, economic and political orders prevalent in that nation have a bearing on the security of the people.

The debates on security are centered mainly on assumptions about what security is, what is being secured, the causes of insecurity, and how best to tackle the issues on insecurity. International relations theorists and policy experts have varying perspectives on these questions, which have evolved and have had changing levels of acceptance over time. The realists and neo-realists emphasize that the nation-state is the central referent of security, both as the lens through which security is understood, as well as the tool by which security is best preserved (Waltz, 1959; Morgenthau, 1985) The liberal theorists recognize a wider set of values embedded in the concept of the state and state security, in the methods and means to address insecurity, and the actors involved. The critical constructivist scholars recognize that the interests and identities of nation states are themselves constructed by the distribution of ideas and interests within the state-based system. They argue that this shapes a state's security interests and how these are conceived, and

that this in turn has an impact on the actions necessary to ensure security (Suresh, 2012). Thus, there are divergent interpretations with regard to concepts of security, the causes of insecurity, and how to ensure security.

The Westphalia state system had made nation-states as the elementary unit in the international system. And nation-states are sovereign and independent. Each nation decides their internal and external policies in accordance with its sovereignty and independence. The prime responsibility of a nation-state is to promote and protect its national interests. The national interests of nation states are mainly to ensure peace, security and prosperity within their territories. However, they differ with regard to the means adopted to achieve these national interests. Some nations employ aggressive means, and some peaceful methods. And the foreign policy of a nation is its means to achieve their respective national interests. Therefore, though the national interests are analogous, nations frame divergent foreign policy, which in turn is conditioned by the interplay of internal and external factors. Thus, the foreign and security policy of a nation-state changes in accordance with transformations in the internal and external conditions (Suresh, 2012).

Since the beginning of civilization, social or political unrest and destabilization has been considered in the context of physical threats to security of nation-states. This perception is duly supported by historical evidence. However, some inevitable phenomena, such as climate change, proves that the security of any geographical boundary is not prone to traditional security threats only, but also the non-traditional security threats. And these threats are not limited to any geographical delineation.

In this context, in 2007, the Inter-Governmental Panel on Climate Change (IPCC) listed different aspects of human life such as availability of water, food, health, and fragile ecosystems as being potentially impacted by climate change. The scarcity and demand for water in the above-mentioned areas is likely to exacerbate non-traditional security threats. The IPCC also stated that most of the disasters will be water related. In order to understand the factual picture of non-traditional security threats the instances include the hurricane Katrina in New Orleans, 2005, where thousands of people were displaced and around 1,800 died; and caused huge monetary losses. These non-traditional security threats in the form of disasters have been witnessed in the most populous geographical regions such as East Asia that was hit by Tsunami in 2004; and, Florida that was hit by four consecutive hurricanes in a year. Moreover, heat waves in Europe killed 38,000 people in 2003 and almost 3 million North Koreans died between 1995 and 1997 due to famine (IPCC, 2007). The recent Okhi cyclone, which hit along the coastal Tamil Nadu, Kerala, and Lakshadweep Island, resulted in death of nearly 400 fisherman and caused damage to their livelihood (Secretariate, 2018 ).

The concept of non-traditional security issues is still evolving and not defined precisely. However, there is a general agreement among scholars that the traditional concept of security, which focuses on inter-state relations, conflict and military issues, is too narrow to fully describe the security challenges of the twenty first century. One of the common features of non-traditional security threats is that they are transnational and thus wider international cooperation is required to tackle them. Any initiatives towards mitigation of non-traditional security threats demands multilateral efforts. However, it is imperative that the existence as well as significance of these threats needs to be recognized by all nations as imminent, and the cooperation of all, irrespective of their power

position is a *sine qua non* to address this threat. Therefore, any efforts by nation-states to alleviate nontraditional threats to security promotes positive peace.

### **Traditional, Non-traditional, and Human Security**

<b>Type of Security</b>	<b>Referent Object</b>	<b>Responsibility to Protect</b>	<b>Possible Threats to Security</b>
Traditional Security	The State	The territorial Integrity of the State	Interstate War, Nuclear Proliferation
Non-traditional Security	The State Regional Organizations International Organizations	The integrity of State and regions and whole world	Climate change security Water security Natural disaster Transnational terrorism Energy security Food security
Human Security	The Individual	The Integrity of the Individual	Poverty, Disease, Natural Disaster, Violence, Landmines, Human Rights Abuses

The security discourse is dominated by the traditional state-centric paradigm which privileges the territorial defense of a country against armed attack from foreign countries. However, for most people in Asia, a continent that counts for more than half of the world's population, the greatest threats to security come from disease, hunger, environmental contamination, crime, and localized violence. The persecution of ethnic minorities and the suppression of people who oppose a particular political ideology, are also an instance of denial of freedom and thereby are human security concerns. Thus, intra-state conflicts on the basis of ethnicity, ideology, and nation-states use of coercive methods against its own people are a major source of threat to human security. Therefore, even if the national boundaries are secure, the nationals in the states may not be secure. In short, there exists a blurred boundary between national security and human security.

### **Prosperity: Means and Ends**

In the twentieth century J M Keynes maintained that the means of prosperity are hard work, abstinence, and invention (Keynes, 2010). However, in the twenty first century, the meaning of prosperity and its ramifications has gone beyond material well-being of nation-states. It includes not only economic progress but also social and political advancement which provide an ambience, at the micro level, to individual's self-development. This includes basic economic conditions, such as a sound economy, that provides opportunity for wealth creation, and an environment friendly for new enterprises and commercialization of ideas. It also includes an education system which fosters human development; transparent and accountable democratic government institutions that promote economic growth; governance that promotes order and encourages productive citizenship,

the physical well-being of the population; personal freedom enjoyed by the people; security, a safe environment in which citizens can pursue opportunities; social capital, trustworthiness in relationships and strong communities (Institute, 2019). These conditions are imperatives for the prosperity of the nations as well as individuals.

Nation-states follow different means to achieve prosperity. This includes the policies of imperialism and colonialism in the nineteenth and early twentieth century by the European nations. However, imperialism and colonialism had adversely affected the economic propriety of colonies in Asia, Africa and Latin America. And immediately after the World War II, through the UN initiated decolonization process, the right to self-determination of the people, have become the internationally accepted norm to achieve prosperity of people. The people's right to pursue their individual prosperity through the establishment of their own social, political and economic systems has been accepted by all. And democratic system of government enabled the people to achieve prosperity through democratically elected government. Thus, independent and sovereign nation-states have become the be all and end all of prosperity.

The state-centric approach to prosperity also has its own limitations. In a democratic system, individuals enjoy the right to select the decision-makers and they enjoy all democratic freedoms as well as a role in decision-making. However, in a totalitarian system their role in the governance is limited. In such a system, the aspirations of the governed towards prosperity are seldom reflected in the policy initiatives of the government. Similarly, there are instances where the genuine aspirations of the 'people's' right to govern themselves is curtailed.

The genuine aspirations of the people's right to self-determination in any given society can be fulfilled through various means. This includes the establishment of a federal or confederal system of government with ample scope for autonomous functioning of federal units. However, in a unitary form of government, the freedom of units/provinces is limited. Again, if the union/central government functions on the principle of democratic centralism, the provinces under such a system of government have little scope for autonomy. Further, the autonomy of provincial governments is limited in scope if there is a totalitarian system. For instance, the totalitarian system in the People's Republic of China (PRC) provides *de jure* autonomy to provinces as per the constitution, however, the *de facto* autonomy is being curtailed by a one party ruled totalitarian system. The Tibetan Autonomous Region (TAR) in PRC have no autonomy and all decisions concerning the governance of the province are taken by the central government. In short, the people's right to self-determination is curtailed and they have no say in determining the means to achieve their prosperity. This creates internal conflicts, as the ethnic minorities' right to preserve and promote their cultural identity is not being recognized. In the post-cold war period, the intra-states conflicts are more in number than the inter-state conflicts, mainly because of the struggle for right to self-determination of the people.

Thus, at the nation-states level as well as international level, there exist divergent perspectives on prosperity. This often leads to violent clashes at the intra-state level as well as inter-state level. However, it appears that the need for preservation of a global commons would at least prompt nation-states to arrive at a consensus towards prosperity. The recent transgressions of the PRC in the South China Sea and East China Sea, the rules of UNCLOS are illustrations of violations of internationally accepted norms in ensuring freedom of navigation and uninterrupted international

trade. The role of international and regional organizations assumes great significance in evolving a common approach towards prosperity. The accelerated pace of globalization necessitated interdependence of nation-states to a higher level, and the ongoing globalization process also prompted nation-states to accommodate divergent approaches to prosperity. Further, the existence of non-traditional threats to the security of nations, especially, environmental security, has also compelled nations to adopt a common approach towards prosperity. It appears that a common paradigm to prosperity among nations not only contributes to addressing many environmental issues, but also promotes global peace and security.

## **Emerging Global Order**

The emerging global order has several peculiar features in comparison to the previous world order. In the emerging order, no nation, however powerful, could singlehandedly dominate the global sphere. With regard to the international power structure, certain basic features of a multipolar system with many major players are visible. During the cold war period the existence of super power rivalry caused discipline in the international system. And though there was an uncommitted, non-aligned bloc, in the cold war era, it was also a divided house on major international issues connected with maintenance of international peace and security.

The end of the cold war and the advent of the accelerated pace of globalization appears to have paved the way for redefining the concept of security. The significance of nontraditional threats to security has been accepted at the international level, and multilateral efforts are initiated to address many issues connected with transnational threats looming beyond the territorial boundaries of nation-states. The UN have also accepted the human-centric approach towards security which is visible in the Sustainable Development Goals (SDGs) and the Millennium Development Goals (MDGs).

Thus, in the emerging global order, the approach towards peace, security, and prosperity are also changing. The inevitability of a state-centric perception of peace, security and prosperity is being eroded, and a new individual-centric approach towards these concepts is emerging. The inevitability of a human security approach towards peace, security, and prosperity is slowly but steadily evolving in the global arena.

However, the power vacuum in the international sphere, especially after the spread of the COVID-19 pandemic, led to many extrapolations being drawn, including an imminent unstable global order. It appears that once the negative effect of the pandemic on human life and livelihood increases, there will be movement to a more translucent and rule based international order. Similarly, the international quest for a democratic system of governance, in a hitherto authoritarian/totalitarian system, also would accelerate. This happens mainly due to the global economic integration process being set in as a result of globalization, and the subsequent compulsion for a transparent and rule based international order in all spheres of inter-state activities. Further, the need for a multilateral approach in addressing issues concerned with peace, security and prosperity is once again manifested during the global fight against Covid-19. Thus, the emerging global order would be rooted in democratic, transparent and rule-based nation-states and their interactions. The totalitarian systems may be isolated and the survival of such system in a globalized world is limited. At the nation-state level, no nation can remain detached from the

ongoing globalization process, and any domestic economic system which is incongruent with prevalent domestic political system would face major challenges. For instance, in the PRC, the economic system promotes a free-market economy but the political system restricts individual freedom. In the long run, the contradiction between an open economic system and a closed political system would pose major impediments to a smooth domestic governance. Thus, it would be difficult for authoritarian governments to withstand internal and external pressure.

## Conclusion

Peace, security and prosperity in the emerging global order is in a flux, and it is difficult to theorize these concepts. Traditional theories in international relations are incapable of either explaining or understanding peace, security and prosperity in the emerging global order. The emergence of new forms of threats to the security of people, such as the spread of the COVID-19 pandemic, shows that better interactions among nations are a *sine qua non* to prevent the occurrence and spread of such diseases that threaten human lives and livelihoods.

The emergence of a democratic nation-state alliance at the international level would curtail the intransigent attitude of totalitarian nations, and also the persistence of expansionism as an instrument of foreign policy. The spread of this pandemic also demands greater transparency in the interactions among nations and a need for a democratic form of government. It appears that democratic countries abide by rule based international order better than those following a totalitarian system. The international organization mandated to maintain international peace and security often remains as a mute spectator rather than an active player in the performance of its mandated responsibility. This happens especially when it is confronted with traditional and non-traditional threats to the security of nations and nationals posed by any intransigent totalitarian nations. Such a situation demands a new initiative through global alliance of democratic nations towards the establishment of a rule-based international order. Thus peace, security, and prosperity in the emerging global order depends largely on solidarity of democratic nations and their exertion to maintain a law based international order.

## References

- Anand, V. (2011). *Non traditional threats: An analytical perspective from South Asia*. Hams Sedel Stitung
- Bull, H. (1977). *The anarchical society*. Colombia University Press .
- Buzan, B. (1984). Peace, power and security: Condensing concepts in the study of international relations. *Journal of Peace Research* , 109- 125 .
- Institute, L. (2019). *Legatum prosperity index report 2019*. Legatum Institute.
- IPCC. (2007). *Inter governmental panel on climate change report*. IPCC.
- Keynes, J. M. (2010). *The means of prosperity*. Macmillan and Co.
- Morgenthau, H. J. (1985). *Politics among nation: The struggle for power and peace*. A A Knopf.
- Richmond, O. R. (2016). *The palgrave handbook of disciplinary and regional approach to peace*. Palgrave Macmillan .
- Secretariate, R. S. (2018 ). *Cyclone ockhi - Its impact on fisherman and damage caused by it*. Rajya Sabha Secretariate .
- Subramanyam, K. (1990 ). *Security in a changing world*. D K Publishers and Distributors .

- Suresh, R. (2012). *Peace in the indian ocean: A south asian perspective*. Serials Publication.
- Suresh, R. (2015). *The Changing dimensions of security: India's security policy options*. Vij Books India Pvt. Ltd .
- Suresh, R. (2020). *India's national security: A maritime security perspective*. Vij Books India Pvt. Ltd. .
- Waltz, K. (1959). *Man, state and war*. Colombia University Press .



# PEACE STUDIES JOURNAL

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## **Re-thinking the Role of Civil Society in the Problematic Ongoing Process of Post-Conflict Reconstruction**

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**Keywords:** conflict, post conflict, peacebuilding, reconstruction, civil society

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### **Abstract**

For decades, civil society has been one of the most important elements in post-conflict peacebuilding. However, civil society has not been a panacea and has sometimes generated problems for peacebuilding, especially in the case of Bosnia and Herzegovina. This paper examines this state's post-conflict reconstruction process, which has faced various deadlocks due to political and economic malfunction and further freezing of ethnic divisions caused by the Dayton Agreement. In such a situation, civil society – both international NGOs and local civil society organisations – has made positive contributions. Nevertheless, this paper points out multiple limitations of local civil society organisations, which are amplified by the inconsistent attitude of international actors. To achieve more success, civil society must rethink their role in improving government, and have more financial independence. Further, the international community requires a more comprehensive approach in order to develop the potential power of civil society, especially by supporting good governance and promoting transitional and restorative justice.

## **RE-THINKING THE ROLE OF CIVIL SOCIETY IN THE PROBLEMATIC ONGOING PROCESS OF POST-CONFLICT RECONSTRUCTION**

### **Introduction**

Civil society, which has been a long-disputed concept beyond the specific field, has become one of the buzzwords in social science as the key to success in various fields. With experience of complex humanitarian emergencies in the 1990s, this trend has become notable in the field of post-conflict peacebuilding, and the international community and researchers have considered the relationship between civil society and the peacebuilding nexus at length (Paffenholz & Spurk, 2006). Nevertheless, there are still many countries which suffer from deadlocks in the process of reconstruction after a conflict. As such, the debate about the role of civil society in that period continues to be one of the most important topics in the field.

The purpose of this paper is to evaluate the impact of civil society on the ongoing, problematic process of post-conflict reconstruction in the case of Bosnia and Herzegovina, which provides a typical example. After a brief definition of key terms, the problematic post-conflict reconstruction in Bosnia and Herzegovina, and the impact of civil society on the process, will be explained in detail. This will be followed by consideration of the limitations of civil society and the conditions necessary to release its potential power in such reconstruction. This paper will argue that post-conflict reconstruction in Bosnia and Herzegovina, which has been strongly supported by the international community, has faced serious problems and reached an impasse. In this situation, civil society has made many contributions to bypass this deadlock. However, at the same time, there have been problems with the way in which civil society works, which should be addressed in order to ensure that it functions effectively.

### **Definition of Key Terms**

As Kaldor et al (2003) mentions, the notions and definitions of civil society are ambiguous. The dispute over the concept and definition of civil society has involved a great number of scholars for many centuries. In fact, this was one of the most important philosophical discussions in the consideration of the relationship between the citizen and the state in the era of the embryonic modern state. Lively debate included thinkers such as Hobbes, Locke, Hegel, Montesquieu, Marx, and Gramsci, and moved into the second stage when the world witnessed the transitions from communism and totalitarianism to democracy. Bojicic-Dzelilovic (2013) describes the understanding of civil society around that time, citing the view of de Tocqueville of civil society as “a vibrant sphere populated by a multitude of associations as a ‘bulwark against mild despotism’” (Bojicic-Dzelilovic, 2013, p.7). However, this opinion assumes a dichotomy between civil society and the state. The understanding of Winchester (1996), which retains some distance from such a dichotomy, is that civil society is a non-profit organisation, independent from the state, aiming at achieving a social goal. Although this concept sounds plausible, in some cases there are actually government-organised NGOs (GONGO) and grassroots support organisations (GSO) involved (Coston, 1998). Given the context of post-conflict reconstruction in Bosnia and Herzegovina, this paper defines civil society as an actor playing a role in achieving a social goal in a voided space in which the government cannot operate normally.

The definition of the process of post-conflict reconstruction is also based on the context of the case of Bosnia and Herzegovina. This paper regards the General Framework Agreement for Peace, reached in Dayton (the Dayton Agreement) in 1995, as the end point of the Bosnian War, and defines the process of state-building and peacebuilding since that time as the process of post-conflict reconstruction. The elements of reconstruction are, in fact, very diverse, and there are some caveats about its definition. This essay, however, will simply define all the elements of the rebuilding process as a single, overall activity aimed at repairing the various extraordinary damages wrought by conflict, in contrast to the regular activities of a normal state. The understanding of the impact of civil society is also ambiguous, and this essay interprets it as a positive contribution towards reconstruction.

### **The Problematic Post-Conflict Reconstruction in Bosnia and Herzegovina**

The process of post-conflict reconstruction in Bosnia and Herzegovina was started by the signing of the Dayton Agreement in 1995. The Agreement, which put an end to the Bosnian War, had sundry provisions and annexes strongly supported by the international community, and made some dynamic changes in terms of the political scheme in Bosnia-Herzegovina. Bosnia continued as a single state, composed of two entities: the Bosniak-Croat Federation and the Bosnian Serb Republic. Contrary to exaggerated expectation, however, there has been considerable criticism of the Dayton Agreement by researchers in the years since.

First, the Dayton Agreement created severe problems with regard to the relationship between an ethnic group and an entity. The unique method of election proposed in the Dayton Agreement was based on ethnicity rather than the individual, and on the assumption of a successful connection between one ethnicity and one entity. Ni Aoláin (2000) states that the Dayton Agreement itself was not a constitution which led to a national and nation relationship, but was a constitution to restrain entities. Some opinions expressed by the Venice Commission also highlighted the election system in Bosnia and Herzegovina, describing its one-to-one correspondence between an ethnic group and a territorial principle as one of the more severe problems in the institution of Bosnia and Herzegovina. On that point, the Commission noted that this inappropriate principle has undermined political equality in the country by generating divestiture of the political rights of a minority and fragile people. A legal scholar, Slye (1996) severely criticises the election system as one that strengthens the ethnic divide which underscored the ethnic cleansing aims of the Bosnian War. Furthermore, the UNDP (2007), in their National Human Development Report, indicated that such a racial divide was the root of multiple issues in Bosnia-Herzegovina. In terms of this problem, Milanovic (2010) and Bardutzky (2010) describe the victory in a legal suit submitted to the European Court of Human Rights by two people – a Romani and a Jew – living in Bosnia-Herzegovina, who do not have the right to stand as candidates for election due to the race restrictions of the electoral system. This is an example of the researchers' point that the Dayton Agreement has had the opposite effect to that which was expected and has instead contributed to the maintenance of an ethnic divide in Bosnia-Herzegovina.

Second, politics and economics cannot function normally in an institutional design characterised by acute ethnic division. In respect of the economy, a complicated jurisdiction system, in which the two states have different jurisdiction, has had a negative impact on economic development (Stojanov, 2001). In addition, according to Mesinovic and Suceska (2003), because both entities

did not contribute money for a national budget, repayments for foreign liabilities were delayed, slowing down international assistance. Furthermore, as many researchers, such as Pugh (2002) and Donais (2002) have noted, privatisation – one of the key pillars for achieving economic development – has been negatively affected by the complicated structure. Indeed, some privatisations have been linked to further corruption on the ground. Moreover, as Pugh (2002) and Divjak and Pugh (2008) maintain, the governance structure created by the Dayton Agreement was overly bureaucratic, which fractures authority. Such trends have then increased an informal economy, in which include a few features here. This has created an environment in which many local people have to rely on such an economy, known as the abnormal economy and led by a few elites (Kaldor & Bojicic-Dzelilovic, 1999).

As is well-known, the most important point of the post-conflict reconstruction in Bosnia and Herzegovina is not the Dayton Agreement itself, but the intervention of the international community. In recent years, the liberal method of post-conflict reconstruction has been discussed by researchers such as Heathershaw (2013) and Chandler (2015). This is because an inappropriate liberal post-conflict reconstruction has resulted in more than a few failures in the history of state-building. One such negative impact can be observed in the case of Bosnia and Herzegovina.

The post-conflict reconstruction initiated by the Dayton Agreement, and described by a significant number of researchers as rebuilding with the very strong intervention of the international community, precisely illustrates the principal approach of liberal peacebuilding. The contents of the Conclusions of the Peace Implementation Conference and the Dayton Agreement (such as democracy, the rule of law, a market economy, and economic reconstruction) were indicative of a classic example of liberal peacebuilding. The Dayton Agreement stated in the preamble to Annex 4 that negotiators were '[c]onvinced that democratic governmental institutions and fair procedures best produce peaceful relations within a pluralist society' (Dayton Agreement, 1995, p. 57). The purpose of post-conflict reconstruction was to create a democratic nation-state and a citizenry that had a sense of belonging not to race and religion but to a state. Although Caspersen (2004) mentions that the Agreement had both a consociational approach and an integrative approach, the first purpose of the agreement was to be considered as a consociational approach in order to respect each race in Bosnia-Herzegovina. The contents and principal features reflect its aim to stop the Bosnian war, in which each actor in the conflict had a desire to build its own nation, even through ethnic cleansing. Numerous researchers, including Weller and Wolff (2006), Caplan (2004) and Belloni (2009) criticise the attitude and strategy of the international communities as being inconsistent, insufficient, and often in contradiction to the approach of the Dayton Agreement.

The contribution of the European Stability Initiative (1999) shows that the Dayton Agreement system encouraged the development of racial parties, which have ruled the society of Bosnia-Herzegovina. As previously described in this paper, the Dayton Agreement created multiple problems, and its aim to create democratic governmental institutions within a pluralist society resulted in adverse outcomes. There were, therefore, demands by international actors to amend the Dayton constitution, and the process of an amendment to the constitution then proceeded steadily (Sebastián, 2010). The proposal for revision, supported by international actors, was discussed in the national assembly of Bosnia and Herzegovina in 2006, but was rejected. Belloni (2009) points out that the number and influence of racist groups had increased by 2006, and that conditions

created circumstances where the reform process of the political, economic and social system was hindered.

It can be said that, after the Dayton Agreement, international communities had originally promoted an integrative approach in order to ameliorate tensions between each race in Bosnia and Herzegovina, and foreign assistance pursued such a policy. However, it is clear that such a policy contradicted the actual policy of the Dayton system in Bosnia and Herzegovina. As international communities were unable to exercise enough power to overcome that system, they merely created confusion on the ground. As Bose (2002) describes in his paper, nationalists utilised this confusion to justify and increase their movements. This contradiction between the Dayton system and the international community's approach, therefore, had a devastating impact on the spontaneous reconstruction and state-building of Bosnia and Herzegovina. The situation fostered dependence on foreign assistance, creating a gap within the political system on the ground. Scholars in the field of state-building such as Rotberg (2010) and Richmond (2012), who strongly condemned the attitude of international actors towards Bosnia-Herzegovina, noted that a liberal and top-down style of state-building (especially when imposed by outsiders who do not have a consistent long-term strategy) usually has terrible outcomes. The post-conflict reconstruction in Bosnia and Herzegovina was ruined in this way and resulted in dysfunction and deadlock in the reconstruction.

### **Impacts of Civil Society in Filling the Gap**

As examined above, the process of post-conflict reconstruction in Bosnia and Herzegovina has not functioned well to date. It is for this reason that contributions by civil society have been important. In a case of post-conflict reconstruction, situations like that in Bosnia and Herzegovina are not rare. A similar case exists, for example, in Libya. A post-conflict government is usually very weak, with no legitimacy and with little capacity to fulfil its responsibility as a government. Improvement in this situation often takes a considerable time (Kreimer, 1998), which is why international communities tend to support the process of state-building. However, as many researchers have claimed, there are various problems with international assistance in state-building and, in fact, international players have no permanent responsibility for peace on the ground. Therefore, civil society needs to participate in the post-conflict reconstruction process. Moreover, as Kaldor (2013) explains, civil society is one of the essential factors in the creation of peace and the prevention of further conflicts in a contemporary conflict situation with explanations about the necessary role of global civil society. In relation to more micro aspects of post-conflict peacebuilding and reconstruction, civil society can have an impact on trust-building and reconciliation in a divided society (Kostovicova & Bojicic-Dzelilovic, 2013). A number of researchers have also pointed out various advantages in the role of civil society as a check and monitor function towards government, as well as a networking actor in the global context. In this role, the social sector is essentially supplementing and covering what a government factor and a business sector cannot provide.

The debate about civil society is diverse. As such, there is no single absolute definition of civil society. Hence, when civil society is discussed in the context of post-conflict peacebuilding and reconstruction, recognition of civil society largely depends on the location. Therefore, and in order to make the argument clear, this paper will divide civil society in Bosnia and Herzegovina's reconstruction into two main categories and a total of three groups: international NGOs and local civil society organisations – both local NGOs and CBOs (Community Based Organization) – and

will describe civil society's impact in accordance with that classification. In fact, in the theoretical debate of civil society, there are two types of civil society: liberal civil society and communal civil society. Communal civil society was generated in the context of critiques to liberal thought about civil society, and it usually means non-western civil society. According to research conducted by Freizer (2004), both types of civil society are present in Bosnia and Herzegovina. However, as most international NGOs and local NGOs in the country are based on liberal civil society, and only CBOs can be seen as communal civil society, this paper will focus on the analysis of the general impact of civil society on the reconstruction process in Bosnia and Herzegovina.

In the case of Bosnia and Herzegovina, Evans-Kent and Bleiker (2003) argue that a large number of international actors have had an impact on diverse aspects of the process; from the protection of civilians with food assistance and shelter provision to supporting agriculture, media, education and human rights. Evans-Kent and Bleiker (2003) state that 'International NGOs in Bosnia are from: Canada, the US, Italy, France, Germany, Switzerland, Denmark, the Netherlands, Turkey, Austria, the UK, Belgium, Spain, Sweden, Finland, the United Arab Emirates, Japan, the Sudan, British Virgin Islands, Norway, Qatar, Ireland and Croatia' (Evans-Kent & Bleiker, 2003, p.117). Since the signing of the Dayton Agreement, numerous international NGOs have been supporting the reconstruction of Bosnia and Herzegovina. This is not unusual. When a government cannot provide the basic services usually implemented by government, it is vital that others complement the government's efforts by filling any gaps which leave people deprived of necessary services. In this context, international NGOs, such as World Vision and ICRC (Sterland, 2006) which have professional knowledge and ability, as well as their own independent budgets, can fit such a need.

Although the contributions of the international NGOs are too many to explain, one typical example is CARE, which has implemented almost everything that could be expected of an international NGO: providing humanitarian assistance such as shelter and infrastructure for victims of war since around 1995, supporting economic activities on the ground, and reconciling and integrating minorities, as well as capacity building for young people and support in repairing infrastructure (CARE, 2016). Furthermore, the Center for Civic Education, which is one of the international NGOs based in the US, has conducted an International Civic Education Exchange Program throughout Bosnia and Herzegovina to promote civil education for young people. According to Soule's (2000) research, this programme's effects for youth are notable, and it has had many positive impacts on the attitudes of young people. Such contributions made by international NGOs do not appear to be novel, but they have played a vital role in post-conflict reconstruction in Bosnia and Herzegovina in tackling important issues.

In comparison with international NGOs, the scale of local NGOs is not so large, but their work too has been important in ameliorating the societal division in Bosnia and Herzegovina. Even if political progress has halted due to disagreements on a number of aspects, local people continue with their everyday lives. According to Freizer (2004), a local NGO is usually composed of individuals who have a desire to help society through friendship and professional interest. In general, they are good at creating cross-racial spaces (such as communication events) and reconciliation efforts in order to achieve bottom-up peacebuilding. For example, many local NGO projects using football have generated very positive outcomes in terms of cross-racial communication, which has created the possibility of overcoming confrontation on the ground. Gasser and Levinsen (2004) argue that the Open Fun Football Schools (OFFS) – a sports program

for youth designed to foster integration of a divided society (organised through the cooperation of local NGOs) – has achieved strikingly successful effects on integration on the ground, not only among the children but also their family members. This is not an isolated case. There are many research papers, such as Sugden and Tomlinson (2017), relating to the power of sports in overcoming a divided society in the process of peacebuilding. Such sports programmes (particularly football in Bosnia and Herzegovina) organised through the spontaneous initiative of local civil society, have had a significant impact on peacebuilding after a severe conflict. Zelizer (2003) regards arts-based activities such as theatre, dance, and music, conducted by international and local NGOs, as another example of civil society-based peacebuilding, especially in post-conflict peacebuilding in Bosnia and Herzegovina. Although organisers frequently suffer from a lack of funding as time goes on, nevertheless, some have managed to continue to improve a severely divided society in Bosnia and Herzegovina. Local initiatives ‘ranged from an inter-faith choir, community-based drama work, drumming for peace circles, and art therapy projects’ (Zelizer, 2003, p.66).

Additionally, according to Freizer (2004), some CBOs, (which are usually composed by kinship) have positively influenced the attitude of the community toward public participation, and CBOs have proven themselves to be good at projects which build and fix infrastructure in the community. Sterland (2006) brings examples of CBOs in post-conflict Bosnia and Herzegovina, including parent-teacher associations, community development boards, and health committees. Although the number of CBOs is not as high as the number of NGOs in Bosnia and Herzegovina, they have played an important role in reconstruction, including in community infrastructure, which is usually difficult to achieve due to the high costs associated with it. On this point, it can be said that CBOs have complemented the work of local NGOs and vice versa.

The contributions of local civil society are not only direct projects such as football, art-based activities, and practical efforts in each small community, but also more indirect contributions. Research by Mulalic (2014) on the contribution of Muslim Women’s NGOs in Bosnia and Herzegovina shows how their activities have had a positive influence on fostering civil society. Mulalic describes how Muslim Women’s NGOs, especially the Nahla Education Center for Women and the Kewser-Zehra Association of Muslim Women, have played an active role in various capacity building efforts for civil society. Capacity building within civil society requires a wide range of knowledge and experience, and, as such, it is often conducted by international NGOs. However, the Nahla Education Center for Women and the Kewser-Zehra Association of Muslim Women have been able to achieve by means of local cooperation endeavours. Another form of indirect means is the Community Garden Project, conducted by the Community Gardens Association in Bosnia and Herzegovina (CGA) (The Ecologist, 2016). This project is based on local daily life and provides a common garden space where people of different ethnic groups can get together and communicate with others through tasks in farming. Campbell and Wiesen (2011) acknowledge the value of this activity as ‘gardens cannot solve the problem of war, but they do offer tools for reconciliation, rebuilding, and self-reliance, even in the most devastated of environments’ (Campbell & Wiesen, 2011, p.16). It is frequently forgotten that there are many people who do not have a spontaneous attitude to peacebuilding activities, and there are some who oppose integration activities. Such activity can involve even those without an active interest in peacebuilding or integration. Therefore, such kinds of common space, which do not coerce people to join in the reconstruction process, are of high value.

These activities by local civil society initiatives – football, art-based activities, community work, capacity building of civil society and common space creation – are essentially community-based projects. Even if they are not perfect, they are critical to supplement the activities of a government which has failed to function properly. As mentioned earlier, it is logical that, when the government and international community are in conflict and not functioning optimally, the last remaining actor is civil society which can transcend political issues. Through the protracted post-conflict reconstruction process, diverse parts of civil society have made a number of irreplaceable contributions in various areas. If it were not for these contributions, it is clear that the situation of human rights' violation and the extent of discord among the different races would be more devastating.

### **Limitations of Local Civil Society Organisations and Conditions Needed to Overcome These**

As noted in the previous section, the importance of civil society's contribution to the process of post-conflict reconstruction in Bosnia and Herzegovina is unquestionably both theoretical and practical. Almost all international actors have regarded civil society as key to tackling difficulties and have supported local civil society to achieve it. However, from the long-term perspective, from the Dayton Agreement until now, its effectiveness has not been very great. There have been some serious problems in local civil society organisations in relation to their role in the reconstruction in Bosnia and Herzegovina. Of course, international NGOs also have some problems, but they are usually independent in terms of both financing and capability. As such, this section will simply focus on problems in local civil society organisations that are more devastating than the ones of international NGOs.

First, local civil society has an inherent tendency to basic problems. As many researchers, such as Van Rooy (2013) and Evans-Kent and Bleiker (2003) describe, civil society is often idealised due to its profound theoretical background. However, in reality, the position of civil society is not simple. On this point, Chambers and Kopstein argue in their research that '[t]he problem of bad civil society is more serious for the civil society argument than is usually acknowledged even in stable democracies' (Chambers & Kopstein, 2013, p.838). Kostovicova and Bojicic-Dzelilovic (2013) argue that some functions of civil society have the ability to exert baneful influence on the planning and policy of state-building. Scholte (2004) points out various issues within civil society itself in relation to global governance, such as a lack of transparency, resources, official attitudes, and networks. Although Scholte's comments relate to civil society's weaknesses with regard to fulfilling global governance, such points are also universal problems which civil society has throughout the world. In addition, almost all civil society organisations will face financial difficulties sooner or later because a typical civil society organisation's funding is very fragile, with little continuous funding (Fischer, 2011). Critically, this feature has been a devastating factor in the undermining of their efforts in Bosnia and Herzegovina. Issues of legitimacy should also be considered. In fact, civil society is composed of numerous people, some of whom are indifferent to post-conflict peacebuilding and many who have the will but do not have the ability to achieve such aims. This element is frequently discussed in the debate on the ownership issue in post-conflict peacebuilding by researchers such as Donais (2009) and Pietz and von Carlowitz (2007).



This paper will now explain some of the many problems with civil society in the process of post-conflict reconstruction in Bosnia and Herzegovina specifically. In accordance with the research of Fagan (2005), the number of NGOs registered in Bosnia and Herzegovina in 2003 was 7874 but very few of these were active. Fagan (2005) also argues that the work of NGOs is extremely limited in some rural areas, and in such areas, nationalists exercise their power so that civil society has not been able to develop. Given the problems of civil society itself, cooperation and coordination are necessary in order to access its benefits. This means that civil society tends to function well by itself, but can't be harnessed for greater reconstruction efforts without coordination and cooperation. The case of Bosnia and Herzegovina highlights the fact that this was not done satisfactorily.

Evans-Kent and Bleiker (2003) indicate three challenges which civil society has faced on the ground: the controversial relationship between donors and civil society organisations, strained relations between local and international organisations, and the lack of regulation and coordination in civil society's work. Fagan (2005) adds the lack of connection between civil society and other sectors. This research shows how little cooperation and coordination there is among civil society organisations. In the process of reconstruction in Bosnia and Herzegovina, fundraising approaches for civil society organisation have had significant issues. As well as a news from the ground such as Prager (2018), most researchers have argued that civil society organisations have been exceedingly dependent on international donors for their funding. A research paper by Belloni (2001) finds fault with the attitude and policies of international communities which have supported activities of civil society because they lack a proper long-term strategy to support fundraising. In addition to the conclusions of Belloni and Weller (2006), Sebastián (2012) and Caplan (2004) point out the lack of an appropriate strategy and consistency based on a long-term viewpoint, and of an accurate understanding of the nature and features of civil society in Bosnia and Herzegovina. Such controversial commitment to civil society has fostered dependence of civil society on external actors and, as a result, has hampered its development.

Further, the current incomplete transitional and restorative justice systems are identified as reasons for the post-conflict reconstruction still being ongoing, and even worsening, with the recent rise of ethnic nationalism politicians (Kurze, 2017). Consequently, the mistakes committed by international actors have fatally damaged the proper functioning and impact of civil society in post-conflict reconstruction. Also, as Freizer (2004) explains, in order for civil society to make a difference, charismatic leadership and geographical location are essential factors. If these are missing on the ground, other actors must get involved to fill the gaps themselves to allow meaningful impact on the reconstruction process.

At the same time, the government needs to recover as soon as possible to perform all its normal functions. If not, informal networks from the economy to the infrastructure system could increase their influence and become the main route for local people, potentially impeding state-building, and rendering the state a failed state. Moreover, such structures tend to foster corruption, which is the most difficult problem in post-conflict state-building for the long term in Bosnia and Herzegovina (Devine, 2011). Therefore, it is particularly important in the post-conflict reconstruction in Bosnia and Herzegovina that civil society is incorporated into the post-conflict reconstruction process, with a thorough understanding of both its strengths and weaknesses, and with a common and consistent long-term strategy by the international community and the

government. It can be claimed that action by civil society to improve the government is necessary, and the international community needs to encourage such initiatives with a combination of transitional justice support and other forms of appropriate state-building assistance.

## Conclusion

In conclusion, this paper has outlined an overall understanding of the impact of civil society on the ongoing process of post-conflict reconstruction in Bosnia and Herzegovina. It has shown that there is approval of various positive impacts by civil society, but also acknowledged the presence of problems that cannot be overlooked. This paper has examined the state's post-conflict rebuilding process, which has faced several deadlocks due to political and economic malfunction, further freezing of ethnic divisions as a result of the Dayton Agreement, and, ultimately, forceful and controversial international intervention in the process. In this situation, civil society, international NGOs and local civil society organisations have made contributions to various aspects of reconstruction. While international NGOs provided the greatest benefit in terms of humanitarian assistance both during and after the Bosnian war, civil society organisations, local NGOs and CBOs have also been able to make positive contributions to post-conflict peacebuilding and reconstruction, through a variety of unique methods. Nevertheless, this essay has highlighted a number of limitations in local civil society organisations. In general, civil society – represented by local civil society organisations – has not been perfect in this sense. It has a broad range of defects which need to be rectified before civil society can realise its potential in contributing to the reconstruction process. Throughout the reconstruction period in Bosnia and Herzegovina, such defects have been amplified by the inconsistent strategy of international actors who did not have a long-term perspective. It is essential that the international community adopts a more comprehensive approach in order to develop the potential of civil society, especially by supporting good governance and promoting transitional and restorative justice.

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## References

- Bardutzky, S. (2010). The Strasbourg court on the Dayton constitution: Judgment in the case of Sejdić and Finci v. Bosnia and Herzegovina, 22 December 2009. *European Constitutional Law Review*, 6(02), 309-333.
- Belloni, R. (2001). Civil society and peacebuilding in Bosnia and Herzegovina. *Journal of peace Research*, 38(2), 163-180.
- Belloni, R. (2009). Bosnia: Dayton is dead! Long live Dayton!. *Nationalism and ethnic politics*, 15(3-4), 355-375.
- Bojicic-Dzelilovic, V. (2013). Civil society and transitions in the western balkans. Palgrave Macmillan.
- Bose, S. (2002). Bosnia after Dayton: Nationalist partition and international intervention. Oxford University Press on Demand.

- CARE. (2016). *Bosnia and Herzegovina*. [online] Available at: <http://www.care.org/country/bosnia-and-herzegovina> [Accessed 22 Oct. 2020].
- Campbell, L., & Wiesen, A. (2011). Restorative commons: Creating health and well-being through urban landscapes (Vol. 39). Government Printing Office.
- Caplan, R. (2004). International authority and state building: The case of bosnia and herzegovina. *Global Governance*, 10(1), 53-65.
- Caspersen, N. (2004). Good fences make good neighbours? A comparison of conflict-regulation strategies in postwar Bosnia. *Journal of Peace Research*, 41(5), 569-588.
- Chambers, S., & Kopstein, J. (2001). Bad civil society. *Political theory*, 29(6), 837-865.
- Chandler, D. (2015). Resilience and the 'everyday': Beyond the paradox of 'liberal peace'. *Review of International Studies*, 41(01), 27-48.
- Coston, J. M. (1998). A model and typology of government-NGO relationships. *Nonprofit and Voluntary Sector Quarterly*, 27(3), 358-382.
- Dayton Agreement. (1995). [http://peacemaker.un.org/sites/peacemaker.un.org/files/BA\\_951121\\_DaytonAgreement.pdf](http://peacemaker.un.org/sites/peacemaker.un.org/files/BA_951121_DaytonAgreement.pdf) [Accessed 22 Oct. 2020].
- Devine, V. (2011). NGOs and corruption in post-war reconstruction, The case of Bosnian's refugee return. U4 Anti-Corruption Resource Centre. CHR Michelsen Institute. U4 Issue 3.
- Divjak, B., & Pugh, M. (2008). The political economy of corruption in bosnia and herzegovina. *International peacekeeping*, 15(3), 373-386.
- Donais, T. (2002). The politics of privatization in post-dayton bosnia. *Southeast European Politics*, 3(1), 3-19.
- Donais, T. (2009). Empowerment or imposition? dilemmas of local ownership in post-conflict peacebuilding processes. *Peace & Change*, 34(1), 3-26.
- European Stability Initiative (ESI). (1999). Reshaping international priorities in bosnia and herzegovina. Part one: 'Bosnian power structures', *European Stability Initiative*, 14 October.
- Evans-Kent, B., & Bleiker, R. (2003). NGOs and reconstructing civil society in bosnia and herzegovina. *International Peacekeeping*, 10(1), 103-119.
- Fagan, A. (2005). Civil society in bosnia ten years after dayton. *International Peacekeeping*, 12(3), 406-419.
- Fischer, M. (2011). Civil society in conflict transformation: Strengths and limitations. Advancing Conflict Transformation. Leverkusen: Barbara Budrich Publishers.
- Freizer, S. (2004). What civil society after civil war?: A study of civil society organizations' affect on peace consolidation in Bosnia-Herzegovina and Tajikistan (Doctoral dissertation, London School of Economics and Political Science).
- Gasser, P. K., & Levinsen, A. (2004). Breaking post-war ice: Open fun football schools in Bosnia and Herzegovina. *Sport in Society*, 7(3), 457-472.
- Heathershaw, J. (2013). Towards better theories of peacebuilding: beyond the liberal peace debate. *Peacebuilding*, 1(2), 275-282.
- Kaldor, M., Anheier, H., & Glasius, M. (2003). Global civil society. Cambridge: Polity.
- Kaldor, M. (2013). New and old wars: Organised violence in a global era. John Wiley & Sons.
- Kaldor, M., & Bojicic-Dzelilovic, V. (1999). The "abnormal" economy of Bosnia-Herzegovina. St. Martin's Press.

- Kostovicova, D., & Bojicic-Dzelilovic, V. (2013). Introduction: Civil society and multiple transitions-meanings, *Actors and Effects* (pp. 1-25). Palgrave Macmillan UK.
- Kreimer, A. (1998). The World Bank's experience with post-conflict reconstruction. World Bank Publications.
- Kurze, A. (2017). Time for change: Aid, NGOs, and transitional justice in Bosnia-Herzegovina. *Transitional Justice Review*, 1(5), 2.
- Mesinovic, H., Hurtic, Z., & Suceška, M. (2003). 4. Country study: bosnia and herzegovina. Trade policies and institutions in the countries of south eastern europe in the EU association and stabilization process, 119.
- Milanovic, M. (2010). Sejdic and Finci v. Bosnia and Herzegovina. *American Journal of International Law*, 104.
- Mulalic, M. (2014). Fostering of civil society by muslim women's NGOs in bosnia and herzegovina. *Journal of Muslim Minority Affairs*, 34(4), 438-448.
- Ni Aoláin, F. (2000). The Fractured soul of the dayton peace agreement: A legal analysis: Coexistence, co-operation and reconstruction. *Michigan Journal of International Law*, 19, 957-972.
- Paffenholz, T., & Spurk, C. (2006). Civil society, civic engagement, and peacebuilding. *Social Development Paper*, 36.
- Pietz, T., & von Carlowitz, L. (2007). Local ownership in peacebuilding processes in failed states: Approaches, experiences, and prerequisites for success. Report, 12, 07-27.
- Prager, A. (2018). *Bosnia's cash-strapped civil society on the brink*. [online] Available at: <https://p.dw.com/p/393oG> [Accessed 22 Oct. 2020].
- Pugh, M. (2002). Postwar political economy in Bosnia and Herzegovina: The spoils of peace. *Global Governance*, 8(4), 467-482.
- Richmond, O. (2012). *A post-liberal peace*. Routledge.
- Rotberg, R. I. (Ed.). (2010). *When states fail: causes and consequences*. Princeton University Press.
- Scholte, J. A. (2004). Civil society and democratically accountable global governance. *Government and Opposition*, 39(2), 211-233.
- Sebastián, S. (2010). Statebuilding in divided societies: The reform of Dayton in Bosnia and Herzegovina. *Journal of Intervention and Statebuilding*, 4(3), 323-344.
- Sebastián, S. (2012). Constitutional Engineering in Post-Dayton Bosnia and Herzegovina. *International Peacekeeping*, 19(5), 597-611.
- Slye, R. C. (1996). The dayton peace agreement: Constitutionalism and ethnicity. *Yale J. Int'l L.*, 21, 459.
- Soule, S. (2000). Beyond communism and war: The effect of civic education on the democratic attitudes and behavior of bosnian and herzegovinian youth. Calabasas, CA: Center for Civic Education.
- Sterland, B. (2006). Civil society capacity building in post-conflict societies: The experience of Bosnia and Herzegovina and Kosovo. INTRAC.
- Stojanov, D. (2001). Bosnia and Herzegovina since 1995: Transition and reconstruction of the economy, in: Z. Papic et al., *International Support Policies to SEE Countries—Lessons (not) Learned in Bosnia-Herzegovina*, pp. 44–69.
- Sugden, J., & Tomlinson, A. (2017). Sport and peace-building in divided societies: playing with enemies. Routledge.

- The Ecologist. (2016). *Soil Stained Survivors: how gardening is helping those caught up in the Balkan wars*. [online] Available at: [http://www.theecologist.org/green\\_green\\_living/gardening/781586/soil\\_stained\\_survivors\\_how\\_gardening\\_is\\_helping\\_those\\_caught\\_up\\_in\\_the\\_balkan\\_wars.html](http://www.theecologist.org/green_green_living/gardening/781586/soil_stained_survivors_how_gardening_is_helping_those_caught_up_in_the_balkan_wars.html) [Accessed 22 Oct. 2020].
- UNDP. (2007). National Human Development Report 2007: Social Inclusion in Bosnia and Herzegovina. [http://hdr.undp.org/sites/default/files/bosnia\\_and\\_herzegovina\\_2007\\_en.pdf](http://hdr.undp.org/sites/default/files/bosnia_and_herzegovina_2007_en.pdf)
- Van Rooy, A. (2013). *Civil society and the aid industry*. Routledge.
- Weller, M., & Wolff, S. (2006). Bosnia and Herzegovina ten years after dayton: Lessons for internationalized state building. *Ethnopolitics*, 5(1), 1-13.
- Winchester, B. (1996) The role of non-government organizations in health policy and the assessment of social policy, *Report for Healthy Public Policies and Assessment of Social Policy Reform Programme Initiatives*, Ottawa IDRC.
- Zelizer, C. (2003). The role of artistic processes in peace-building in Bosnia-Herzegovina. *Peace and Conflict Studies*, 10(2), 62-75.

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## Post-War Peace Negotiations and Social Provisions in Peace Agreements

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### Abstract

Social provisions are suggested can contribute to ‘successful’ peacebuilding initiatives because they address grievances that may cause conflict or sustain the peace reached. Owing to their tendency to prevent conflict relapse and support post-war reconstruction arrangements or likely to trigger conflict if they are absent, social provisions are gradually finding a space in contemporary peace agreements. Since the beginning of 2002, social provisions have increased in major peace processes. But our understanding of this phenomenon is still limited. In particular, we lack knowledge of the circumstances that influence the decisions of combatant actors to buy social provisions in peace agreements. Therefore, this article aims to unpack the conditions that shape the decisions of belligerent actors to buy social provisions in peace agreements set to terminate armed conflicts. A content analysis of four peace agreements drawn from West Africa and secondary data suggests that peace agreements reached with women at the negotiation table are often holistic with social provisions. This observation reinforces previous studies. Notwithstanding, I argue that other factors like the context of the war, duration of the negotiation process, and external actors can also influence warring actors to accept social provisions in the peace agreement.

## POST-WAR PEACE NEGOTIATIONS AND SOCIAL PROVISIONS IN PEACE AGREEMENTS

## Introduction

Social provisions seem to take center stage in contemporary scholarly debates and policy discussions on post-war peace agreements reached by warring actors to terminate armed conflict (Issifu, 2020). Social provisions include education, healthcare, human rights, refugees, gender equality, women's issues, and minority and children's rights, etc. (Lee, Mac Ginty and Joshi, 2016). The relationship between social provisions and peace durability has been established by several scholars (Taydas and Peksen, 2012; George, 2018). It has been suggested that social provisions can contribute to peacebuilding as they address grievances that cause or trigger violent conflict and provide a means for the state to (re)build its legitimacy and accountability (Ashby, 2002; McCandless and Rogan, 2013). Further, while Ashby (2002) finds insufficient or inequitable access to healthcare and education as factors in the decision of adolescents and youth to join armed groups, Taydas and Peksen (2012) maintains that social investment in health, education, and social security contributes to conflict prevention since they reduce grievances by offsetting the effects of poverty and inequality in society. In congruence, George (2018) claims that social provision on education can bring immediate-term benefits to conflict-prone areas, and because social provision on gender equality is linked to peace and democracy, stable institutions uphold women's participation (Caprioli, 2005).

The preceding debates suggest that social provisions can serve as critical arrangements for conflict prevention and support peacebuilding initiatives, and its absence could be a potential threat to peace and human security. Consequently, social provisions are gradually finding a space in recent peace agreements. Since the beginning of 2002, social provisions on education, health, and social security/welfare have increased in major peace processes. Thus, between 1990 and 1998 and through to 1999 and 2006, social provision in the area of education rose from 51 per cent to 59 per cent, 20 per cent to 30 per cent on health, and on social security/welfare from 20 per cent to 36 per cent in peace processes (United Nations Development Program, 2008; McCandless and Rogan, 2013). But our understanding of this phenomenon is still incomplete. In particular, we lack knowledge of the conditions that affect the decision of belligerent actors to buy social provisions in peace agreements. There is still a lack of evidence-based knowledge in this subject area and ought to be treated with urgency in international peace and conflict resolution discourses (Jobarteh 2018; Issifu, 2020).

This knowledge gap is addressed by examining social provisions accepted by warring factions in four comprehensive peace agreements – Liberia 2003, Sierra Leone 1999, Côte d'Ivoire 2003, Niger 1995 – drawn from the West Africa sub-region, ensuing from intrastate war over government incompatibility. This helps to understand the circumstances that shape the decision of belligerent actors to buy social provisions in peace agreements intended to culminate armed conflicts. Importantly, this article contributes valuable and nuanced discussions to contemporary scholarly literature and policy debates on postwar peace agreements and conflict resolution in Africa. A content analysis of the four peace agreements and secondary data suggests that peace agreements reached with women participants at the negotiation table are often holistic with social provisions. Besides, this article highlights the essence of taking other factors that shape the decision of combatant actors to buy or ignore social provisions in the agreements into account, including the context of the war, duration of the negotiation process, and the influence of external actors. The

article proceeds as follows: the next section presents the methodology, followed by the civil war cases prior to the signing of the four agreements. It then follows with the results and discussion of key issues and ends with a conclusion.

## Methodology

This article is primarily a qualitative study that employs content analysis. While the primary data include the four comprehensive peace agreements on Liberia 2003, Sierra Leone 1999, Côte d'Ivoire 2003 and Niger 1995, the secondary data comprised of books, journal articles, theses, internet materials, reports etc. According to Joshi and Darby (2013) and Lee et al (2016), comprehensive peace agreements should include the following six major categories of provisions: (1) cease-fire, (2) security, (3) rights, (4) institutions, (5) external arrangements, and (6) other arrangements which are further sub-divided under each. However, for the purpose of this article only 'rights' would be considered and used interchangeably with the term 'social'. Under 'rights', there are 17 sub-social provisions, constituting amnesty, children's rights, citizenship, cultural protections, education reform, human rights, indigenous minority rights, internally displaced persons, media reform, minority rights, official language and symbol, refugees, reparations, right of self-determination, women's rights, inter-ethnic state relations, and the truth or reconciliation mechanisms (Lee et al, 2016). These sub-social provisions will be analyzed in the four peace agreements alongside the dynamics and intricacies of the civil wars that followed these agreements. This is done to achieve two objectives; to ascertain how warring actors place urgency on social provisions during peace negotiations and to establish the likely conditions that affect the decisions of the feuding parties to buy social provisions in peace agreements.

## The Civil War Cases

### *Liberia*

In 1980, the Americo-Liberian rule was overthrown in a coup d'état by Samuel Doe, an indigenous Liberian from the Krahn tribe. Nine years later, on December 1989, armed conflict broke out, and sustained until 1997, when Charles Taylor, a leader of one of the armed groups - National Patriotic Front of Liberia (NPFL), was elected President on the ticket of the National Patriotic Party (NPP), formerly the NPFL (Hillbert, 2017; Inclusive Peace and Transition Initiative, (IPTI) 2018). Two years in the presidency, a second intrastate conflict begun by an anti-Taylor armed group called the Liberians United for Reconciliation and Democracy (LURD) in 1999. LURD continued through the year 2000 with vicious attacks on the border town of Voinjama in the Northwest of Liberia's Lofa County. Despite the fighting, Taylor refused to negotiate with the LURD because the conflict was not ripe for resolution (Zartman, 2000), hence the fighting continued. In 2003, a fragmented group from the LURD known as the Movement for Democracy in Liberia (MODEL) was formed. LURD and MODEL progressed steadily towards the Liberian capital Monrovia. The progression of these armed groups became a threat that Taylors' regime was forced to negotiate for peace (Wallenstein and Eriksson, 2009). Taylor was later compelled under diplomatic and military pressure to resign on 11 August 2003. The regime's power was passed over to the Vice President, Moses Blah, and Taylor left for exile in Nigeria (Nilsson, 2009). On 18 August 2003, the conflict ended with the signing of a comprehensive peace agreement (Accra Peace Agreement) in Accra, Ghana between the Government of Liberia, the two rebel factions (LURD and MODEL),



and political parties. The negotiation process prior to the signing of the agreement lasted between 4 June 2003 and 18 August 2003. Liberia illustrates a case where the final agreement was reached with women participants at the peace table in the form of observers. The final agreement outlined seven sub-social provisions, including human rights issues in Part 6; TRC in Part 6 (Article XXIII); Gender issues in Part 8 (Article XXVIII); Refugees issues in Part 9 (Article XXX, 1a); Displaced persons in Part 9 (Article XXX,1b); Vulnerable groups/ indigenous minority in Part 9 (Article XXXI); Amnesty in Part 10.

### *Sierra Leone*

The post-independence era bedeviled the country with a decade long civil war following the All People's Congress (APC) rule from 1968 to 1992 (Peters, 2011). During the earlier period, military coups in 1967, 1968, 1992, 1996, 1997, presented a history of endemic social unrest that escalated into an overt civil war in 1991, lasting until 2002 (M'cleod and Ganson, 2018). The armed conflict started on 23 March 1991 when the Revolutionary United Front (RUF), with external support from Charles Taylor's NPFL forces in Liberia tried to oust Joseph Momoh's regime for Foday Sankoh to take over the power (Global Security, 2020). Subsequently, Foday Sankoh, launched guerrilla attacks on villages in Eastern Sierra Leone on the Liberian border. Momoh's failure to topple the rebel insurgency presented an opportunity for a coup d'état led by Captain Valentine Strasser on 29 April 1992, forcing President Momoh into exile in Guinea (Global Security, 2020). The National Provisional Ruling Council was formed and by 4 May 1992 Captain Strasser was the Head of State of the country. Fighting continued between Foday Sankoh's RUF and the successive government until a comprehensive peace agreement (Lomé Peace Agreement) was finally signed on 7 July 1999 in Togo, to end the conflict between the Government of the Republic of Sierra Leone and RUF. Sierra Leone demonstrates a case where the comprehensive peace agreement was concluded with women at the peace table as delegates and observers. The negotiation process leading to the final agreement lasted between 15 May 1999 and 7 July 1999. The final agreement outlined seven sub-social provisions, including TRC in Part 2 (Article VI, 2ix); Amnesty in Part 3 (Article IX); Human rights issues (Article XXIV); Education (Article XXXI); Refugees (Article XXII); Displaced persons (Article XXII); Children's rights (Article XXX), all in Part 5.

### *Côte d'Ivoire*

The immediate post-independence period was marked with no major conflicts. Between 1960 and 1993 Côte d'Ivoire was a one-party state. Parti Démocratique de la Côte d'Ivoire-Rassemblement Démocratique African was the sole political party in the country with Félix Houphouët-Boigny as the President (Hillbert, 2017). In the 1960s and the 1970s, the country's economy flourished due to a mix of openness to foreign investment, cheap immigrant labor from surrounding countries, and high prices of the country's main exports: coffee, cocoa, and wood (Vaïsse, 2003). However, in the 1980s Côte d'Ivoire's economy started to regress and austerity measures triggered an upsurge of protestations (Hillbert, 2017). In effect, a multi-party system was established with four main political parties and three rebel groups (Vaïsse, 2003). Henri Konan Bédié became the President following the death of Houphouët-Boigny in 1993. In 1999 the first coup d'état in the country's political history was staged by General Robert Guei of the Union pour la démocratie et le progrès en Côte d'Ivoire, one of the four political parties (Hillbert, 2017). This event led to an election in 2000 where Guei lost to Laurent Gbagbo and subsequently died in 2002. Thereafter,

one of the main rebel groups, Mouvement patriotique de Côte d'Ivoire (MPCI) based in the North (Bouaké) began their insurgencies, hence the onset of the conflict on September 19, 2002. The MPCI combined forces with the other two rebel groups, i.e., Mouvement populaire ivoirien du grand ouest and Mouvement pour la justice et la paix based in the western part of the country to fight the government (Vaïsse, 2003). On 15 January 2003, peace negotiation between the government and all the political parties as well as the rebel groups was held in Linas-Marcoussis, France near Paris and led to the signing of the comprehensive peace agreement (Linas-Marcoussis Peace Agreement) on 23 January 2003. Côte d'Ivoire is a scenario of a case where the final peace agreement was concluded with no women participants at the peace table. The negotiation process which involved only male peace actors lasted between 15 January and 23 January 2003. The final agreement outlined three sub-social provisions, including Media reform in Annex V; Human rights issues in Annex VI; Amnesty in Annex VII-5.

### *Niger*

Following political independence, President Hamani Diori ruled the country for 14 years under a one-party civilian regime system. Niger remained relatively peaceful until President Diori witnessed a failed coup in 1963 and an assassination attempt in 1965 by Djibo Bakary's Mouvement Socialiste Africain (MSA)-Sawaba group, which had launched an abortive rebellion in 1964 (Van Walraven 2003). However, in the early 1970s, Diori's regime was overthrown by Col. Seyni Kountché and a small military group named Conseil Militaire Supreme (Decalo and Idrissa, 2012). Many attempted coups (in 1975, 1976, and 1984) ensued until General Saibou won the presidential election on 10 December 1989 to become the first President of the Second Republic (Nohlen, Krennerich and Thibaut, 1999; Decalo and Idrissa 2012). Through a multi-party democratic presidential election, Mahamane Ousmane became the first President of the Third Republic (Nohlen et al, 1999; Decalo and Idrissa, 2012). The Third Republic faced a rebellion by Tuareg rebel insurgencies in the Agadez and Toubou regions. The onset of the conflict in November 1991 is known as the Tuareg Rebellion (Minorities at Risk Project, 2004). Tuareg turmoil sparked the formation of two rebel groups called the Front for the Liberation of Air and Azaouak and the Front for the Liberation of Tamoust. These armed groups attacked different towns and fought the government until April 1995 when a comprehensive peace agreement (Agreement between the Niger Republic Government and the Organization of The Armed Resistance-ORA) was signed between the Niger government and the Niger-based Tuareg rebel group – ORA in Ouagadougou, Burkina Faso (Decalo and Idrissa, 2012). The negotiation process prior to the signing of the agreement lasted between March 1995 and April 1995. Also, Niger depicts an instance where the comprehensive peace agreement was signed with only male participants at the negotiation table. The final agreement outlined three sub-social provisions, including Reconciliation in Clause 10 (Section III); Amnesty in Clause 15; Cultural protection in Clause 22c.

## **Results and Discussion**

### *Women's participation*

It is suggested that if women participate in peace negotiations, the ensuing agreement is likely to be comprehensive with more social provisions (Issifu, 2020). The positive impact of women's participation in post-war peacebuilding, conflict prevention and conflict resolution in countries like Liberia (Nilsson et al, 2020), Sri Lanka (Höglund, 2019), Bougainville (George, 2018), Rwanda (Issifu, 2015), and Kenya (Tongeren, 2013) are enormous. Recent scholarship has shown the positive impact of women's participation and provisions outline in peace agreements (Hillbert, 2017; Jobarteh, 2018). The participation of women in peace negotiations as observers, negotiators, mediators, signatories or arbitrators have been found to positively increase the chances of attaining durable peace and high implementation rate of the provisions outlined (Nakaya, 2004; Gizelis, 2009; Olofsson, 2018). When women participate in peace processes, they often raise gender equality and women's rights issues, which closely correlate with peace, hence contributing to strengthening the representativeness and legitimacy of the new political order that follows the signing of a peace agreement (O'Reilly, 2016). Similarly, it is proposed that if women are less involved, agreements are reached less often, and the probability of reaching an agreement is even lower if women's groups are not involved at all (Caprioli, 2000). George (2018) illustrates the productive impact that women have in the Pacific societies as brokers of peace, reinforcing the idea that where attention is given to the Women, Peace and Security (WPS) resolution area of participation, comprehensive forms of stability and security can follow.

Women's interests in conflicts are broader than those of the men involved in negotiations and that the experiences, expectations, and interests that women bring to the table broadened the scope of the peace negotiations as women push for more social provisions and raise other relevant social issues that might have gone unnoticed by men (O'Rourke, 2014; Jobarteh, 2018; Issifu, 2020). Women at the peace table are believed to promote social provisions like gender equality and women's rights expected could address women's issues and better agreement content (O'Reilly, 2016; Jobarteh, 2018; Krause, Krause and Bränfors, 2018). Further, the participation of civil society women's organization is suggested makes the peace last, anchors the peace, build legitimacy for the peace process and widens the scope of the agreement to include social provisions (Anderline, 2007; Nilsson, 2012; Ellerby, 2013; Jobarteh, 2018). Further, earlier research suggests that exclusively male participated negotiations usually shape the contents of the agreements towards security provisions (Pospisil & Bell, 2018). So, the agreements on Liberia and Sierra Leone which involved women participants are expected to have more social provisions, while the agreements on Côte d'Ivoire and Niger reached with only male warring actors are expected not to include social but other provisions, particularly security provisions.

An analysis of Liberia (with seven sub-social provisions) and Sierra Leone peace (with seven sub-social provisions) agreements show a significant number of social provisions in them. In the case of Liberia, outside and around the negotiation hall, the women's groups, including the Liberian refugee women, Christian Women of WIPNET and the Muslim Women of Peace Network continued to lobby for more women's inclusion in the peace processes and presented the Golden Tulip Declarations stating their demands (Saiget, 2016). Women participants from MARWOPNET at the negotiation table focused particularly on WIPNET's expectation and objective of a gender-equal society, thereby persistently advocating gender issues, pushing for the inclusion of Gender Ministry in the transitional government and other social welfare provisions

around, education, refugees and displaced persons' social welfare issues. Through persistence at the table, women were able to shape the scope of the negotiation such that gender, education, health, and social welfare ministries were finally accepted and included in the agreement by the belligerent actors. For instance, the Part 9, Article XXXI, 3 of the agreement stipulates that "The NTGL, in formulating and implementing programs for national rehabilitation, reconstruction and development, for the moral, social and physical reconstruction of Liberia in the post-conflict period, shall ensure that the needs and potentials of the war victims are taken into account and that gender balance is maintained in apportioning responsibilities for program implementation." The agreement also states that seats in the national legislature shall be provided for civil society representatives of women (Dayton & Kriesberg, 2017). Prior to the negotiation processes seat in the national legislature was monopolized by men so for this social provision as outlined in the Golden Tulip Declaration by women to find a space in the final agreement suggest women influenced the negotiation process.

In the case of Sierra Leone, women participants at the peace table shaped the negotiation process through informal lobbying and consultation on the periphery of the negotiations. For example, towards the end of the negotiations, the RUF rebel group unexpectedly backtracked provocatively on previously agreed arrangements, insisting on such major changes that many participants thought the continuation of the negotiations was in jeopardy (Hayner, 2007). In response, the women and several civil society observers invited key RUF leaders outside the peace table, and strongly confronted them to retract their afterthought position and consider other social intervention programs in the agreement. This confrontation almost resulted in a physical fight, but it was an effective strategy: the next day at the negotiation table, RUF withdrew its position and agreed to continue with the talks and subsequently accepted an education reform (free education), a key social provision that women have continually advocated (Hayner, 2007). Women were able to make good use of the agency at the table by influencing the negotiation process through persistent advocacy for gender equal society, women's rights, protection, and other important social needs. Through insistent attempts the framers of the peace agreement bought more social provisions, including health and women's issues in the final agreement. Part 5, Article XXXI of the final agreement stipulated that "The Government shall provide free compulsory education for the first nine years of schooling (basic education) and shall endeavor to provide free schooling for a further three years. The Government shall also endeavor to provide affordable primary healthcare throughout the country." Women's influence at the negotiation table could also be attributed to prior experiences in national conferences and decision-making platforms. Women participated in the two national consultative conferences – Bintumani (I) in 1995 and Bintumani (II) in 1996 – which set the agenda for the elections and the formal peace process (Barnes and Polzer, 2000). The Sierra Leonean women and women's civil society active involvement in these two conferences became the revolutionary point in the national decision to proceed with multi-party elections and a negotiated settlement of the war (Dyfan, 2003). As early as 1995, women in Freetown, the capital, and Pujehun in the Eastern province of Sierra Leone tried to negotiate directly with the rebel leaders of RUF to end the violence. Led by the Sierra Leone Women's Movement for Peace (SLWMP), the Women's Forum initiated a series of debate on peace and conflict resolution by 1995, advocating that the crisis had not only become too terrible to be left to the military regime alone, but women also have unique skills to bring to the peace process (Dyfan, 2003).

The SLWMP series of peace campaigns helped set the agenda for the democratization and peace negotiation process (Jusu-Sheriff, 2000; Dyfan, 2003; Bangalie, 2011). Women's experience gained from the Bintumani I, II played a role at the peace table. Similar issues pushed by women at the Bintumani I, II conferences were brought to the peace table where the women persistently advocated for gender equal society, women's rights and protection, and other vital social needs. In effect, the agreement included some of the issues advocated by women, including major reforms in the education system as well as healthcare. Importantly, the inclusion of seven sub-social provisions under social in the Sierra Leone agreement proposes that women brought a better understanding of the conflict and social needs to the peace table. It is instructive to think that a key factor that may have informed the inclusion of more social provisions in these two peace agreements by the combatant actors is probably the participation of women at the negotiation table. This observation supports previous studies suggesting that the participation of women at the peace table is likely to broaden the scope of the agreements because women usually bring up an extensive set of social issues to the negotiation table (Hillbert, 2017; Jobarteh, 2018; Issifu, 2020).

However, an analysis of the Côte d'Ivoire and Niger agreements suggests to have included some social provisions. Together, there are a total of six sub-social provisions in them. The inclusion of social provisions in the Côte d'Ivoire (three sub-social provisions) and Niger (three sub-social provisions) agreements is contrary to what the prior research has suggested that an all-male produced agreements are security centered (Janine, 2010; Pospisil & Bell, 2018; Issifu, 2020). Going by this assumption, we should not have observed the Côte d'Ivoire and Niger agreements included social arrangements. The results show that other conditions may shape the content of the provisions outlined in peace agreements which goes beyond the presence or absence of women at the peace table. The inclusion of some social provisions in the Côte d'Ivoire and Niger agreements makes the popular assumption that unlike men, women or women's civil society groups would impact the content of the negotiations by consistently pushing for social provisions in the peace agreement is doubtful.

There is a large body of scholarly work that attributes the comprehensiveness of peace agreements containing a significant number of provisions that includes the social issues of women to the participation of civil society women's organizations in the peace negotiations (Anderline, 2007; Nilsson, 2012; Ellerby, 2013). This situation arises because of an increased likelihood for women with an agency for being at the table to express women's specific experiences and diverse social needs (GIZ, 2012). Yet, the Côte d'Ivoire and Niger agreements included some social provisions even where women representatives from civil society did not participate in the negotiation process. Importantly, in such conditions, the inclusion of social provisions in the peace agreements are not only dependent on the participation of women or women-centered civil society organization. After all, more representative forms of civil society participation do not necessarily translate into actual influence over the peace process (Aulin, 2019). In a similar vein, the participation of women's organizations in peace negotiations is not a promise for higher quality peace agreements (O'Reilly, Sülleabháin and Paffenholz, 2015). Further, even if the women's civil society groups represent women or acts as delegates at the negotiation table could voice the concerns of local women's groups, it does not automatically mean that all individual women will also voice concerns other than the concerns voiced by men in the peace negotiations (Jobarteh, 2018).

Further, the expectation that, unlike men, women participants consistently push for social provisions in peace negotiations have somewhat been ruled out because the likelihood that the

agreements would include more provisions in general and social provisions, in particular, may also be informed by the peace actors' will or background other than just the presence or absence of women. Also, the so-called feminists incline men and those with good knowledge about gender inequalities and human rights may advocate for gender equality social provision, and other social needs just like women (Jobarteh, 2018). The analysis unpacks other three explanatory conditions suggested may influence the decisions of the framers of the agreements to include social provisions. These possible conditions explained below include the context of the war, duration of the negotiation process, and the external influence of international peace actors.

### *Context of the war*

The context of the war in terms of the duration could be a possible explanatory condition for the inclusion of social provisions in peace agreements. Long duration conflicts are protracted wars that last for a minimum of 10 years with underlying rivalry and incompatibility between the warring parties (Wayman, 1982; Brecher, 2016). The 10-year criteria have been better used in interstate wars, but it is still applicable in intrastate wars because the latter also involves rivalry and incompatibility of interests between the belligerent actors, which the state is a party. Protracted conflicts are complex, severe, enduring, and often violent (Azar, 1990). For the purpose of this article, intrastate war is protracted if the war lasts for at least 10 years, otherwise it is a short duration war. Long duration civil wars are likely to severely affect every aspect of development in the affected country compare to short duration wars. Therefore, the longevity of the civil war may demand more social provisions as countries with such conflicts often suffer severe insecurity problems and social infrastructures and services (healthcare, education, housing, water sources, etc.) often destroyed, and regularly results in gender-based violence and child abuse among others. Hence, social provisions may be highly required for effective post-war reconstruction by the warring parties. An analysis of the Liberia civil war, which lasted for 14 years, and the Sierra Leone war, which technically persisted for 10 years depicts scenarios of long duration wars, and hence appeared to have included a significant number of social provisions in them. This account possibly suggests that the belligerent actors were concerned about the severe devastations caused by the longevity of the wars to social development and so ended up placing urgency to more social provisions expected to promote post-war social service and development.

Further, the analysis suggests that the Côte d'Ivoire war lasting for about six months and Niger war continuing for four years are circumstances of short duration wars, and hence both seemed to have awarded priority to security provisions. Practically, countries with short duration wars are less likely to suffer from severe devastations to social development compared to those with long duration wars. And where affected country experienced short duration war, militarization or securitization provisions like Disarmament, Demobilization and Reintegration (DDR), and Security Sector Reform (SSR) are expected to help prevent conflict escalation and the probable intractability. Typically, DDR programs and SSR initiatives are expected to shift ex-combatants into the new national security forces, where they no longer threaten the state's monopoly of force, remove fear and panic and build trust in the country by reducing the probable threat to peace such as the proliferation of weapons so that people can carry on their daily social and economic activities (McFate, 2010). Consequently, DDR and SSR were highly considered in the Côte d'Ivoire and Niger peace agreements as important security provisions for the consolidation of the state's monopoly of force and to uphold the rule of law (McFate, 2010). Based on the context of the wars,

the all-male framers of the Côte d'Ivoire and Niger agreements included more security provisions expected can stop the conflict from becoming protracted, remove fear, and panic and promote post-war stability (McFate, 2010; Pospisil and Bell, 2018). Based on conditions of the context of the wars, it is practical to think that the Côte d'Ivoire and Niger agreements were shaped towards security peace, while the Liberia and Sierra Leone agreements were set towards social peace (Lee et al, 2016).

### *Duration of the negotiation process*

The duration of the negotiation process presents another explanatory condition that may shape the decision of peace actors to buy certain provisions over others in peace agreements. It is critical to underscore that if there is enough time for the peace negotiation process, there is a likelihood for a larger scope of provisions in the agreements because the peace actors would have enough time to dialogue, establish their positions, interests, and needs at the table. The analysis shows that the negotiation process following the signing of the Liberia peace agreement lasted for three months and that of Sierra Leone continued for three months, and are both considered as a long negotiation process for the purpose of this article. Hence, both agreements appeared to be more holistic in scope, containing more provisions in general and social provisions, in particular. Contrarily, the negotiation process leading to the Côte d'Ivoire agreement lasted for only nine days and four weeks in the case of Niger, and are considered as short negotiation processes in this article. In effect, both agreements appeared to be less holistic but security centered and with less social provisions (Issifu, 2020). It is imperative to note that a long peace negotiation process may ensure a holistic peace outcome as it could give framers of the agreement ample time to correctly diagnose potential peace spoilers in the course of the peacemaking process (Stedman, 1997). However, it is also critical to add that the long duration of the negotiation process may suggest an unwillingness of the belligerent parties to negotiate for peace which its itself is a risk to the success of the peace process (Badran, 2014), and so actors at the negotiation table are expected to strategically hasten slowly. Taken together, the evidence from the analysis suggests that peace negotiation process over a long duration might increase the likelihood that the scope of the agreement would become broader with more social provisions.

### *External influence of international peace actors*

It is vital to acknowledge that international mediators, especially those with records of human rights and gender advocacy may influence belligerent actors to buy certain provisions, especially social provisions in peace agreements. As noted by Hillbert (2017) external mediators are powerful agents who can introduce their own agendas and affect negotiations in their desired direction. The mediator's ability to build a strong relationship and gain the trust of the combatant parties increases the chances of influencing the mediation outcome by making the agreement comprehensive with social provisions like gender equality or women's rights and issues (Folke Bernadotte Academy and Swedish Ministry of Foreign Affairs, 2018; Jobarteh, 2018). Analysis of the four peace agreements shows that external peace actors in the form of mediators, facilitators, and chairperson were involved in the negotiation processes. In the Côte d'Ivoire and Niger cases, for instance, the analysis unpacks both agreements as being security focused, yet still included some social provisions on human rights issues, education, and amnesty, etc. An acknowledgment of human rights issues as central to the development of the post-war countries by the male warring actors is

highly promising because human rights should be treated non-negotiable in countries recovering from war damage (Waldron, 2012). Human rights issues in general appear to be a difficult topic in peace negotiations. They are often unpopular subject discussed at the peace table because male combatants may feel that they have too much to lose from giving rights and power to other actors, especially women (Jobarteh, 2018). This suggests that male combatants at the peace table are unlikely to push for social provisions around gender equality or human rights in the agreement. Yet, the Côte d'Ivoire agreement included human rights accepted by an all-male actor in the agreement. This may have been partly influenced by the background of the external peace actors involved. Feminist inclined external peace actors or belligerent actors with substantial knowledge about gender equality and human rights issues and other social needs of women may advocate for their inclusion in the agreements (Jobarteh, 2018).

Significantly, the acceptance of social provisions by the warring actors as may have influenced by the external actors also suggests that the former somewhat have prior understanding of the essence of such social provision. As it has been suggested, like women, male belligerent actors may also advocate for women's rights, especially if they have extensive knowledge about women's complex issues. Except for knowledge, it takes a man with great confidence that is tough enough to stand up for his possibly unpopular beliefs (Jobarteh, 2018). The inclusion of human rights in the Côte d'Ivoire and education reform in the Niger agreements unpacks two essential nuances in the peace and conflict resolution field. First, it provides an important opportunity to rethink the functional claim, which argues as though, unlike women, men were only militarily focused. Thus, male belligerent actors may also care about human and women's rights, especially if they have considerable knowledge about women's issues. Second, the reference to health social issues in the Niger agreement (Clause 22c. 1) shows that some male belligerent actors are also concerned about the health wellbeing of all persons in countries that are recovering from war devastations. This remark is contrary to what the so-called functional thinkers would want us to believe women are the only socially pacific people in society. Taken together, the inclusion of social provisions in the Côte d'Ivoire and Niger peace agreements, which excluded women at the negotiation table is suggested may be influenced by the professional background and knowledge of the external actors involved in the peace process.

## Conclusion

While some scholars suggest the availability and accessibility of social provisions can prevent conflict and support peacebuilding initiatives, others are of the opinion that their absence could be a potential threat to peace and human security (United Nations Development Program, 2008; Ashby, 2002; Taydas and Peksen, 2012; McCandless and Rogan, 2013; George, 2018). This shows social provisions are critical arrangements for conflict prevention and peacebuilding support initiatives. Accordingly, social provisions are progressively appearing in current peace agreements. Yet, our understanding of the conditions that shape the inclusion of social provisions in peace agreements is still limited. This article contributes valuable and nuanced discussions to contemporary scholarly and policy debates on peace agreements in Africa by detailing some of the conditions that may influence the inclusion of social provisions in peace agreements intended to terminate armed conflicts. The evidence stemming from the analysis of the Liberia and Sierra Leone agreements reinforce previous research on the positive relationship between women's participation and social provisions as well as the durability of peace on the one hand (O'Reilly,



2016; Hillbert, 2017; Jobarteh, 2018; Issifu, 2020), and the positive link between male-driven negotiations and security provisions in peace agreements on the other hand (Martin, 2006; Pospisil & Bell, 2018; Issifu, 2020).

Although the gender composition of the negotiation team may shape the scope of peace agreements, other conditions might also influence the extent to which provisions are accepted in the agreements. For instance, grounded in the context of the war, duration of the negotiation process and the influence of external peace actors are all important explanatory conditions for the inclusion of social provisions in peace agreements. The key suggestion in this article is that every arrangement set in peace agreements, especially social and security provisions are critical to peacebuilding efforts, so they should be given equal consideration by the framers of peace agreements interested in transforming stable and post-war societies. Thus, in the absence of both provisions, there is no guarantee for peace to be attained at all, and the absence of the other is likely for the conflict to relapse. Without the security aspects of peace being achieved, the social aspect of peace is highly impossible as they reinforce each other. But since security issues already seem to dominate in major peace and conflict debates, owing to its relevance, social provisions should also be treated with urgency and amplified both in local and international arenas of peace processes.

## References

- Anderline, N. S. (2007). *Women building peace: What they do, why it matters*. Lynne Rienner Publishers.
- Ashby, P. (2002). Child combatants: A soldier's perspective. *Lancet*, 360:11-12.
- Aulin, J. (2019). Civil society inclusion in peacebuilding: Who, how and so what?' *Conciliation Resources*, 28:39-41.
- Azar, E. (1990). *The management of protracted social conflict: Theory and cases*. Dartmouth Publishing Company Limited.
- Badran, R. (2014). Intrastate peace agreements and the durability of peace. *Conflict Management and Peace Science* 31(2):193-217. DOI: [10.1177/0738894213501133](https://doi.org/10.1177/0738894213501133)
- Bangalie, N. F. (2011). *An examination of the role of women in conflict management: Sierra Leone a case study*' Master's thesis, University of Malta.
- Barnes, C. and Polzer, T. (2000). Sierra Leone peace process: Learning from the past to address current challenges. an expert seminar reports. <https://reliefweb.int/report/sierra-leone/sierra-leone-peace-process-learning-past-address-current-challenges>.
- Brecher, M. (2016). *The world of protracted conflicts*. Lexington Books
- Caprioli, M. (2000). Gendered conflict. *Journal of Peace Research* 37(1):51-68. [doi.org/10.1177/0022343300037001003](https://doi.org/10.1177/0022343300037001003)
- Caprioli, M. (2005). Primed for violence: The role of gender inequality in predicting internal conflict. *International Studies Quarterly* 49(2):161-178.
- Dayton, W. B. and Kriesberg, L. (2017). *Perspectives in waging conflicts constructively: Cases, concepts and practices*. Rowman and Littlefield.
- Decalo, S. and Idrissa, A. (2012). *Historical dictionary of Niger*. Historical Dictionaries of Africa. Scarecrow Press.
- Dyfan, I. (2003). *Peace agreements as a means for promoting gender equality and ensuring participation of women: A framework model provisions*. United Nations Division for the

- Advancement of Women (DAW).  
<https://www.un.org/womenwatch/daw/egm/peace2003/reports/EP5Dyfan.PDF>
- Ellerby, K. (2013). '(En)gendered security? The complexities of women's inclusion in peace processes. *International Interactions* 39(4): 435-460.  
<https://doi.org/10.1080/03050629.2013.805130>.
- Folke Bernadotte Academy and the Swedish Ministry of Foreign Affairs (2018) '*Swedish women mediation network: Presentations of the network members*. [www.fba.se](http://www.fba.se)
- George, S. (2018). *Opinion: Education as a key to solving conflicts*. Chemonics International.  
<https://www.devex.com/news/sponsored/opinion-education-as-a-key-to-solving-conflicts-92252>.
- GIZ (2012). *Promoting women's participation in peace negotiations and peace processes*. Promoting Gender Equality and Women's Rights. Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), Berlin.
- Gizelis, T. (2009). Gender empowerment and the united nations peacebuilding', *Journal of Peace Research* 46(4):505-523. <https://doi.org/10.1177/0022343309334576>.
- Global Security (2020). *Liberia first civil war 1989-1996*. Alexandria VA: USA. Available at <https://www.globalsecurity.org/military/world/war/liberia-1989.htm>
- Hayner, P. (2007). *Negotiating peace in sierra leone: Confronting the justice challenge*. The Centre for Humanitarian Dialogue, Geneva.  
[https://www.files.ethz.ch/isn/55192/SierraLeoneReportrevise\\_1207.pdf](https://www.files.ethz.ch/isn/55192/SierraLeoneReportrevise_1207.pdf)
- Hillbert, S. (2017). *Female mediators and the comprehensiveness of peace agreements*. Master's thesis, Uppsala University.
- Höglund, K (2019). Testimony under threat: Women's voices and the pursuit of justice in post-war Sri Lanka', *Human Rights Review* 20:361–382. <https://doi.org/10.1007/s12142-019-0549-3>.
- Inclusive Peace and Transition Initiative (2018). *Women in peace and transition processes*. IPTI Case Study Series. Graduate Institute, Geneva.
- Issifu, A. K. (2015). The role of African women in post-conflict peacebuilding: the case of Rwanda. *The Journal of Pan African Studies* 8(9): 63-78.
- Issifu, A. K. (2020). *Women's participation and social provisions in peace agreements*. Master's thesis, Uppsala University.
- Janine, D. (2010). *Lifting the fog of peace: How Americans learned to fight modern war*. University of Michigan Press.
- Jobarteh, I. T. (2018). *Women's participation in peace negotiations and the inclusion of gender provisions*. Master's thesis, Uppsala University.
- Joshi, M and Darby, J. (2013). Introducing the peace accords matrix (pam): A database of comprehensive peace accords and their implementation, 1989-2007', *Peacebuilding* 1(2):256-274. DOI: [10.1080/21647259.2013.783259](https://doi.org/10.1080/21647259.2013.783259)
- Jusu-Sheriff, Y. (2000). *Sierra Leonean women and the peace process*. Accord Issue 9 Sierra Leone. London: Conciliation Resource. <http://www.c-r.org/accord/sierra-leone/sierra-leonean-women-and-peace-process>.
- Krause, J, Krause, W. and Bränfors, P. (2018). Women's participation in peace negotiations and the durability of peace. *International Interactions* 44(6):985-1016. DOI: [10.1080/03050629.2018.1492386](https://doi.org/10.1080/03050629.2018.1492386).
- Lee, S, Mac Ginty, R and Joshi, M. (2016). 'Social peace vs. security peace. *Global Governance* 22(4):491-512. [www.jstor.org/stable/44861197](http://www.jstor.org/stable/44861197).

- M'cleod, H. and Ganson, B. (2018). *The underlying causes of fragility and instability in Sierra Leone*. The LSE-Oxford Commission on State Fragility, Growth and Development. <https://www.theigc.org/wp-content/uploads/2018/04/Sierra-Leone-Report-v2.pdf>.
- Martin, H. (2006), *Kings of peace, pawns of war: the untold story of peace-making*. London and New York: Continuum.
- McCandless, E. and Rogan, J. (2013). Bringing peace closer to the people: the role of social services in peacebuilding. *Journal of Peacebuilding & Development* 8(3):1-6. DOI: [10.1080/15423166.2013.866877](https://doi.org/10.1080/15423166.2013.866877).
- McFate, S. (2010). *The link between DDR and SSR in conflict-affected countries*, USIP: Washington, DC. <https://www.usip.org/publications/2010/05/link-between-ddr-and-ssr-conflict-affected-countries>.
- Minorities at Risk Project (2004). *Chronology for Tuareg in Niger*. Available at <https://www.refworld.org/docid/469f38c2104.html>.
- Nakaya, S. (2004). Women and gender equality and peacebuilding', in *Building Sustainable Peace*, edited by T. Keating and W.A. Knight, 143–166. Edmonton: University of Alberta Press and United Nations.
- Nilsson, D. (2009). *Crafting a secure peace: Evaluating Liberia's comprehensive peace agreement 2003*. 'Uppsala University and the Mediation Support Unit, Department of Political Affairs, United Nations, Uppsala: Universitetsstryckeriet.
- Nilsson, D., Svensson, I., Teixeira M. B., Lorenzo, M. L. and Ruus, A. (2020). In the streets and at the table: Civil society coordination during peace negotiations. *International Negotiation* 25(2): 225-251. <https://doi.org/10.1163/15718069-25131241>
- Nilsson, Desirée (2012). Anchoring the peace: Civil society actors in peace accords and durable peace. *International Interactions* 38(2): 243-266. DOI:[10.1080/03050629.2012.659139](https://doi.org/10.1080/03050629.2012.659139).
- Nohlen, D, K, M and Thibaut, B. (1999). *Elections in Africa: A data handbook*. Oxford University Press.
- O'Reilly, M. (2016). Inclusive security and peace societies: exploring the evidence. 1. *Prism: A Journal of the Centre for Complex Operations* 6(1):20-33. <https://www.jstor.org/stable/26470429>
- O'Reilly, M., Sülleabháin, O. A. and Paffenholz, T. (2015). *'Re-imagining peacemaking: Women's roles in peace processes'*, New York: Int'l. Peace Institute.
- O'Rourke, C. (2014). 'Walk(ing) the halls of power? understanding women's participation in international peace and security. *Melbourne Journal of International Law* 15: Transitional Justice Institute Research Paper No. 14-11. Available at SSRN: <https://ssrn.com/abstract=2537401>.
- Olofsson, L. (2018). *Women's role in peace processes: a comparative study of women's participation in the peace processes in Africa and west Asia*. Bachelor thesis, Linnaeus University.
- Peters, K. (2011). *War and the crisis of youth in Sierra Leone*. Cambridge University Press Cambridge.
- Pospisil, J. and Bell, C. (2018). *'Securing' peace: Women and security arrangements in peace processes*. United Nations Women: New York. <https://reliefweb.int/sites/reliefweb.int/files/resources/Inclusive-peace-processes-Securing-peace-en.pdf>
- Saiget, M. (2016). Women's participation in African peace negotiations: Cooperating with the un agencies in Burundi and Liberia', *Peacebuilding* 4(1): 28-40.

- Stedman, S. J. (1997). Spoiler problems in peace processes. *International Security* 22(2): 5-53. [doi.org/10.2307/2539366](https://doi.org/10.2307/2539366).
- Taydas, Z. and Peksen, D. (2012). Can states buy peace? Social welfare spending and civil conflicts. *Journal of Peace Research* 49(2): 273-287. <https://doi.org/10.1177/0022343311431286>
- Tongeren, V. P. (2013). Potential cornerstone of infrastructures for peace? How local peace committees can make a difference. *Peacebuilding* 1(1):39-60. <https://doi.org/10.1080/21647259.2013.756264>.
- United Nations Development Program (2008). *Post conflict economic recovery: Enabling local economic ingenuity*. New York: UNDP.
- Vaïsse, J. (2003). *The crisis in Côte d'Ivoire. U.S.-France analysis series*', The Brookings Institution, Washington, DC. <https://www.brookings.edu/wp-content/uploads/2016/06/vaïsse20030325.pdf>.
- Van Walraven, K. (2003). Sawaba's rebellion in Niger (1964-1965): Narrative and meaning, in Abbink, J., De Bruijn, M. and K. van Walraven, eds, *Rethinking Resistance: Revolt and Violence in African History*, pp. 218-252. Leiden and Boston: Brill.
- Waldron, J. (2012) *Dignity, rank, and rights*. Oxford University Press
- Wallensteen, P. and Eriksson, M. (2009). *Negotiating peace: Lessons from three comprehensive peace agreements*. Uppsala University and the Mediation Support Unit, Department of Political Affairs, United Nations, Uppsala: Universitetsstryckeriet.
- Wayman, W. F. (1982). *War and power transitions during enduring rivalries*. Paper presented at the Annual Meeting of the Institute for the Study of Conflict Theory and International Conflict, Urbana-Champaign, Illinois.
- Zartman, I. W. (2000). 'Ripeness: The hurting stalemate and beyond', in *International Conflict Resolution after the Cold War*, edited by Paul C. Stern and Daniel Druckman. Washington DC: National Research Council Press

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## CASSANDRA'S DILEMMA

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### Abstract

In the course of its professionalization and institutionalization, peace and conflict studies face the threat of shrinking to merely a form of vocational training. In such a tamed version of social analysis, scholars will not be able to provide adequate answers to complex questions. Drawing on the reading of Christa Wolf's novel *Cassandra*, this article lays out tasks and challenges for peace and conflict studies from a feminist, post- and decolonial perspective. Through Cassandra, we know that it is of utmost importance to discover, decipher and expose the rules of the pre-war period in order to prevent and transform conflicts successfully. In the spirit of the mythical figure of Cassandra, this article calls for an uncomfortable criticism to be cultivated within peace and conflict studies, to intervene in the public sphere, and to dare to address the scholarly terrain itself.

## CASSANDRA'S DILEMMA

### Introduction

After two months of working from my living room, I am finally back in my office at the Centre for Peace Research and Peace Education at the University of Klagenfurt in southern Austria. I am

preoccupied with final preparations for my online seminar on (non-)violence. My students expect me to explain Bourdieu's concept of symbolic violence and different types of capital. I want them to understand the entanglements of education, socialization, political order, and (non-)violent resistance. I am determined to awaken in at least some of them the same fascination for Bourdieu's analysis of society it exerts over me. Immersed in reading and didactic considerations, there is suddenly a knock at my door. Due to the Corona pandemic, the building is almost completely orphaned, and I leave my door slightly open. "Good afternoon, my name is Kellermann," a long-retired colleague from a different department suddenly addresses me, using the photocopier in the corridor. He seems to have studied my door sign and various posters on the walls of our tiny Centre for Peace Research and Peace Education. Without waiting for my reply, he continues: "Given the state of the world, isn't it incredibly frustrating to work in peace research?"

What shall I answer? Why should I constantly justify myself for my profession? Even if asked by someone whose self-assertive critical view of the world might actually offer room to accommodate the seemingly exotic peace research – where to start? He is not the first to ask me this question, and he will certainly not be the last. Moreover, I am probably not the only one having to keep on searching for new answers to the question of the meaning, relevance and potential of peace studies. The duty of justifying the analysis and criticism of the sobering 'state of the world' is continuously passed on to those of us who question the prevailing order anyway. I admit, I turned the retired colleague away rather impolitely, excusing myself with the soon to start seminar. Having dealt with symbolic violence, academic habitus and other mechanisms of (pre-Corona) social distancing for years, I had little reason to believe that this conversation, so abruptly imposed on me, would result in an open exchange at eye level. Now, via detour, I would like to formulate an appropriate answer.

The answer to this question is based on a lecture I delivered at the University of Augsburg (Brunner, 2015), and draws on Christa Wolf's literary work *Cassandra*, which has inspired me throughout the past decade of my work as a feminist peace researcher. Christa Wolf's and Cassandra's answers to the question about the relevance of critical peace and conflict research – although not directly posed to them – remain valid today and for a long time to come. Their argumentation is based on two premises along which I structure my own: firstly, there is a need for uncomfortable criticism in every society all the time, and secondly, this criticism cannot be articulated from a supposedly innocent 'beyond' of social conditions. Knowledge and domination are closely interwoven in a web of epistemic, symbolic, structural, normative, and even quite direct physical violence, and they are an integral part of "colonial modernity" (Quijano, 2007). From this perspective, critical scholarship – which in my opinion should also be a lived experience in peace and conflict studies – not only encounters the task of analyzing and criticizing violent conditions and events, but also faces constant "hegemonic self-critique" (Dietze, 2008) against which it has to locate and account itself.

We as peace and conflict scholars must, therefore, accept the question of our own relevance and effectiveness, albeit under different and more complex circumstances than the personal encounter described above. In other words, one could argue that even peace and conflict research with the best of intentions is not only a hoped-for part of the solution to societal problems, but it is also entangled in them. It is not merely a question of where peace and conflict research and its expertise are going but also of what its larger framework and foundations are. We have to consider financial

resources which increasingly come from defence ministries, foreign policy think tanks and the economy. Beyond content, it is the paradigms and theories, the methods and working practices, the goals and norms of scientific work and educational policy frameworks that give reason for needed reflection on what peace and conflict research and studies can actually achieve, can perform, can be – and what the field impossibly cannot.

Students, teachers and researchers in the field of peace and conflict studies must ask themselves over and over again whether the field currently offers appropriate approaches for their subjects under study. Can we do justice to a once strongly formulated socio-political concern in the sense of a fairer and less violent world? Or have we already abandoned this claim in the course of increasing institutionalization and professionalization? As senior colleagues tell me, this question has been with ‘us’ for several decades, and it has led to passionate arguments between different positions, even on the personal level. The fact that it cannot be answered unambiguously per se should not, however, be an argument against raising the question time and again. After all, we must take into account how we generate knowledge in the first place: Who passes on what knowledge? In which ways? And for which purposes is this knowledge used? Moreover, it remains to be answered what the contribution of peace and conflict research is beyond academia – to the larger society.

Readers who are well versed in literary studies or in Greek mythology may forgive me – a social scientist – if I use renowned literary material in the following too freely. In an attempt to provide a transdisciplinary illustration for the issue at stake, I will use eclectically the figure of “Cassandra” from Christa Wolf’s (1983) famous novel, published by a feminist pacifist in Socialist East Germany at the height of the Cold War. By fathoming her ‘dilemma,’ I want to pursue this question: What can and should peace and conflict studies do – and what not? Please do not expect an empirical investigation of the causes, methods and goals of peace and conflict research. Neither do I want to, nor can I, provide a current state of the art research review by resorting to a mythological character. Rather, along some thoughts on Cassandra’s dilemma, I want to invite you to reconsider what you expect from peace and conflict research yourself. What do you think of its nature? How do you intend to apply it in the future? Finally, I will also formulate a rather subjective plea for a very specific perspective on peace studies and peace research by linking my thoughts to those of the pacifist and feminist writer Christa Wolf and her pacifist and somewhat like-minded female protagonist.

### **Who is Cassandra, and What is Her Dilemma?**

Cassandra comes from a highly esteemed and distinguished family; her father is King Priamos and her mother is Queen Hekabe. She becomes a priestess in the temple of Troy, according to Christa Wolf’s novel, rather due to her descent than for her dedication. Appalled by the indifference of the gods towards humankind, she performs ritual services more or less by the book but is otherwise mainly interested in the terrestrial political events of her time. Despite her social status as a privileged member of the royal family, as a young woman, she has limited access to engage in political decision-making. Yet, she permanently gets involved and intervenes. This is due to her ability to foresee and predict; this gift turns out to be highly ambivalent, as her tale demonstrates. It was Apollo, one of Olympus’ leading gods, who once endowed her with this troublesome gift. Remarkably, it was her expressed wish, because she longs for knowledge, cognition and truth.

Apollo, without question, expects something in return from the beautiful young woman. When, contrary to convention of hierarchy and patriarchy, she denies him these services, he – angry and probably offended in his male pride of a main god – adds to the gift of the seer, the curse of disbelievers. No one would believe her predictions – the proverbial ‘Cassandras.’

This is Cassandra’s dilemma: the capacity of knowing and understanding, coupled with the impossibility of making the respective analyses plausible to the general majority or even to relevant elites. Perhaps it is also the dilemma of peace and conflict studies: those voices that have remained sceptical about presumed general opinions or pseudo-universalist elitist truth claims are not listened to. Granted: Not all currents of peace and conflict research are affected by this dilemma at all times. Some positions are quite compatible with the majority and elites; this causes a need for reflection and sometimes concern. However, in the spirit of Cassandra, I will devote the rest of my thoughts here to the recalcitrant, the rather uncomfortable currents, because the comfortable ones generally find better resonance elsewhere.

Back to Cassandra’s gift, then: the ambivalent gift of ineffective prophecy, stemming from an early act of resistance against sexualized and normalized impositions of patriarchal violence, turns her knowledge, her analysis and certainties into a heavy burden. Simultaneously, this extraordinary competence enables her to see things clearly, to analyze profoundly, and try to prevent disaster. Cassandra cannot turn off her desire to know, to comprehend more and to understand thoroughly. Against her intention, she recognizes entanglements and developments which others could potentially sense as well, but cannot or do not want to grasp in the deeper dimensions of their meaning, which would probably not be intelligible – let alone acceptable – for a majority.

Christa Wolf lets her protagonist express her painful disillusionment about the distance between herself and her fellows as follows: “Stricken blind indeed. Everything they have to know will unfold right before their eyes, and they will see nothing. That is just how it is” (Wolf, 2013, p. 14). She increasingly asks herself why and how it can be that so many people see the same thing, but interpretations and conclusions drawn are very different. She suspects that even a majority cannot assert its will as long as the ruling elites do not approve.

“It took me a long time to understand that. Not everyone could see what I saw. Not everyone perceived the naked, meaningless shape of events. I thought they were making fun of me; but they believed what they were saying. There must be a meaning in that. What if we were ants. The entire race plunges blindly into the ditch, drowns, forms the bridge for the few survivors who are the germ of the new race. Like ants we walk into every fire. Every water. Every river of blood. Simply in order not to have to see. To see what, then? Ourselves. (Wolf, 2013, p. 63)

Cassandra always had to walk a tightrope between knowing, wanting to speak up and being heard because she cannot keep her mostly disturbing or even threatening knowledge to herself. Many people request her predictions for all kinds of questions, as insignificant as they might be. However, when she addresses uncomfortable truth, she experiences exclusion, ridicule, even violence, or is simply being ignored.



The Princess Cassandra is anything but a subaltern in her social environment. She has the floor, she undoubtedly enjoys a socially privileged position, and in Christa Wolf's novel, she even speaks directly to us. At the same time, she is a woman in a deeply patriarchal society, and since she is young, she lacks the political experience of older authorities. Most importantly, she speaks out unpleasant positions, sometimes disregarding hierarchies, and her knowledge is mostly expressed in unconventional ways, in a form that does not always meet the prevailing standards. All this makes her suspect, vulnerable, and often isolated. What the postcolonial theorist Gayatri Chakravorty Spivak (1988) has formulated about the knowledge of subaltern Indian women confronted with massive violence may also apply to Cassandra: They can speak, and they do – but they are not heard, let alone listened to.

Critical approaches within peace and conflict research can explain very well how this works. Constructivist rather than positivist paradigms are particularly suited to address this essential question. Scholars who work in inter- and transdisciplinary ways with the people who are most affected by war and violence phrase the relevant question. It is a question, which lies at the heart of Cassandra's dilemma; a question to which she herself responds with a complex answer, which is difficult to implement, but highly plausible. So, what is this question?

### **When does the pre-war period begin?**

Christa Wolf depicts the conflict between Troy (an area in today's southwestern Turkey) and the Greeks, already ongoing for several years. Cassandra faces the defeat and occupation of her city through enemy forces, a danger of which she had alerted unsuccessfully. At that point of the long violent history, the conscious seer is well aware of facing her own imminent execution. The famous Trojan horse has arrived, from whose seemingly harmless wooden body the enemies will break out. "Here I end my days, helpless, and nothing, nothing I could have done or not done, willed or thought, could have let me to a different goal" (Wolf, 2013, p. 7). In light of this total capitulation, testifying her deep integrity, she attempts to fathom how the war between Troy and Greece actually came about, when enmities started, why they escalated, on account of which interests or obstacles. She conducts, if you will, applied retrospective conflict research. She does so by reviewing the events of recent years as well as her own numerous attempts to intervene in the complicated situation with various warnings to reduce violence.

Contrary to the common expectation of answering urgent inquiries promptly with detailed and marketable prognosis, she reflects on the long history and the development of the conflict, and on the path that has led to the present point of escalation. "But what kind of place were we living in then? I must try to remember exactly. Did anyone in Troy talk about war? No. He would have been punished" (Wolf, 2013, p. 94). It has been quite clear to Cassandra all along that Troy's supposedly pacified interim periods, in which there was no talk of war, had obviously not been substantially peaceful or non-violent times. They were at best less violent ones, which are, however, mostly not free of repression either. Collecting and interpreting many small pieces of evidence, she concludes that even in these pre-war times there was constant talk of enemies and enmities. This talk was not limited to merely describing the enemy, she argues. "We prepared for war in all innocence and with an easy conscience. The first sign of war: we were letting the enemy govern our behaviour. What did we need him for?" (Wolf, 2013, p. 94). She suspects that rhetoric and discourses employed aimed at formulating primarily her own society's positions and interests. This kind of

hostility talk was apparently needed to arm themselves, to arm society, if not materially for the time being, then at least emotionally and mentally – the prerequisite for arming with weaponry.

Finally, Cassandra raises an unusual and at the same time disturbing question, a question I consider central when thinking about what peace and conflict research knows, does and can (not) be: “You can tell when a war starts, but when does the pre-war start?” (Wolf, 2013, p. 98). We, an international scientific community of peace and conflict scholars, follow news from Syria, Iran, Iraq and elsewhere – the list of current wars goes on, as at any historical moment in the history of mankind. We often tell ourselves that we know when and where war exists. History books pinpoint specific dates. Why the conflict started in the first place is the crucial matter of debate – among majority and minority opinions which we have to contextualize on highly unbalanced terms of influence, resources and political decisions.

The moment in which the armed conflict starts, is when it becomes interesting for peace and conflict studies. At the point when conflicts are carried out violently – unfortunately – the triggering causes are generally already forgotten or made unknown: “Ten years of war. That was long enough to forget completely the question of how the war started” (Wolf, 2013, p. 96). This seems to be the case now. Europe increasingly turns into a fortress against refugees from Afghanistan or Syria, for example, while the wars and military interventions conducted there – even with European participation – are hardly mentioned any more. The same is true regarding the ignorance of the war in Ukraine: today, no one is outraged about the continuing confrontations about which, albeit at a less intensive level than in the beginning. Last but not least, the question of the alleged ‘economic refugees’ from African countries is discussed completely separated from the European responsibility for the legacies of its colonial past, which is evident in today’s ongoing coloniality. “In the middle of war you think of nothing but how it will end. And put off living. When large numbers of people do that, it creates a vacuum within us which the war flows in to fill” (Wolf, 2013, p. 96).

At times we are indeed unable to explain current phenomena of political violence, because even the best and most critical sciences are not fully capable of ‘seeing’ in a mythological sense but can only be effective within their own shortcomings and to the extent to which they have become institutionally established. Nevertheless, peace and conflict research has set itself the task of finding possible answers to these many ‘whys’ and ‘hows.’ This involves various approaches, conflicting positions, different means, and varying reach of coverage. Critical peace research, in particular, as we should remember, operates from the margins of the academic field. The more critically and holistically peace and conflict studies approaches its subject matter and the more radically it uncovers existing entanglements, the more it comes into conflict with prevailing interests – including some of its own – and, hence, the more likely it is to risk losing its hard-won legitimacy and expertise. For the normalized positions are the privileged ones, while the privilege itself is rendered invisible precisely by its normalization (Brunner, 2013, p. 241).

### **Entanglements between political and epistemic violence**

Peace and conflict research itself does not sufficiently investigate what Christa Wolf’s Cassandra calls ‘pre-war.’ Immediate and easy answers are expected from her; the everyday life of policy advice and media articulation does not have a particularly large attention span for complex issues.

It is more convenient to scoop up easily marketable keywords that mutilate what was actually said beyond recognition. At times, peace and conflict research is directly or indirectly involved in pre-war by providing the parameters in which people speak, think, act – and by not questioning them. Challenging normative frames of reference, dominant ideologies, and resilient knowledge systems is hard work. Post- and decolonial theory has coined the term “epistemic violence” for this. This term encompasses violence committed through knowledge. Scholarly knowledge, in particular, cannot be located beyond other forms of violence, but must be thought of as their continuum (Brunner, 2020).

Epistemic violence, that is, violence exerted against or through knowledge, is probably one of the key elements in any process of domination. It is not only through the construction of exploitative economic links or the control of the politico-military apparatuses that domination is accomplished, but also and, I would argue, most importantly through the construction of epistemic frameworks that legitimise and enshrine those practices of domination (Galván-Álvarez, 2010, p. 12).

In such an understanding, violence is not primarily an observable event, but rather an often-unnoticed process involving many and very different manifestations of violence and conflict, including the so-called epistemic violence that the sciences themselves produce: in paradigms, theories and methods of knowledge acquisition, but also in very specific organizational forms of systematizing and reproducing this knowledge. Linguistic and visual, discursive and symbolic, structural and cultural violence are closely related to epistemic violence, which is inherent in knowledge itself and is co-produced by it. At the same time, epistemic violence is a dimension of globally asymmetrically organized violent power relations (Brunner, 2020). Epistemic violence is interwoven with local conditions along intricate, hardly detectable practices, which tend to be difficult to recognize because they are highly normalized. In the words of a postcolonial theorist: “We are complicitous in the same exploitative modes of production we are so privileged to academically criticize” (Bahri, 1995, p. 77). Cassandra, too, is thrown back on the complicated entanglement of her own position in existing relationships of violence and domination; or, to phrase it in more sociological terms: on very concrete interests that are fought out against each other through violent means. Within this struggle, she certainly has her own position to defend and privileges to lose. For precisely this reason, I am certain, she would have understood the concept we today call epistemic violence.

Cassandra herself issues an initial and self-reflective warning when looking back at the summoning indicators of the start of the pre-war period: “Among other things they would say: do not let your own people deceive you” (Wolf, 2013, p. 98). She delivers a displeasing answer, which, in my opinion, should also be an element of conflict and, particularly, peace research. But how, by what means, does Cassandra actually arrive at this answer? She searches for connections, patterns, rules, and pleads for a systematization and, above all, for the transfer of this knowledge about the conditions of possibility of ‘pre-war.’ “If there are rules about that, we should pass them on. Hand them down inscribed in clay, in stone” (Wolf, 2013, p. 98).

This is a very accurate description for any scientific activity and an indication of the nature of academic work. To systematize, categorize, interpret, and finally, to transfer conspicuous findings and, at first glance, inconspicuous results into other temporal or spatial contexts constitute main

tasks of scholars. Yet, this endeavour is not per se objective, independent and free of false conclusions. To the contrary, when reflecting on epistemic violence and its entanglements with other, more manifest, forms of violence or even non-violence – the subject of peace and conflict research –, the context of the above-mentioned rules must also be reconsidered and critically examined.

### **Objectivity and Positionality**

In a secularized society, science and research take the position of sometimes far-sighted, other times the short-sighted ‘seeing.’ For this reason, I would like to continue telling Cassandra’s story in order to develop my argument with regard to the controversial relationship between objectivity and positionality. As Svatava Kyselová explains, Cassandra’s “will to truth,” a will “which aims at the knowledge of truth and reality” (Kyselová, 2006, p. 30; own translation), also goes hand in hand with the gift of the visionary. This is quite similar to the self-conception of scientific activity, even if absolute ideas of objectivity, distance and quasi-scientific reproducibility of scientific knowledge have been dropped in the meantime. However, the lofty ideal of getting to the core of reality by means of truth finding is not the only factor influencing science in general, and peace and conflict research in particular. This brings me back directly to those people engaged in peace and conflict studies and peace work. Cassandra – who did not have to struggle with the constraints of third-party funding applications, limited university budgets or precarious post-Fordist working conditions – experienced first-hand that standpoint and location are closely related and that the former cannot be developed independently from the latter. With her desire, she “breaks through the boundaries of the place assigned to her: her striving for the gift of the visionary is accompanied by the rejection of the role of women required by society” (Kyselová, 2006, p. 30; own translation). At the same time, as the daughter of a king, she is certainly privileged.

If we consider who has access to peace and conflict studies, who graduates with a diploma and achieves socially prestigious positions, then the gender issue – complicating Cassandra’s path – is joined by many more factors: class affiliation, sexual orientation, disability and chronic illness, migration and other ethnicized and culturalized categories. These positionalities all make a difference with regard to the question of who can afford to study peace in the first place and who will proceed to which kind of social position later. These are social ushers, which make our ways of ‘seeing’ and ‘saying’ easier or more difficult. According to feminist standpoint theory, the absence of one of the privileges can also help us see things more clearly, not only from a ‘different’ point of view, but also in their entirety and complexity.

In turn, however, Cassandra’s privileged status also shapes the possibilities of acquiring knowledge in many respects: Apollo would not have endowed a farmer’s ugly daughter with any gift. Moreover, Cassandra’s options for utilizing this knowledge in her society were certainly better than those of a slave son, as well. After all, she is the daughter of the king and the queen, which is why she was given the socially privileged role of priestess in the first place. Cassandra becomes aware of these privileges and benefits in the course of her life. She admits her own contradictions in the field of tension between the desire for social recognition and security on the one hand and the will to know on the other, when she says: “Which should they bet on: my inclination to conform with those in power or my craving for knowledge? [...] Admit it; for too long, you have been trying to have it both ways” (Wolf, 2013, p. 93). This tension may already have become conscious

to everybody working or studying in this field, having come across and understood global inequalities and their conflict- and violence-based preconditions and consequences. For Cassandra, one specific realization was fundamentally shocking, but also fundamentally liberating, which I have already mentioned in connection with her complicity and privilege: “do not let your own people deceive you” (Wolf, 2013, p. 98).

### **Do Not Let Your Own People Deceive You**

The question of when the pre-war period begins has become clear to Cassandra: we need a course of action for analyzing and handing down rules and regularities of pre-war activities in the hope of better possibilities for conflict prevention, management, and transformation in the future. The question of when the pre-war period begins is supplemented in a third step by an insight that has become essential for Cassandra:

You can tell when a war starts, but when does the pre-war start? If there are rules about that, we should pass them on. Hand them down inscribed in clay, in stone. What would they say? Among other things they would say: do not let your own people deceive you. (Wolf, 2013, p. 98)

Cassandra, herself torn between recognition by power and opposition to that power, takes a long time to admit to herself that she is being worn down in this very conflict. If we want to learn to see and comprehend deeply, as Cassandra did, her central insight at the end of her struggle for individual and collective liberation is all the more valid: do not let your own people deceive you! Whether it be politicians, scientists or other experts who shorten the ‘seeing’ in media-compatible word portions to the ‘prognosis,’ which should lead to better usability, whether it be university lecturers and academic colleagues, with whose positions or behavior one might repeatedly disagree.

Let us not participate in prioritizing the creation of readily available knowledge, compartmentalized, quantified, for immediate use, that is supposedly the supreme maxim of competence and expertise or the sole criterion for the success of a course of study. With increasing quantification, which is remarkably concealed in the term ‘quality management’ (and which is perhaps not unrelated to the Greek elite soldiers in the Troy horse), peace studies are threatened to shrink into pure vocational training. Even if university graduates do indeed need such training for the sake of ‘employability’ and, thus, independence, this profile should not be the answer to everything. Peace and conflict research has the power and potential to enable a better understanding of social conflict not only on a micro-level, but at large.

Just as Cassandra did, students and scholars of peace and conflict studies should insist on asking more questions than giving answers, even if none is expected. However, we should not immediately look for the immediate solution, but rather find the underlying cause of a problem into which we might even be involved ourselves. This may sometimes include refusing an immediate answer, as I did with my colleague that day, in order to devote myself to a deeper analysis while hoping for a counterpart who is more receptive to complex answers. Let us try to discover, decipher and expose the rules of the pre-war – especially if they are sold to us as the rules of peace and liberation. Higher education, after all, should provide the conditions for

comprehensive learning, and less commodification of knowledge and education. Exploring the rules of pre-war is one of the primary tasks of both teaching and research, especially in peace and conflict studies, which must provide material and cognitive space for this endeavour. Deciphering the rules of the pre-war should be the main concern of a peace and conflict research that does not see itself as an advisor and agent of imperial policies, but rather as their corrective and counter-design, as a living reservoir even for the recalcitrant and resistant. Despite all prejudices and defamation, this quality does not have to be in contrast to professionalism, which is often denied to critical scholars in order to invalidate their positions.

## Conclusion

Do I want to spoil the fun for the numerous committed students, scholars and teachers in the field of peace and conflict research? Do I intend to rob the motivation of the assumed beacons of hope for an alternative future when I tell of the Cassandra figure who ultimately failed in her high demands to illustrate the contradictions and challenges of this field? Do I want to alienate the colleague at my office door if I refuse him an affirmative quick answer? To the contrary! I would like to encourage all companions of (self-)critical and counter-hegemonic peace and conflict research, scholars, activist, practitioners and students, to take part in the transformation of the field in Cassandra's spirit, to keep it alive through debate and controversy.

Over the past ten years, I have been working in this field which is shrinking to near non-existence in my home country. Austria's comfortable position as the supposed first victim of National Socialism and its constitutionally anchored geopolitical neutrality have, paradoxically, prevented the systematic establishment of peace and conflict research on its territory; it was and is still not considered necessary. Teaching and research activities are highly dependent on individual efforts of scholars who identify with peace studies but are located in other departments and disciplines. Paradoxically, in neighbouring Germany the field is flourishing. The much more successful institutionalization of peace and conflict studies in Germany is in part due to the fact that Germany's increasingly militarized foreign policy has resulted in a certain obligation to accompany this development by civil means – for example, in the form of university education (Sielschott, 2010). This interest enabled critical peace and conflict scholars and activists – the uncomfortable Cassandras – to establish corresponding programs from which peace and conflict research as a whole benefits and with which it continues to develop vibrantly.

If we make use of the field of peace and conflict research, we can appropriate its contents and possibilities into our own agenda, and, thus, acquire influence over them. This means: let us get involved whenever necessary – in universities, politics, the public, family, in our circle of friends. At home and in the world. For all the evocation of democratic decision-making, public debate, free speech in Europe: the spaces for objection and contradiction are narrowing, even here and now, in one of the richest and probably one of the most democratic regions of the world. Not necessarily through repression, but by much more subtle means; means we often even agree with. Unfortunately, we usually only become aware when we are directly affected, i.e. during the rigid lock-down measures due to the Corona pandemic.

The less of symbolic and – certainly – the less of economic capital we bring to the world of higher education, the more likely we are to encounter what feminists so aptly call the 'glass ceiling.' The

‘glass ceiling’ comes in many shapes and forms. The more privileged we are, the more room we enjoy to navigate before we encounter structural limitations. However, just because we do not notice all forms of barriers right away, or often do not really want to admit to ourselves, does not mean that they are going away. To varying degrees, these barriers limit our freedom of research and teaching, and, thus, also of civil society’s opportunities for articulation and participation. It is not only our academic freedom that is at stake.

Cassandra is a seer; moreover, she is a seer in a resistant, sometimes recalcitrant way. She decides against loyalty to formerly loved and cherished family members when she realizes how deeply they are entangled in systems of violence, and that they contribute to war out of greed, pride, vanity or simply economic interests. In addition, she increasingly distances herself from her former ideological frame of reference – the temple – according to whose rules she was trained and in whose service she still is, while gradually losing respect for her earthly and divine superiors. In these massive breaches, she becomes aware that ‘learning to see’ also means ‘learning to resist.’ “The desire underlying Cassandra’s quest for the gift of the seer is that of dignity, of influence and respect. It is the desire to bear responsibility” (Kyselová, 2006, p. 31, own translation).

Cassandra speaks up when she senses that injustice and violence are forthcoming. She takes responsibility for her knowledge and for dealing with it. She always seeks and finds new ways of articulation. The fact that she is not listened to is not primarily her fault and responsibility. Even if even Cassandra cannot always live up to her own high standards; even if she is not always in ‘top shape;’ even if she sometimes makes mistakes: the reasons for not being heard lie, above all, in the social structures of her time, in the dominant narrative and in the radicality of her own position. Last, but not least, they stem from the complex entanglements of structural, symbolic and epistemic violence. The reasons for her ‘failures’ arise from the normalization of precisely those interests which repeatedly – and in the long term certainly to their own disadvantage – enforce violent conflict management instead of considering other, less violent, possibilities. Cassandra is quite capable of proposing peaceful conflict transformation methods based on her systematic analysis and interpretation of events and discourses, present and past – but she is not heard.

In addition to time and space, I hope there is something else that distinguishes students, teachers and researchers in the field of peace and conflict research from Cassandra’s fate. She would have urgently needed like-minded people – allies – who would join her in raising their voice and beginning to assert critical positions. Even the truest truth will not be taken seriously, not become intelligible, not be acknowledged, if knowledge-holders and knowers remain isolated. Cassandra, both in the Greek myth and in the novel, had her retreat on Mount Ida, where she received support and encouragement from her comrades-in-arms. In public, however, she was completely alone, and, therefore, utterly vulnerable. Along with efforts in terms of appropriate analysis and criticism, we all need intimate allies, not only within scientific institutions and networks, but especially beyond this terrain, in private and in public.

Above all, we owe the institutionalization and development of peace and conflict studies to our predecessors from different critical research traditions. Like Cassandra had to break away from her family and the temple, they had to break away from their original disciplines and probably from former allies in order to walk their own paths and create new spaces for analysis and critique. This would have been impossible, however, without the peace movement and its close relatives,

the workers' movement, the women's movement, the green movement, etc., from which many of the protagonists, practices and paradigms of peace and conflict research ultimately emerged. What our subject and field have been losing sight of for decades, unfortunately, is the close connection between the different positions within and on the fringes of various social movements, including the (armed) resistance of worldwide anti-colonial liberation struggles. Even Richard Jackson (2015), while provocatively explaining how social and resistance movements could 'save' peace research, does not address this delicate question of the significance of violence and non-violence. To a certain extent, the field needs to be saved from its own success because in the course of its institutionalization and professionalization, it has increasingly adapted to (neo-)liberal paradigms and practices and has lost its radicality as well as its connection to people outside its own circles.

Boaventura de Sousa Santos (2014) formulates this problem more pointedly in his "Minifesto for Intellectual Activists" which he derives from the "Manifesto for Good Living/Buen Vivir," a document from the social movements in Latin America. In this manifesto and minifesto, the question of violence is not addressed offensively either, but with reference to anti-racist, anti-colonial and indigenous struggles; it becomes obvious that political analysis and criticism cannot be separated from political struggle and resistance. Cassandra also had to experience this. In their argumentation about the necessity of orientation towards political struggles, both authors indirectly focus – albeit without any reference to Cassandra or any other feminist voice – on her central warning: "do not be deceived by your own."

In order to learn to see, as Cassandra did against conventional perspectives, to practice speaking against the current of dominant discourses in order to decipher and make visible the rules of pre-war, it requires not only one's own strengths and privileges. Above all, it requires the will and the ability to find allies and, in a joint effort, to constantly develop new ways of making unwelcome findings heard – within and outside of peace and conflict research. If we do not want the field of peace and conflict studies to become an agent of imperial and repressive policies, we will have to continue to live with Cassandra's dilemma: the dilemma of refusing to provide simple answers to complex questions, the dilemma that complex answers to supposedly simple questions are not welcomed in a world of "organized peacelessness" (Senghaas, 1969).

## References

- Bahri, D. (1995). Once more with feeling. What is postcolonialism? *ARIEL. A Review of International English Literature*, 26(1), 51-82.
- Brunner, C. (2013). Situiert und seinsverbunden in der 'Geopolitik des Wissens'. Politisch-epistemische Überlegungen zur Zukunft der Wissenssoziologie. *Zeitschrift für Diskursforschung*, 1(3), 226-245.
- Brunner, Claudia (2015). Kassandras Dilemma –oder: Was kann Friedens- und Konfliktforschung? *Augsburger Universitätsreden*, 70. Retrieved from [https://opus.bibliothek.uni-augsburg.de/opus4/files/3389/UR\\_70\\_Brunner\\_FuKF.pdf](https://opus.bibliothek.uni-augsburg.de/opus4/files/3389/UR_70_Brunner_FuKF.pdf)
- Brunner, C. (2020). *Epistemische Gewalt. Wissen und Herrschaft in der kolonialen Moderne*. Transcript.
- Dietze, G. (2008). Intersektionalität und Hegemonie(selbst)kritik. In W. Gippert, P. Götte, & E. Kleinau, (Eds.), *Transkulturalität. Gender- und bildungshistorische Perspektiven* (pp. 27-43). Transcript.



- Galván-Álvarez, E. (2010). Epistemic violence and retaliation. The issue of knowledge in mother india. *Atlantis. Journal of the Spanish Association of Anglo-American Studies*, 32(2), 11-26.
- Jackson, R. (2015). How resistance can save peace studies. *Journal of Resistance Studies*, 1(1), 18-48.
- Kyselová, S. (2006). *Christa Wolf, Cassandra*. BA thesis. Masarkova Univerzita, Brno. Retrieved from [http://is.muni.cz/th/109077/ff\\_b/Christa\\_Wolf\\_Kassandra.pdf](http://is.muni.cz/th/109077/ff_b/Christa_Wolf_Kassandra.pdf)
- Quijano, A. (2007). Coloniality and modernity/rationality. *Cultural Studies*, 21(2-3), 168-178.
- Santos, B. de Sousa (2014). *Epistemologies of the south. Justice against epistemicide*. Boulder, CO: Paradigm Publishers.
- Senghaas, D. (1969). *Abschreckung und Frieden. Studien zur Kritik organisierter Friedlosigkeit*. Frankfurt am Main: Europäische Verlagsanstalt.
- Sielschott, S. (2010). Friedenswissenschaftliche Lehre im Wandel. Aus der Nische in den Boom? Bedingungen und Bedeutungen der Etablierung friedenswissenschaftlicher Master-Studiengänge. Center for Conflict Studies, Philipps Universität Marburg. *CCS Working Papers*, 12, 1-20. Retrieved from <https://archiv.ub.uni-marburg.de/es/2019/0011/pdf/ccs-wp-12.pdf>
- Spivak, G. C. (1988). Can the subaltern speak? In: N. Carry & L. Grossberg (Eds.), *Marxism and the interpretation of culture* (pp. 271-313). Urbana-Champaign, IL: University of Illinois Press.
- Wolf, C. (2013 [German original 1983]). *Cassandra*. London: Daunt Books.

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## **In Pursuit of World Peace Where Freedom Chokes: W.E.B. Du Bois Confronts the Cold War**

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### **Abstract**

As the bitter Cold War reached its early strident stages and an ominous nuclear arms race took off in earnest, a worldwide effort to ban nuclear weapons was launched by the World Peace Council. Leading that peacemaking effort in the USA, was the venerable African American scholar activist, W.E.B. Du Bois. As Chairman of the Peace Information Center, Du Bois succeeded in gaining widespread support in the USA to ban the bomb, an accomplishment that landed him in the crosshairs of the emergent military industrial complex. Years of government persecution and surveillance followed, and Du Bois eventually left the land of his birth. This paper chronicles those historic developments and concludes with a tribute to this elderly pioneer of the modern peace movement as affirmed by the recent UN Treaty on the Prohibition of Nuclear Weapons.

## **IN PURSUIT OF WORLD PEACE WHERE FREEDOM CHOKES: W.E.B. DU BOIS CONFRONTS THE COLD WAR**

### **Introduction**

Over the course of his very long and venerable life dedicated wholeheartedly to world peace and racial equality, W.E.B. Du Bois consistently and courageously confronted their vicious antithetical manifestations throughout the world and did so with considerable effect. Yet despite his prodigious peacemaking efforts, this African American prophet was largely without honor in his homeland, especially during his bitter twilight years when he was commonly castigated as a villain, even traitor, in America, but celebrated abroad, especially among peoples of color, as a heroic champion of peace and justice. “Peace, freedom and democracy”, these three, the 91- year-old Du Bois (1959) told the World Peace Council on its 10th anniversary, “but the greatest of these is peace”. By that time he had just endured a decade of virulent political repression and character assassination led by the US government which was hell-bent on maintaining military supremacy and global domination in the brave new world born from the ashes of WWII, particularly its radioactive fallout. The emergent conflict between war and peace forces reached an initial head in 1949, a pivotal year in modern world history and the world peace movement. That spring in Paris and Prague, peacemakers from 72 nations planted seeds for the World Peace Congress, led in the USA by W.E.B. Du Bois. Within weeks of each other later that fateful year, the Soviet Union succeeded in ending America’s monopoly on atomic weapons, and Chinese Communists succeeded in creating the world’s largest socialist state.

In an increasingly militarized and agonized America, war hysteria and the Red Scare reached feverish pitches in 1949 as exemplified by the state-instigated violent anti-communist assaults in late summer on a large peace concert in Peekskill featuring Du Bois’s close associate, Paul Robeson. The same orchestrated fervor of fear and hate accompanied the historic Cultural and Scientific Conference for World Peace in NYC during late March. Among the main speakers at the embattled conference was the octogenarian W.E.B. Du Bois (1949a), who calmly shared his optimistic vision that “the borderland where freedom chokes today may easily, as freedom grows, fade into its more complete realm.” That vision was not to be realized, at least not in Du Bois’s lifetime. It was the state’s chokehold on freedom, not freedom itself, which grew exponentially during the last years of his heroic life as the elderly and seemingly indefatigable peacemaker unrelentingly took on the interlocked forces of war, ignorance, racism and colonialism. “Two barriers and two alone hem us in and hurl us back today”, explained Du Bois at the 1949 conference, “One, the persistent relic of ancient barbarism - war: organized murder, maiming, destruction and insanity. The other, the world-old habit of refusing to think ourselves, or to listen to those who do think. Against this ignorance and intolerance we protest forever. But we do not merely protest, we make renewed demand for freedom in that vast kingdom of the human spirit where freedom has ever had the right to dwell: the expressing of thought to unstuffed ears; the dreaming of dreams by untwisted souls” (ibid, p.78). The twin barriers to freedom’s more complete realm, however, proved to be increasingly intransigent bolstered by the rapid rise of America’s military industrial complex; but, as the peace praxis of Du Bois also demonstrates, the Cold War’s fortified barriers to peace were not entirely insurmountable. Du Bois spoke militant truth to militaristic power at the dawn of the Nuclear Age, and his voice in the wilderness, then almost totally muted, now resounds with renewed vigor throughout the world.

## **Democracy and Freedom under Siege**

The gap between the ideal and real America, always a historical reality, was never greater than during the bittersweet last years of Du Bois in the USA. In the tumultuous aftermath of World War II, America the Beautiful had morphed into its antithesis, a radical transformation which left the entire spectrum of progressive social forces and organizations in America in shambles and kept an entire population in ideological shackles within a perpetual state of fear and insecurity. The politics of fear were driven by potent social institutions at all levels and a compliant corporate mass media. Americans everywhere were made to believe that the threat of a communist take-over through an external military invasion assisted by internal fifth column forces was very real and imminent.

To sustain mass fear of the fabricated internal threat, Cold War propagandists and politicians launched a witch-hunt of unprecedented proportions nationwide. Typical for witch-hunts, the Red Scare in the Cold War was constructed to fabricate, not find, internal nefarious forces in order to smash progressive ones. An avalanche of repressive legislation designed to purge America of its “subversive” citizens and organizations descended upon the country with a vengeance, sacrificing democracy and free speech in its wake. An avalanche of a different sort targeted the entire American public, not just suspected subversives. Daily dosages of fear were served to the general public and forced into national consciousness by manipulative mass media and public rituals simulating atomic attacks. Paranoia, induced and sustained by a militaristic power elite, ruled the land.

In the process of this unprecedented repressive onslaught and militarization of society, American democracy was placed under siege; the constitutional rights of citizens were routinely violated; freedom was choked; the world was brought to the brink of nuclear annihilation; and progress toward a more equitable and just society effectively thwarted. As one astute observer and critic of McCarthyism insightfully assessed the colossal damage inflicted upon America during this “Scoundrel Time” and “Nightmare Decade” put it:

We should keep in mind, however, that McCarthyism’s main impact may well have been in what did not happen rather than in what did – the social reforms that were never adopted, the diplomatic initiatives that were not pursued, the workers who were not organized into unions, the books that were not written, and the movies that were never filmed. The most obvious casualty was the American Left...With their demise, the nation lost the institutional network that created a public space where serious alternatives to the status quo could be presented. (Schrecker, 1994, pp.92-93)

Such was the dismal context in which the elderly Du Bois struggled energetically to keep the hope of peace alive, even though it nearly led to his state-imposed death.

## **Du Bois under Surveillance**

For the last two decades of his long and laudable life, Du Bois was under secret surveillance by agencies of the US government, primarily the FBI. The extensive surveillance uncovered absolutely no unlawful behavior; no subversive activities; and no security threats whatsoever. There is, however, a wealth of evidence within the partially released and heavily redacted FBI file on #100-99720 (aka W.E.B. Du Bois) that he was indeed guilty of a central feature of the social

sciences he helped found in America and an indispensable ingredient of the endangered democracy he helped defend during her darkest days; namely, social criticism. Speaking truth to power was his hallmark.

The first recorded entry in his recently declassified FBI file sets the tone of false accusations found in virtually all subsequent reports by assorted FBI informants and agents:

Information was received at the Atlanta Office that the subject...had stated in a speech made while in Japan that the Japanese were to be complimented on their progress and especially upon their military prowess... and that in the Japanese he saw the liberation of the negroes in America, and that when the time came for them to take over the United States, they would find they would have help from the negroes in the United States. (Anonymous FBI Report, 1941)

In a separate report, an informant claiming to have been present at his speech in Osaka, states there was an expressed “desire on the part of DUBOIS to unite the yellow and black races in opposition to the white race: (Anonymous FBI Report, 1942).

Such outlandish accusations in his FBI file from the early war years subsided briefly. After being discontinued for five years, clandestine government surveillance of Du Bois restarted in 1947 and continued with a vengeance until his death in 1963. It is obvious from several field reports that the FBI defined and treated Du Bois as a Communist long before he defiantly joined the CPUSA. An August 1948 entry by the Washington Field Office has Du Bois accused of being a member of the Communist Party. DuBois was repeatedly identified as a “concealed Communist” in FBI reports from June 1950 until at least August 1958, during the height of McCarthyism when such labels were synonymous with traitor and national security threat. In a revealing 1958 memo to FBI director Hoover, a field officer brazenly identifies Du Bois as “a well-known member of the Communist Party of the United States of America – formerly head of Communist front Peace Center in New York City” (Anonymous FBI Report, 1958). The operative definitions of the situation, though false, had very real consequences for Du Bois, who was maliciously marginalized in McCarthyite America through state-sponsored character assassination.

### **Du Bois on Trial**

W.E.B. Du Bois was indicted, arraigned, tried and abruptly acquitted in one of the most dramatic cases of government repression of peace and free speech in modern American history. The charge against Du Bois was that he was an unregistered agent of a foreign power, a violation of federal law since 1938. The charge was not without its bitter irony. It was nearly fully based upon testimony derived from a paid registered agent of the Yugoslavian government (John Rogge) and indirectly upon statements by a paid, actual agent of the Union of South Africa (Max Yergan). Both men had worked with Du Bois before they curiously decided to project their own foreign agent status upon him. Equally ironic circumstances surround the first official identification of Du Bois and the Peace Information Center he directed as agents of a foreign power. It came on August 11, 1950 – almost exactly one year after Du Bois (1949b, p.261) prophetically told the House Committee on Foreign Relations that “if anyone questions the power of wealth, wants to build more TVAs, advocates civil rights for Negroes, he is a Communist, a revolutionist, a scoundrel

and is liable to lose his job or land in jail.” On the very day that his government officially branded him a foreign agent and demanded he agree to that incriminating label, Du Bois was in Czechoslovakia as an “unofficial representative” of the American people, a self-appointed status he acknowledged in a speech to the World Council of Peace in Prague that month. In that speech he urged “the insistence even in the United States that persons be given the right and the opportunity to seek and speak the truth.” (Du Bois 1950a). It was precisely that right and opportunity, however, which the US government saw fit to ignore in its contrived case against DuBois and his associates at the Peace Information Center. Upon learning of the government’s demand that he register as a foreign agent, Du Bois (c.1950) expressed his outrage from Paris at the false allegation, stating that the Center’s “sole objective is to secure peace, and prevent a third world war”, and that “since there is clearly no justification in fact for the demand by the Department of Justice, I must assume that this action, coming after months of normal activity by our organization is a further move by the Administration to frighten into silence the voices of peace in America...to intimidate those working for peace, whether in support of the World Peace Appeal, the Int’l Red Cross Statement calling for banning atomic weapons or the teachings of the Prince of Peace Himself. The desire for peace cannot be made an alien sentiment...”

All such appeals fell on deaf ears with governmental circles. On February 2nd, the Justice Department ominously informed DuBois that he had been “fully informed” of the “obligations of the Peace Information Center” in regard to registration as a foreign agent. On February 8th, a federal Grand Jury meeting in Washington D.C. and hearing only government evidence, returned an indictment against DuBois and four PIC staff members; on February 16, he was arraigned in D.C.’s federal Criminal Courtroom and emerged from the cell block in handcuffs. After being released on bond, a FBI report found it necessary to note he “quietly chatted with Shirley Graham, to whom he was engaged to marry” (Anonymous FBI Report, 1951a). Subsequent to their marriage on February 27, a FBI Security Index Card was developed on Shirley Graham, alternately named “Lola Graham McCanns” in her extensive FBI file and officially labeled, as was her husband, as “SM-C” [Security Matter - Communist] (Anonymous FBI Report, 1951b). Consequently, repeated harassment and constant secret surveillance by government agencies followed both peacemakers for their entire marriage, nevertheless a happy one providing both with emotional support and companionship needed to carry on the struggle for world peace, racial equality and socialism. The first task at hand was to overcome the indictment and save his life, a mission his new wife in particular assumed with ferocity.

At the core of this pivotal case were fundamental human and constitutional rights. However, an exposition and defense of those rights never emerged during the trial as Du Bois hoped, since the judge narrowly restricted the case to one single issue: whether or not the defendants acted as unregistered agents of a foreign power. Despite nearly five full days of testimony by government witnesses, the prosecution was utterly unable to establish any connection to any foreign power. The presentation by the defense, on the other hand, was limited to less than one day during which Vito Marcantonio, chief counsel for the defense, made an eloquent and successful appeal for an acquittal. The trial itself was rather anti-climatic. None of the De-fenders of Peace depositions or character witnesses for the defense (including Albert Einstein) were presented at court. Prosecutors only called on seven of its 27 witnesses before resting its case, one which Marcantonio called “one of the most diabolical plots ever pulled” (Du Bois, 1952, p.133). The attempt to silence Du Bois in this legalistic manner failed, the first courtroom defeat for McCarthyism. That abject failure,

however, rested less on what took place inside the courtroom during those five fateful days in November, than it did on the dramatic outpouring of worldwide support for the defendants. Protest messages and petitions from peacemakers across America and throughout the world flooded the US Department of Justice and White House; greetings from every continent on earth poured into the committee organizing a grand celebration for the 83rd anniversary of Du Bois's birth; and a question central to the case - Is Peace a Crime? - marked the title of a pamphlet massively circulated by the National Committee to Defend Du Bois and Associates in the Peace Information Center. Among the most impactful press releases issued by his defense committee were ones composed by Du Bois himself, like this one given at a press conference held near the Lincoln Memorial on the day of his arraignment:

A great demand for peace is being voiced throughout the country. Men and women everywhere are questioning our tragic military adventure in Korea and the prospect of war with China. There is deep apprehension at the thought that an atomic war may be unleashed. In the light of this, the shabby trick of branding those who seek peace as "aliens" and "criminals" will not stem this tide. I am confident that every American who desires peace, Negro and white, Catholic, Jew and Protestant, the three million signers of the World Peace Appeal and the tens of millions more will join us in our fight to vindicate our right to speak for peace. (Du Bois 1951a)

His confidence was not misplaced. In the months following his arraignment, a groundswell of support for him and his co-defendants emerged from within America and abroad. His 1951 speaking tour, sponsored by the Progressive Party and largely organized by his wife, directly brought his poignant message of peace to receptive audiences in over a dozen cities of the West and Midwest. However, unlike news of his indictment which was widely broadcast, a media blackout prevented a fear-ridden public from hearing his incisive peace message, one deeply rooted in revolutionary American principles:

For 175 years, this country has struggled toward a full realization of the great principles which gave meaning to its birth. Among those principles was the concept that there is no peace without freedom – of the mind as well as the body.

My life span encompasses almost half of the history of this nation. In all my work I have been heir to the historic traditions represented by my great-grandfather who struck a blow for freedom of the Negro people and of the inhabitants of this land through service in the revolutionary army.

At this moment of my life, I stand accused by the federal authorities of having acted as an agent of a foreign principal. With me stand my four co-workers in the Peace Information Center and today, in deepest anxiety, the American people search the international horizon for a sign which will tell them whether the problems of this moment will find expression in war – or be resolved through peaceful negotiation.

The defendants in this case declare that in their work for peace through the Peace Information Center, they were acting as Americans for America. The defendants deny that Peace is a foreign idea. They assert that any attempt to curtail free interchange of thought,

opinion and knowledge of fact the world over is clearly an interference with the constitutional rights of American citizens. The function of the Center was to give to the citizens of this country those facts concerning the world-wide efforts for peace which the American press for the most part was ignoring or suppressing. The United States has as yet laid no embargo on the importation of ideas, or knowledge of international efforts for social uplift; and surely there can be today no greater need for information than in the peace movement and the effort to remove the horrible threat of a Third World War. Any successful attempt on the part of the Government to suppress and curtail free circulation of ideas among the peoples of the world is monstrous and aimed at making all advocacy of peace and all social reform impossible. (Du Bois, 1951b)

Thousands of Americans openly agreed with DuBois and came to his defense. “If this indictment of Dr. DuBois and his associates is not defeated by an aroused public opinion”, read the concluding sentence of “A Statement to the American People” issued by the National Council of the Arts, Sciences and Professions in June 1951, “no person or organization whose views on the crucial issue of war and peace differ from the administration in power, will be safe from calumny and attack” (Du Bois, 1951c). The statement was signed by over 200 Americans, mostly in the field of education. However, the nature of the dialectical forces in conflict with each other in this historic struggle for peace incarnated in the indictment and acquittal of Du Bois was perhaps best captured by the great poet, Langston Hughes:

Somebody in Washington wants to put Dr. DuBois in jail. Somebody in France wanted to put Voltaire in jail. Somebody in Franco’s Spain sent Lorca, their greatest poet, to death before a firing squad. Somebody in Germany under Hitler burned the books, drove Thomas Mann into exile, and led their leading Jewish scholars to the gas chambers. Somebody in Greece long ago gave Socrates the hemlock to drink. Somebody at Golgotha erected a cross and somebody drove the nails into the hands of Christ. Somebody spat upon His garments. No one remembers their names. (Hughes, 1951)

### **Silencing Du Bois Partially**

The attempted death of an elderly Du Bois through lengthy imprisonment after an expected routine court conviction was prevented by a remarkable triumph over the government indictment, a pioneering historic victory which paved the way for the end of official McCarthyism. Nevertheless, the deep damage to American democracy through political cleansing was accomplished. America emerged from this “Scoundrel Time” with a political landscape largely purged of progressive organizations, particularly those which were associated with Du Bois. The Council on African Affairs, chaired by Du Bois and Paul Robeson, was charged with subversion in 1953 and consequently forced to disband two years later. The Peace Information Center had a shorter organizational longevity; it was forced to cease operations circulating PeaceGrams and the Stockholm Peace Appeal within the year of its inception. The Jefferson School of Social Science, which included Du Bois as one of its most prominent lecturers and which attracted thousands of students in the late 1940s, was forced to close its doors in 1956. Du Bois gave several lectures at the California Labor School before the government shut it down in 1956. The US Progressive Party, which ran former US Vice President Henry Wallace as its Presidential candidate on a peace platform vigorously supported by Du Bois, garnered only about 3% of the official vote in 1948



and disbanded completely in 1955. The American Labor Party, formed in 1936 and represented in the US Congress by only one member from 1938 to 1950, nominated Du Bois as its US Senate peace candidate in 1950; he remarkably received 220,000 votes statewide, including 12.6% of the vote cast in Harlem. The ALP dissolved in 1956.

This sanctioned diminution or disappearance of progressive voices and organizations was in direct correlation with the emergence of embedded militarism and rapid rise of a vast Military Industrial Complex, which increasingly engulfed large sectors of the economy into expansive weapons production feeding the Cold War. To justify large-scale production of costly weapons of mass destruction, threat inflation became as normalized as the permanent war economy and politics of fear. Propelled by the 1946 “long telegram” of George Kennan, US Ambassador to the USSR, warning US officials of an alleged existential Soviet threats and quickly followed by a host of repressive laws and militaristic alliances, US foreign policy and practice during the early Cold War was based upon containment and Mutual Assured Destruction (MAD). The domestic policy, complements of the foreign containment doctrine, targeted anyone and any organization perceived as opposed to or even critical of the new militarized order reliant upon nuclear weapons. Accordingly, some 12,000 citizens lost their jobs during this witch hunt, and it is estimated that from 1947 to 1953, nearly 5 million individuals in America were officially investigated for alleged subversive actions and thought. Du Bois was one of the few targeted Americans who was also indicted by the government, a testament to the efficacy of his outspoken critique of this new threat to world peace wrought by the advent of The Bomb and the Military Industrial Complex.

The rapidity and ferocity of the assault upon Du Bois also provides a clear measure of the extent to which he and a militarized America were on dialectically opposed trajectories. In a highly acclaimed best-seller of the late 1940s, *Inside U.S.A.*, Du Bois is explicitly referenced ten separate times and highly lauded as having a social standing “almost like that of Shaw or Einstein, being the most venerable and distinguished of leaders in his field” (Gunther, 1947, p.681). A revised 1951 edition of this influential text makes absolutely no mention of Du Bois. The most venerable leader became among the most vilified as the Cold War witch-hunt emerged in earnest and Du Bois became, as a recent drama in his honor depicts him, “The Most Dangerous Man in America” (Baraka, 2015).. An irreversible dialectical divergence between Du Bois and America’s militaristic power elite took firm root publicly in the late 1940s and culminated in his defiant departure from the USA in the early 1960s. His forced disaffiliation with the NAACP in 1948 announced the onset of a coordinated onslaught which systematically drove Du Bois and his progressive ideas to the margins of American society. Nearly every organization which enjoyed his active participation or support ended up on the Attorney General’s extensive blacklist of subversive groups. Several of his closest associates, such as Ben Davis and Paul Robeson, were hauled in by the House of Un-American Activities Committee, defined and treated as national security threats and/or nefarious enemies of the American way of life. Upon his own indictment by the US government, Du Bois was left abandoned by countless Americans who had previously celebrated his visionary leadership and many accomplishments in progressive social movements. The 1948 celebration of his 80th birthday, sponsored by Fisk University and the NY Fisk Club, was held in the Hendrik Hudson Room of Hotel Roosevelt in central Manhattan; by contrast, the post-indictment celebration of his 83rd birthday was forced out of central NYC and held in Harlem, devoid of several scheduled notable speakers.

Though effectively marginalized, Du Bois was not completely silenced during this bitter time. His clarion call for peace and critical denunciation of US war policies regularly appeared in the National Guardian, Chicago Globe and other limited outlets. As early as 1950, he severely criticized the US role in Indo-China (Du Bois, 1950b). In a 1950 US Senate campaign speech, he boldly stated that “of all nations on earth today, the U.S. alone wants war”, and that he takes his stand “beside the millions in every continent and nation who cry Peace - No More War; end the rule of Brass Hats in our government” (Du Bois, 1950c). Accordingly, it is no surprise that Du Bois held President Truman in utter contempt, asserting that “he ranks with Adolf Hitler as one of the greatest killers of our day” (Du Bois, 1953). He prophetically identified Vice President Nixon as an “unworthy politician of the lowest order” (Du Bois, 1956a). In explaining why he would not vote in 1956, Du Bois boldly proclaims that “Democracy is dead in the United States” and that the “present Administration is carrying on the greatest preparation for war in the history of mankind” (Du Bois, 1956b, p.324). At the other end of the political spectrum, Du Bois makes clear that his is a stance for peace and socialism: “I believe in socialism. I seek a world where the ideals of communism will triumph - to each according to his need, from each according to his ability. In this I will work as long as I live. And I still live” (Du Bois, 1958, p.7). Such sentiments were, of course, well-received in the many socialist countries he and his wife visited upon restoration of their passports in 1958. In stark contrast to the bitter years of confinement, this was an uplifting sojourn, perhaps best exemplified by their joyous spontaneous duet performance of “Ain’t Gonna Study War No More” at a state dinner in their honor in China. (Anonymous FBI Report, 1959)

Du Bois lived long enough to witness a vindication, albeit inadvertent and indirect, of his critique of expansive militarism in America from the highest office in the land. In one of the great ironies of US history, it was none other than the man who had presided over much of the militarization of the US government and society during the 1950s, Five-Star General and US President Dwight Eisenhower, who warned the American public about the dire consequences to our way of life posed by the unprecedented rise of the “Military Industrial Complex”, a term he coined, in his televised Farewell Address to the nation in early 1961 (Eisenhower, 1961). Later that same year, Du Bois, one of the most persecuted victims and pervasive critics of the Military Industrial Complex and its many assorted war makers, left the troubled land of his birth to return to a reborn independent land of his ancestors so that “my dust shall mingle with the dust of my forefathers” (Du Bois, 1963).

However, his explicit identification with his African ancestors and acceptance of Ghanaian citizenship certainly does not preclude his quintessential identity as an American, indeed as an American patriot. To label Du Bois a “diasporic international”, let alone as an “Un-American” (Mullen, 2015, p.158) and to identify his critical oppositional consciousness as a form of “disidentifactory Americanism” (Porter, 2010, p.155) takes his masterfully articulated concept of double consciousness much too far toward an imposed false consciousness one. America is certainly not confined to its reactionary and racist reprobates, and progressives err in allowing, even implicitly, the Right to hijack our national symbols and rewrite our revolutionary legacy for its march toward fascism. Unlike his persecutors, Du Bois never disassociated himself in theory or praxis from the revolutionary Spirit of ’76. In fact, he incarnated its ideals over the course of his entire life. At the height of his persecution when the antithesis of that Spirit stalked the land, one of his many admirers succinctly captured the qualitative difference between him and his persecutors in a short letter of encouragement: “Good luck. We need more men like you - 1951 version of Patrick Henry. We could use less Benedict Arnolds like Joe McCarthy.” (Sato, 1951)

## Discerning Du Bois Dialectically

The question remains as to why Du Bois, as an octogenarian stripped of any significant organizational base, would be pursued, prosecuted and persecuted so viciously by the US government. The answer, one which has not been sufficiently addressed by scholars to date, lies in the emergence of a new and ominous force in postwar American society: the Military Industrial Complex and its congenital bond to The Bomb. Within a few short years following WWII, every segment of the US government and much of the economy was made subservient to the demanding needs of this powerful complex designed to develop and maintain US military superiority based upon an ever-increasing stockpile of nuclear weapons and repeated at-will military interventions around the globe. Du Bois was caught in its crosshairs. During the last years of his long life and the early years of the Cold War, Du Bois was confined in the crucible of contradictions confronting American society and humanity at the dawn of the Nuclear Age. Though certainly not unscathed, he remained undaunted in his firm commitment to world peace as a militarism of unprecedented proportions firmly gripped US policy as the ruling paradigm. In fact, the peace praxis of Du Bois during the critical onset of the Cold War and rise of the Military Industrial Complex in the USA was the functional equivalent of the last movement of a grand symphony dedicated to human harmony. It was his finest hour, an ode to joy and peace.

That, of course, is not the assessment of an assortment of consensus historians or other scholars who totally ignore his peace activism in their myopic biographies, let alone academic publications which continue to vilify Du Bois. Fortunately, in more recent years progressive historians and social scientists, ones who were evidently inspired by sociological conflict theory and the “history from below” approach used by Du Bois in his many incisive scholarly works, convincingly refuted the conventional and convenient depiction of the elderly Du Bois as some sorrowful and tragic “prophet in limbo” who had lost his way, if not his mind, in his last years. In his seminal work on Du Bois during the Cold War, Horne (1986), for instance, envisions Du Bois as the “leader of Gideon’s Black Army”. Marable (1986) places Du Bois, the “Black Radical Democrat” and “stern prophet”, at the forefront of the “transformationist tradition in black political history”, the only one who “sensed correctly that a dialectical approach to black activism was needed to overcome the chasm of racial ideologies” (Marable, 2011). Increasingly, progressive scholars also connect the struggle against Jim Crowism domestically, a lifelong battle for Du Bois, to the colossal East-West conflict during the Cold War internationally, a major battlefield for Du Bois in his last years. An invaluable insight into the crucial link between legalistic breakthroughs in racial desegregation and the anti-communist crusade in the context of the Cold War is afforded by Critical Race theorists such as Dudziak (1995) and von Eschen (2000). Yet while correctly defining the historic US Supreme Court decision in Brown v. Topeka Board of Education as a strategic national policy change designed to enhance the international stature of the US in the Cold War struggle, neither exponents of Critical Race Theory nor Conflict Theory have sufficiently explored or exposed the pivotal role played by the elderly Du Bois in openly challenging the rising power of militarism based on nuclear weapons during the waning years of Jim Crowism. This longstanding oversight needs to be removed by a comprehensive historiographical analysis which finally and accurately embraces Du Bois as a founder of and pioneering participant in the modern peace movement to abolish nuclear weapons in the mid-20th century, as he was a founder of American social sciences in the late 19th century and the founder of the organized civil rights movement in the early 20th

century. The spectrum of his historical contributions to social progress is arguably without its equal.

The ruling ideas and practices of the US government, particularly institutionalized racism, were consistently and courageously challenged by Du Bois for his entire life. However, there was only one challenge that motivated the US government to seek to silence DuBois permanently. It was his highly effective promotion of the World Peace Appeal (Stockholm Peace Appeal), a world-wide effort to abolish nuclear weapons at their genesis in the early years of the Cold War. As the most prominent leader of that peace effort in the USA, Du Bois stood in direct opposition to the rapid rise of a powerful Military Industrial Complex and the emergent militarized architecture of the entire US government following the Second World War. A more asymmetrical conflict is hard to imagine.

The ideological content of this dialectical conflict between Du Bois and nuclear militarism is succinctly codified in the language of the Stockholm Peace Appeal and its antithesis, a top secret government document known as NSC-68. The text of the Stockholm Peace Appeal is a clear and concise call for the abolition of atomic weapons and a condemnation of their use as a war crime against humanity:

We demand the outlawing of atomic weapons as instruments of intimidation and mass murder of peoples. We demand strict international control to enforce this measure. We believe that any government which first uses atomic weapons against any other country whatsoever will be committing a crime against humanity and should be dealt with as a war criminal. We call on all men and women of good will to sign this appeal. (World Peace Council, 2015)

US government condemnation of the Appeal, not atomic weapons, quickly followed. In a widely circulated statement which appeared on the front pages of major papers, US Secretary of State Dean Acheson (1950) summarily dismissed it as a “propaganda trick in the spurious ‘peace offensive’ of the Soviet Union.” Warren Austin, head of the US delegation to the UN, declared that signers of the Appeal were “traitors to their country” (Horne, 1986, p.133). Shortly after the outbreak of the Korean War, the US State Department issued and strategically distributed an unsigned 4-page document, “Moscow’s ‘Signature for Peace’ Campaign”, which roundly condemned the Appeal as “exclusively a Communist program” designed “to nullify the defensive value of U.S. superiority in the atom weapon both to the United States and its allies by making use of the atom weapon seem morally indefensible” (Anonymous, 1950). Despite these state-sponsored efforts to discredit the Stockholm Peace Appeal, nearly 3 million Americans signed the Appeal and over 500 million signed it throughout the world.

By stark contrast to the peace sentiment of the SPA, the official policy of the US government as contained in the 1950 strategy document (NSC-68) of the National Security Council calls for a vast military build-up to maintain strategic military superiority, particularly in weapons of mass destruction, specifically thermonuclear ones” (NSC Executive Secretary, 1950). Accordingly, US military spending during the Cold War dramatically increased from a modest \$4.7 billion in 1948 to a yearly average of \$109 billion from 1949-1951 and to annual levels never below \$143 billion after 1952 (in 1982 constant dollars). During the 65 years after WWII as America transformed into

a military empire, US taxpayers were forced to spend more on the military than the military spending of the rest of the world combined. With the advent of the Trump presidency nuclear weapons superiority and use forcefully re-emerged as foreign policy. In an interview discussing the 75th anniversary of D-day, Trump (2019) stated he is fully prepared to take on the “tremendous responsibility” for using nuclear weapons.

Against such persistent madness and at the genesis of this gargantuan military empire and permanent war economy, courageously stood, in firm opposition, an elderly Black scholar activist and his few associates operating out of the two small rooms of the Peace Information Center in a New York hotel. They were, of course, crushed operationally, but not ideologically. The idea of a nuclear weapons-free world survived and thrived. In 1982, some three decades after Du Bois was indicted for his peace advocacy, over one million peace activists filled the streets of NYC in a massive protest calling for an end to the arms race and the abolition of nuclear weapons. Three decades later, the United Nations General Assembly formally echoed that demand. The determination to rid the world of nuclear weapons continues to resonate, like never before, as does its institutionalized antithesis. The existential battle for peace which embroiled Du Bois at the dawn of the Nuclear Age and twilight of his life was not without its casualties; but, to date, civilization was not one. “Peace is the way”, declared Du Bois in the midst of the Korean war, “and the only way to civilization” (Du Bois 1951d).

### **A Posthumous Victory and Validation**

Du Bois will always remain a controversial figure, since it was his genius at the genesis of Jim Crowism during his young adulthood and McCarthyism during his advanced senior years that courageously challenged both forms of institutionalized repression of freedom in America, and consequently contributed substantively to their formal abolition. For those historic accomplishments he was - and continues to be - hailed as a hero and prophet in progressive circles and reviled as a renegade and traitor in their antitheses empowered to this day. However, no one can deny his pivotal and pioneering role in the origins of the movement to Ban the Bomb, a dream whose realization in the form of international law was deferred until well over a half-century after his death.

The peace praxis of Du Bois, a defining feature of his entire life, reached its most effective forms in the crucible of McCarthyism, a widespread witch-hunt which succeeded in dismantling the American Left with unprecedented ferocity and rapidity, and whose repressive manifestations are still being painfully felt to this day. It was during those bitter years of the early Cold War and emergence of the Military Industrial Complex, that the dialectical divergence of Du Bois and America’s militaristic power elite also reached unprecedented proportions. Long before the two separated geographically, an admired Du Bois and an America mired deeply in repression and militarism separated ideologically. Evidence of that divergence, some only recently brought to light, abounds. A clear expression of the operative depravity to which America’s militaristic ruling class had sunk in its quest for world domination through nuclear superiority, is the fact that the CIA and FBI employed at least 1000 Nazis, many of whom were known war criminals, as spies and informants during the Cold War. FBI Director Hoover, who pursued Du Bois with a vengeance, was particularly active in having “aggressively recruited one time Nazis of all ranks as

secret, anti-Soviet ‘assets’” (Lichtblau, 2014). The same agencies that placed Du Bois, the peacemaker, under surveillance for suspected subversive actions, shamelessly recruited fascist war criminals, ones active in a bloody existential war with the USA just a few years earlier. In the Cold War, as in all wars, truth was a casualty.

Though it certainly must not have seemed so to him at that cruel time, Du Bois’ efforts on behalf of peace in a world freed of the scourge of nuclear weapons, were not in vain. In 2017, the Nobel Peace Prize was awarded to the International Campaign to Abolish Nuclear Weapons. And on July 7th of that watershed year, the Treaty on the Prohibition of Nuclear Weapons, the first legally binding resolution to ban all nuclear weapons and outlaw threats to use them, was adopted by 122 nations of the world at the headquarters of the United Nations, located only a few blocks from the small office of the former Peace Information Center headed by W.E.B. Du Bois who, in 1950, was instrumental in getting millions of Americans to “demand the outlawing of atomic weapons as instruments of intimidation and mass murder of peoples”. Clearly, though his body lies a’ moldering in a grave in Africa, his truth goes marching on the world over.



Figure 1: Du Bois Papers, mums 312-b161-i388

## References

- Acheson, D. (1950). *Statement of the US State Department on World Peace Appeal*. New York Times.
- Anonymous FBI Report. (1941) *Field Report on DuBois* (Report No. 100-99720). FBI.
- Anonymous FBI Report. (1942). *Field Report on DuBois* (Report No. 100-99720). FBI.
- Anonymous. (1950). *Moscow's 'Signature for Peace' Campaign*, US State Department publication, in W.E.B. Du Bois Papers (MS 312), Special Collections and University Archives, University of Massachusetts Amherst Libraries
- Anonymous FBI Report. (1951a). *Field Report on DuBois* (Report No. 100-99720). FBI

- Anonymous FBI Report. (1951b). *FBI Memorandum re Shirley Graham* (Report No. 100-370965).
- Anonymous FBI Report. (1958). *Field Report on DuBois* (Report no. 100-99720). FBI.
- Anonymous FBI Report. (1959). *Field Report by the American Consulate General in Hong Kong*. FBI.
- Baraka, A. (Writer), & King Jr., W. (Director). (2015, May 28<sup>th</sup>). *The Most Dangerous Man in America (W.E.B. Du Bois)*. Live Performance at Castillo Theatre, New York, NY.
- Du Bois, W.E.B. (1949a). The Nature of Intellectual Freedom. In D. Gilmore (Ed), *Speaking of Peace*. NCSAP.
- Du Bois, W.E.B. (1949b). Statement to US Congress: Hearings on Mutual Defense Assistance. 81 Cong.
- Du Bois, W.E.B. (1949c). *Memorandum*. W.E.B. Du Bois Papers (MS 312). Special Collections and University Archives, University of Massachusetts Amherst Libraries.
- Du Bois, W.E.B. (1950a). *Address to the World Peace Council*. W.E.B. Du Bois Papers (MS 312). Special Collections and University Archives, University of Massachusetts Amherst Libraries.
- Du Bois, W.E.B. (1950b). *As the Crow Flies*. Chicago Globe.
- Du Bois, W.E.B. (1950c). *Harlem in the Campaign* [Speech Transcript]. W.E.B. Du Bois Papers (MS 312). Special Collections and University Archives, University of Massachusetts Amherst Libraries.
- Du Bois, W.E.B. (1950d). *Statement by W.E.B. Du Bois*. W.E.B. Du Bois Papers (MS 312). Special Collections and University Archives, University of Massachusetts Amherst Libraries.
- Du Bois, W.E.B. (1951a). *Statement by W.E.B. Du Bois*. W.E.B. Du Bois Papers (MS 312). Special Collections and University Archives, University of Massachusetts Amherst Libraries.
- Du Bois, W.E.B. (1951b). *Statement by W.E.B. Du Bois*. W.E.B. Du Bois Papers (MS 312). Special Collections and University Archives, University of Massachusetts Amherst Libraries.
- Du Bois, W.E.B. (1951c). *A Statement to the American People*. W.E.B. Du Bois Papers (MS 312). Special Collections and University Archives, University of Massachusetts Amherst Libraries.
- Du Bois, W.E.B. (1951d). *Peace and War* [Speech Transcript]. W.E.B. Du Bois Papers (MS 312). Special Collections and University Archives, University of Massachusetts Amherst Libraries.
- Du Bois, W.E.B. (1952). *In battle for peace: The story of my 83<sup>rd</sup> birthday*. Masses and Mainstream.
- Du Bois, W.E.B. (1953). *The hard-bit man in the loud shirts*. National Guardian.
- Du Bois, W.E.B. (1956a). *Let's restore democracy in america today*. National Guardian.
- Du Bois, W.E.B. (1956b). *I won't vote* (Vol 183, No. 16). The Nation.
- Du Bois, W.E.B. (1958). *A Vista of Ninety Fruitful Years*. National Guardian.
- Du Bois, W.E.B. (1959). *A Statement to the American People*. W.E.B. Du Bois Papers (MS 312). Special Collections and University Archives, University of Massachusetts Amherst Libraries.



- Du Bois, W.E.B. (1963). Letter from W.E.B. Du Bois to the Governor of Nigeria. W.E.B. Du Bois Papers (MS 312). Special Collections and University Archives, University of Massachusetts Amherst Libraries.
- Dudziak, M. (1995). Desegregation as Cold War Imperative. In R. Delgado (Ed.), *Critical Race Theory: The Cutting Edge*. Temple University Press.
- Eisenhower, D. (1961). Farewell Address. In C. Pursell (Ed.), *The military industrial complex* (pp 204-208). Harper & Row Publishers.
- Gunther, J. (1947). *Inside the usa*. Harper & Brothers.
- Horne, G. (1986). *Black and red: W.E.B. Du Bois and the afro-american response to the cold war, 1944-1963*. State University of New York Press.
- Hughes, L. (1951). *World will wonder*. National Guardian.
- Intondi, V. (2015). *African americans against the bomb*. Stanford University Press.
- Lange, W. (2013). *A voice in the wilderness: W.E.B. Du Bois on peace*. Lambert Academic Press.
- Lichtblau, E. (2014). *In Cold War, US spy agencies used 1000 nazis*. New York Times
- Marable, M. (1986). *W.E.B. Du Bois: Black radical democrat*. Twayne Publishers.
- Marable, M. (2011). *Beyond Boundaries: The manning marable reader*. Paradigm Publishers.
- Mullen, B. (2015). *Un-American: W.E.B. Du Bois and the century of world revolution*. Temple University Press.
- NSC Executive Secretary. (1950). *Report to the National Security Council by the Executive Secretary on United States Objectives and Problems for National Security*. NSC-68A.
- Schrecker, E. (1994). *The age of mcCarthyism: A brief history with documents*. St. Martin's Press.
- Soto, H. (1951). Letter from Helen Soto to W.E.B. Du Bois. W.E.B. Du Bois Papers (MS 312). Special Collections and University Archives, University of Massachusetts Amherst Libraries.
- Trump, D. (2019). *Trump 'prepared' to handle responsibility of launching nukes*. Russian Times
- VonEschen, P. (2000). Who's the Real Ambassador? Exploring Cold War Racial Ideology. In C. Appy (Ed.), *Cold War Constructions: The Political Culture of United States Imperialism, 1946-1966* (pp. 110-131). The University of Massachusetts Press.
- World Peace Council (2015). *Abolish All Nuclear Weapons: 65th Anniversary of Stockholm's Appeal*. Wpc-in.org.