September 2005

Globalization, International Law and Human Rights

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Public lecture

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Lecture presented on 20 September 2005 at Human Rights Center, University of Connecticut

Public lecture (2005)
David Held, ‘Globalization, International Law and Human Rights.’

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Immanuel Kant wrote over two hundred years ago that we are 'unavoidably side by side'. A violent challenge to law and justice in one place has consequences for many other places and can be experienced everywhere. While he dwelt on these matters at length, he could not have known how profound his concerns would become.

Since Kant, our mutual interconnectedness and vulnerability have grown rapidly. We no longer live, if we ever did, in a world of discrete national communities. Instead, we live in a world of what I like to call 'overlapping communities of fate' where the trajectories of countries are deeply enmeshed with each other. In our world, it is not only the violent exception that links people together across borders; the very nature of everyday problems and processes joins people in multiple ways.

The story of our increasingly global order - 'globalization ' - is not a singular one. Globalization is not just economic; for it also involves growing aspirations for international law and justice. From the United Nations to the European Union, from changes to the laws of war to the entrenchment of human rights, from the emergence of international environmental regimes to the foundation of the International Criminal Court, there is also another narrative being told - a narrative which seeks to reframe human activity and entrench it in law, rights and responsibilities.

In my talk today, I want to trace this development and set out its significance and limitations. Then, against this background, I shall locate 9/11 and the resurgence of US power in the world. I start with some historical remarks, before coming to more contemporary issues.

The emergence of the interstate order, first in Europe and later across other parts of the globe, went hand in hand with a new conception of international law, which can be referred to as the ‘Westphalian regime’ (after the Peace Treaties of Westphalia of 1648), but which I simply refer to as the classic regime of sovereignty. The regime covers the period of international law from 1648 to 1945 (although elements of it are still in force today). Not all the features of classic sovereignty were intrinsic to the settlement of Westphalia; rather, what I want to emphasize is a normative trajectory in international law which did not receive its fullest articulation until the

early nineteenth century when territorial sovereignty, the formal equality of states, non-intervention in the domestic affairs of other recognized states and state consent as the basis of international legal obligation became the core elements of international society (see Crawford and Marks, 1998).

The classic regime of sovereignty highlights the development of a world order in which states are nominally free and equal; enjoy supreme authority over all subjects and objects within a given territory; form separate and discrete political orders with their own interests; engage in diplomatic initiatives but otherwise in limited measures of cooperation; and accept broadly the principle of effectiveness, that is, the principle that might eventually makes right in the international world – appropriation becomes legitimation (see Falk, 1969; Cassese, 1986, pp. 396-9; Held, 1995, p. 78).

To emphasize the development of the classic regime of sovereignty is not to deny, of course, that its reality was often messy, fraught and compromised (see Krasner, 1995, 1999). But acknowledging the complexity of the historical reality should not lead one to ignore the systematic shift that took place in the principles underlying political order. States struggled to contain and manage people, territories and resources - a process exemplified both by European state formation in the seventeenth and eighteen centuries, and by the rapid carving out of colonies by European powers in the nineteenth century.

Four important corollaries to the development of the classic regime of sovereignty need to emphasized. In the first instance, the crystallization of international law as interstate law conferred on heads of state the capacity to enter into agreements with representatives of other states without regard to their constitutional standing; that is, without regard to whether or not heads of state were entitled, by specific national legal arrangements, to commit the state to particular treaty rights and duties. (It was enough that these leaders were holders of power.) Second, the development of interstate law was indifferent to the form of national political organization. It accepted, as James Crawford and Susan Marks have emphasized, 'a de facto approach to statehood and government, an approach which followed the facts of political power and made few enquiries into how that power was established' (Crawford and Marks, 1998, p. 72). Absolutist regimes, constitutional monarchies, authoritarian states and liberal democratic states were all regarded as equally legitimate types of polity.

The third corollary involved the creation of a disjuncture between the organizing principles of national and international affairs. The political and ethical rules governing these

two spheres diverged. As liberal democratic nation-states became slowly entrenched in the West, so did a political world which tolerated: democracy in nation-states and non-democratic relations among states; the entrenchment of accountability and democratic legitimacy inside state boundaries and the pursuit of 'reasons of state' outside such boundaries; democracy and citizenship rights for those regarded as 'insiders', and the frequent negation of these for those beyond their borders (Held, 1999, p. 91). The gulf between a domestic sichtlichkeit and hard-nosed realpolitik was taken for granted. (The great exception to this was the campaign against slavery.)

The fourth corollary to the classic regime of international law concerns the delegitimation of all those groups who sought to contest territorial boundaries, with paradoxical consequences. Stripped of traditional territories by colonial powers, such groups often had no alternative but to resort to coercion or armed force in order to press their claims to secure homelands. For they too had to establish 'effective control' over the area they sought as their territory if they were going to make their case for international recognition (see Baldwin, 1992, pp. 224-5).

The hold of the classic regime of sovereignty was dislodged, in the first instance, within the boundaries of nation-states by successive waves of democratization (Potter, et. al., eds., 1997). While these were primarily aimed at reshaping the national polity, they had spillover effects for the interstate system (Bull, 1977). Although it was not until after the Second World War that a new model of international regulation fully crystallized, the regime of liberal international sovereignty, as I call it, has origins which can be traced back further. Its beginning is marked by attempts to extend the processes of delimiting public power to the international sphere, and by attempts thereafter to transform the meaning of legitimate political authority *from* effective control *to* the maintenance of basic standards or values, which no political agent should, in principle, be able to abrogate. Effective power is challenged by the principles of self-determination, democracy and human rights as the proper basis of sovereignty. The questions are: Has a new framework of international law been successfully established? Has the balance changed between the claims made on behalf of the states system and those made on behalf of alternative political and normative positions? My argument is to some extent 'yes'. A qualified transformation has taken place. It is important to my argument to illustrate some of the developments that have occurred, although I can only do this briefly. (I have documented these at length elsewhere.) In the main, it should be stressed, the changes at issue have been ushered in

with the approval of states, but the delegation and alterations in sovereignty acquired a status and momentum of their own. I begin with examples from the rules of war.

The formation of the rules of warfare has been based on the presupposition that, while war cannot be abolished, some of its most appalling consequences, for soldiers and citizens alike, should be made illegal. The aim of these rules is to limit conduct during war to minimum standards of civilized behaviour that will be upheld by all parties to an armed conflict. While the rules of warfare are, of course, often violated, they have served in the past to provide a brake on some of the more indiscriminate acts of violence. The major multilateral conventions governing war date back to the Declaration of Paris of 1856. Important milestones include the Geneva Convention of 1864 (revised in 1906), the Hague Conventions of 1899 and 1907, and the Geneva Conventions of 1929 and 1949 which, together, helped codify humane treatment for the wounded in the field, acceptable practices of land warfare, the rights and duties of the parties to a conflict (and of neutral states and persons), and a plethora of rules governing the treatment of prisoners and the protection of civilians.

The rules of warfare form an evolving framework of regulations seeking to restrain the conduct of parties to an international armed conflict. The rules are premised on the 'dual notion that the adverse effects of war should be alleviated as much as possible (given military necessities), and that the freedom of the parties to resort to methods and means of warfare is not unlimited' (Dinstein, 1993, p. 966). These guiding orientations and the agreements to which they have given rise mark, in principle, a significant change over time in the legal direction of the modern state; for they challenge the principle of military autonomy and question national sovereignty at one of its most delicate points – the relation between the military and the state (what it is that each can legitimately ask of the other) and the capacity of both to pursue their objectives irrespective of the consequences.

Conventions on the conduct of war have been complemented by a series of agreements on the use of different types of weapons, from the rules governing the use of dumdum bullets (the Hague Convention, 1907) and the use of submarines against merchant ships (the Paris Protocol of 1936) to a whole range of recently negotiated agreements on conventional and nuclear, chemical and biological weapons (see SIPRI, 1999). As a result, arms control and regulation, for all their limitations, have become a permanent feature of international politics. The process of the gradual delimitation of state power can be illuminated further by another strand in international legal thinking which has challenged the primacy of the state in international law, and buttressed

the role of the individual, in relation to, and with responsibility for, systematic violence against others. In the first instance, by recognizing the legal status of conscientious objection, many states have acknowledged there are clear occasions when an individual has a moral obligation beyond that of his or her obligation as a citizen of a state (see Vincent, 1992, pp. 269-92). The refusal to serve in national armies triggers a claim to a 'higher moral court' of rights and duties.

Such claims are exemplified as well in the changing legal position of those who willingly go to war. The recognition in international law of the offences of war crimes, genocide and crimes against humanity make clear that acquiescence to the commands of national leaders will not be considered sufficient grounds for absolving individual guilt in these cases. A turning point in this regard were the decisions taken by the International Tribunals at Nuremberg and in Tokyo. The Tribunals laid down, for the first time in history, that when international rules that protect basic humanitarian values are in conflict with state laws, every individual must transgress the state laws (except where there is no room for 'moral choice', i.e. when a gun is being held to someone's head) (Cassese, 1988, p. 132). Modern international law has generally endorsed the position taken by the Tribunal, and has affirmed its rejection of the defence of obedience to superior orders in matters of responsibility for crimes against peace and humanity. It has been acknowledged that war criminals cannot extricate themselves of criminal responsibility by citing official position or superior orders. Even obedience to explicit national legislation provides no protection against international law (Dinstein, 1993, p. 968).

A notable recent extension of the application of the Nuremberg principles has been the establishment of the war crimes tribunals for the former Yugoslavia (established by the UN Security Council in 1993) and for Rwanda (set up in 1994) (cf. Chinkin, 1998; The Economist, 1998). The Yugoslav tribunal has issued indictments against people from all three ethnic groups in Bosnia, and has investigated war crimes in Kosovo. Although neither the Rwandan tribunal nor the Yugoslav tribunal have had the ability to try more than a small fraction of those who committed atrocities, both have taken important steps toward implementing the law governing war crimes and, thereby, reducing the credibility gap between the promises of such law, on the one hand, and the weakness of its application, on the other.

Most recently, the establishment of a permanent International Criminal Court is designed to help close this gap in the longer term (see Crawford, 1995; Dugard, 1997; Weller, 1997). Several major hurdles remain to its successful operation, including the continuing opposition from the United States (which fears its soldiers will be the target of politically motivated

prosecutions) and dependency upon individual state consent for its effectiveness (Chinkin, 1998, pp. 118-9). However, the foundation of the Court marks a significant further step away from the classic regime of sovereignty as *effective power*, and toward the firm entrenchment of the regime of *liberal international* sovereignty - the extension to the international sphere of the liberal concern with delimited political power and limited government.

The ground being staked out now in international legal agreements suggests that the containment of armed aggression and abuses of power can only be achieved through both the control of warfare and the prevention of the abuse of human rights. For it is only too apparent that many forms of violence perpetrated against individuals, and many forms of the abuse of power, do not take place during declared acts of war. The kinds of violence witnessed in Bosnia, Kosovo and elsewhere highlight, for example, the role of paramilitaries and of organized crime, and the use of parts of national armies which may no longer be under the direct control of a state. What these kinds of violence signal is that there is a very fine line between explicit formal crimes committed during acts of national war, and major attacks on the welfare and physical integrity of citizens in situations that may not involve a declaration of war by states. While many of the new forms of warfare do not fall directly under the classic rules of war, they are massive violations of international human rights. Accordingly, the rules of war and human rights law can be seen as two *complementary* forms of international rules which aim to circumscribe the proper form, scope and use of coercive power (see Kaldor, 1998b, chs 6 and 7). For all the limitations of its enforcement, these are very significant changes.

How do the terrorist attacks on the World Trade Center and the Pentagon fit into this pattern of legal change? A wide variety of legal instruments, dating back to 1963 (when the Convention on Offences and Certain Other Acts Committed on Board Aircraft was opened for signature), enable the international community to take action against terrorism, and bring those responsible to justice. In particular, the widely ratified Hague Convention for the Suppression of Unlawful Seizure of Aircraft (1970) makes the high jacking of aircraft an international criminal offence. The offence constitutes grounds for extradition under any extradition treaty in force between contracting states, and applies to accomplices as well as to the hijackers themselves. In addition, the use of hijacked aircraft as lethal weapons can be interpreted as a crime against humanity under international law (although there is some legal argument about this) (Kirgis, 2001). Frederic Kirgis has noted that the statute of the International Criminal Court 'defines a crime against humanity as any of several listed acts "when committed as part of a widespread or

systematic attack" directed against any civilian population...'. The acts include murder and 'other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health' (Kirgis, 2001).

Changes in the law of war, human rights law, and in other legal domains have in short placed individuals, governments and nongovernmental organizations under new systems of rules - rules which, in principle, recast the legal significance of state boundaries. The regime of liberal international law has reshaped the powers and constraints, and rights and duties of states. How so – exactly?

The most substantial points can be put briefly. Sovereignty can no longer be understood in terms of the categories of untrammelled effective power. Rather, a legitimate state must increasingly be understood through the language of democracy and human rights. Legitimate authority has become linked, in moral and legal terms, with the maintenance of human rights values and democratic standards. The latter set, in principle, a *limit* on the *range of acceptable diversity* among the political constitutions of states (Beitz, 1979, 1994, 1998).

States must submit, moreover, to new and intensified forms of surveillance and monitoring in the face of the increasing number of international regimes (concerned with issues as diverse as arms control and human rights abuses), international courts (from the International Court of Justice to the ICC) and supranational authorities (from the EU to the UN system). As one commentator aptly put it a propos the UN covenants on human rights, although they 'have the status of an intergovernmental treaty, once a state has ratified them it in effect acknowledges the right of a supranational body to investigate and pass judgement on its record. How a state treats its own citizens can thus no longer be regarded as a purely internal matter for the government concerned' (Beetham, 1998, pp. 61-2). The behaviour of rulers have in many cases (Kenya, Indonesia, Morocco, among others) been modified by a combination of pressure and persuasion from international organizations, transnational advocacy networks, foreign donors and opposition groups (Risse, 1999).

At the beginning of the twenty-first century, the main corollaries of the classic system of sovereign law are all open to revaluation - that is, (1) recognition of heads of state irrespective of their constitutional standing; (2) international law's *de facto* approach to sovereignty; (3) the disjuncture between the rules and organizations considered appropriate for domestic politics and those thought applicable in the realm of *realpolitik*; and (4) the refusal to confer recognition on

those who forcefully challenge established national regimes or existing boundaries. Today, the legitimacy of state leadership cannot be taken for granted and, like the constitutional standing of a national polity, is subject to scrutiny and tests with respect to human rights and liberal democratic standards (Crawford and Marks, 1998, pp. 84-5). In addition, the growth of regional and global governance, with responsibility for areas of increasing transborder concern from pollution and health to trade and financial matters, has helped close the gap between the types of organization thought relevant to national and transnational life. Finally, there have been important cases where governments within settled borders (such as the Southern Rhodesian government in1965) have remained unrecognized by the international community while, at the same time, national liberation movements have been granted new levels of recognition (for example, the ANC in the late 1980s during the closing stages of apartheid in South Africa).

Boundaries between states are, then, of decreasing legal and moral importance. States are no longer regarded as discrete political worlds. International standards breach boundaries in numerous ways. Within Europe the European Convention for the Protection of Human Rights and Fundamental Freedoms and the EU create new institutions and layers of law and governance which have divided political authority; any assumption that sovereignty is an indivisible, illimitable, exclusive and perpetual form of public power - entrenched within an individual state - is now defunct (Held, 1995, pp. 107-113). Within the wider international community, rules governing war, weapon systems, war crimes, human rights and the environment, among other areas, have transformed and delimited the order of states, embedding national polities in new forms and layers of accountability and governance. Accordingly, the boundaries between states, nations and societies can no longer claim the deep legal and moral significance they once had in the era of classic sovereignty; they can be judged, along with the communities they embody, by general, if not universal, standards. That is to say, they can be scrutinized and appraised in relation to standards which, in principle, apply to each person, each individual, who is held to be equally worthy of concern and respect. Concomitantly, shared membership in a political community, or spatial proximity, is not regarded as a sufficient source or moral privilege (Beitz, 1998, cf. 1979; Pogge, 1989, 1994a and Barry, 1999 and see below). Elements are in place not just for a liberal but for a truly internationalist or cosmopolitan framework of global law.

The political and legal transformations (of the last fifty years especially) have, thus, gone some way toward circumscribing political power on a regional and global basis. Nonetheless,

several major difficulties remain at the core of the liberal international regime of sovereignty. These need emphasizing before any unwarranted complacency slips into the analysis. In the first instance, any assessment of the cumulative impact of the legal and political changes must, of course, acknowledge their highly differentiated character since they are not experienced uniformly by all states and regions. From the UK to Saudi Arabia, and from the USA to China, the extent, nature and form of enmeshment of states in global legal and political structures clearly varies.

Secondly, while the liberal political order has gone some way toward taming the arrogance of 'princes' and 'princesses', and curbing some of their worst excesses, the spreading hold of the regime of liberal international sovereignty has compounded the risks of arrogance in certain respects. This is so because in the transition from prince to prime minister or president, from unelected governors to elected governors, from the aristocratic few to the democratic many, political arrogance has been reinforced by the claim of the political elites to derive their support from that most virtuous source of power - the *demos*. Democratic princes can energetically pursue public policies - whether in security, trade, technology or welfare - because they feel, and to a degree are, mandated so to do. The border spillover effects of their policies are not foremost on their minds or a core part of their political calculations. Thus, for example, some of the most significant risks of western industrialization and energy use have been externalized across the planet. Liberal democratic America, geared to domestic elections and vociferous interest groups, does not weigh heavily the ramifications across borders of its choice of fuels, consumption levels or type of industrialization – George W. Bush's refusal after his election in 2001 to ratify the Kyoto agreement on greenhouse gas omissions being a case in point.

Third, the problem of border spillovers or externalities is compounded by a world marked increasingly by 'overlapping communities of fate' - where the trajectories of each and every country are more tightly entwined than ever before. While democracy remains rooted in a fixed and bounded territorial conception of political community, contemporary regional and global forces disrupt any simple correspondence between national territory, sovereignty, political space and the democratic political community. These forces enable power and resources to flow across, over and around territorial boundaries, and escape mechanisms of democratic control. Questions about who should be accountable to whom, which socio-economic processes should be regulated at what levels (local, national, regional, global), and on what basis, are left outside of the sphere of liberal international thinking.

Fourth, while many pressing policy issues, from the regulation of financial markets to the management of genetic engineering, create challenges which transcend borders, existing intergovernmental organizations are insufficient to resolve these. Decision-making in leading IGOs, for instance the World Bank and the IMF, is often skewed to dominant geopolitical and geoeconomic interests. Even when this is not the case, a crisis of legitimacy threatens these institutions. For the 'chains of delegation' from national states to multilateral rule-making bodies are too long, the basis of representation often unclear, and the mechanisms of accountability of the technical elites themselves who run the IGOs are weak or obscure (Keohane, 1998). Problems of transparency, accountability and democracy prevail at the global level. Whether 'princes' and 'princesses' rule in cities, states or multilateral bodies, their power will remain arbitrary unless tested and redeemed through accountability chains and democratic processes which embrace all those significantly affected by them.

Fifth, the security agenda bites into the scope and efficacy of the regime of liberal international sovereignty. Extensive questions are raised since 9/11 about how counter-terrorist strategies are affecting human rights (Marks and Clapham, 2005, pp.347-9). Arrests and deportations in the US, UK and other countries highlight many problems including new restrictions on freedom of speech and assembly, holding people incommunicado and/or for prolonged detention without charge, ill-treatment of detainees, and degrading conditions of detention. In addition, the transfer of prisoners from Afghanistan and elsewhere to Guantánamo Bay illustrates numerous issues – again, holding people in harsh conditions, without charge, and so on – in relation to international humanitarian law. More generally, human rights are now affected by a range of legislative, administrative and policy measures adopted in many countries in respect to the extension of the scope of surveillance, detention, immigration, deportation, among other things.

It is against this background that I want to end by talking about 9/11 and its aftermath. The events of 9/11 were a defining moment. The terrorist violence was an atrocity of extraordinary proportions; it was a crime against America and against humanity, as I have set it out. Thus, the intensity of the range of responses to 9/11 is fully understandable. But any defensible, justifiable and sustainable response to 9/11 must be consistent with our fundamental principles and the aspirations of international society – aspirations painfully articulated, in particular, after the Holocaust and the Second World War. Those involved in the development of the rule-based multilateral order after 1945 affirmed the importance of universal principles,

human rights and the rule of law in the face of strong temptations to simply put up the shutters and defend the position of only some countries and nations. They rejected the view of national and moral particularists that belonging to a given community limits and determines the moral worth of individuals and the nature of their freedom, and they defended the irreducible moral status of each and every person. The principles of equal respect, equal concern and the priority of the vital needs of all human beings are not principles for some remote utopia; they are at the centre of significant post-Second World War legal and political developments (some of which I have touched on).

Now, if the means deployed to fight terrorism and other forms of dictatorial practice contradict these principles, then the emotion of the moment might be satisfied, but our mutual vulnerability will be deepened. War and bombing are always an option; but an alternative approach exists, and might even be salvaged in some respects for the future. In general terms, what is required is movement towards the application and extension of the rule of law in international affairs and conflict situations, and the fostering of collaboration between communities in place of violence and terror (Held and Kaldor, 2001). In short, what is needed is a movement for global, not American or British or French, justice and legitimacy. Such a movement must press upon governments and international institutions a number of critical points – the precedents for, and basis of which, can be found, I think, in the shift from international law based on effective power to international law founded on the principles of self-determination, law, democracy and human rights. Three issues are of particular importance.

First, there must be a commitment to the rule of law not the prosecution of war. Civilians of all faiths and nationalities need protection, wherever they live, and terrorists must be captured and brought before an international criminal court. Terrorists must be treated as criminals, and not glamorised as military adversaries. This does not preclude internationally sanctioned military action under the auspices of the United Nations both to arrest suspects and to dismantle terrorist networks – not at all. But such action should always be understood as a robust form of policing, above all as a way of protecting civilians and bringing criminals to trial. Moreover, this type of action must scrupulously preserve both the laws of war and human rights law. The constant news of extra-judicial, outlaw killings (organized, targeted murders) on, for example, both sides of the Israeli-Palestine conflict and in Iraq today, compounds anxieties about the breakdown of the rule of law, nationally and internationally. This way only leads one

way; that is, toward Hobbes's state of nature: the 'warre of every one against every one' - life as 'solitary, poor, nasty, brutish, and short'.

Second, a massive effort has to be undertaken to create a new form of global political legitimacy, one which must confront the reasons why the West is so often seen as self-interested, partial, one-sided and insensitive. This must involve condemnation of all human rights violations wherever they occur, renewed peace efforts in the Middle East, talks between Israel and Palestine, and rethinking policy towards Iraq, Afghanistan, and elsewhere. This cannot be equated with an occasional or one-off effort to create a new momentum for peace and the protection of human rights. It has to be part of a continuous emphasis in foreign policy, year-in, year-out. Many parts of the world will need convincing that the West's interest in security and human rights is not just a product of short-term geo-political or geo-economic interests.

And, finally, there must be a head-on acknowledgement that the ethical and justice issues posed by the contemporary polarisation of social and economic inequality cannot be left to markets to resolve. Those who are poorest and most vulnerable, locked into geopolitical situations which have neglected their economic and political claims for generations, will always provide fertile ground for terrorist recruiters. The project of economic globalisation has to be connected to manifest principles of social justice; the latter need to reframe global market activity. In our global age, shaped by the images of television and new information systems, the gross inequalities of life chances found in many of the world's regions can feed a frenzy of hostility and resentment

Of course, terrorist crimes may often be the work of the simply deranged and the fanatic and so there can be no guarantee that a more just world will be a more peaceful one in all respects. But if we turn our back on these challenges, there is no hope of ameliorating the social basis of disadvantage often experienced in the poorest and most dislocated countries. Gross injustices, linked to a sense of hopelessness born of generations of neglect, feed anger and hostility. Popular support against terrorism depends upon convincing people that there is a legal and pacific way of addressing their grievances.

Kant was right; the violent abrogation of law and justice in one place ricochets across the world. We cannot accept the burden of putting justice right in one dimension of life – security – without at the same time seeking to put it right elsewhere. Underpinning liberal international sovereignty and the human rights regime, we need a human security, not a Washington security,

agenda. This is in short an emphasis on multilateralism and common rules, not hegemony and order through dominance (see over).

The rule based multilateral order, what I refer to as the regime of liberal international sovereignty, took decades to set down. It is fragile, vulnerable and full of limitations. Yet, it represents a learning process – a process that stems from a reflection on the extraordinary cruelties and burdens we are capable of imposing upon one another. The gains of this learning process need to be built upon, not sacrificed to the alter of Gods, illusions of omnipotence ('shock and awe') and the (short term) demands of domestic politics.

The Original Washington Consensus

-> Fiscal discipline
-> Reorientation of public expenditures
-> Tax reform
-> Financial liberalisation
-> Unified and competitive exchange rates
-> Trade liberalisation
-> Openness to foreign direct investment (FDI)
-> Privatisation
-> Deregulation
-> Secure Property Rights

The Social Democratic Agenda local

-> Sound macroeconomic policy
-> Nurturing of political/legal reform
-> Creation of robust public sector
-> State-led economic and investment strategy, enjoying sufficient development space to experiment with different policies
-> Sequencing of global market integration
-> Priority investment in human and social capital
-> Public capital expenditure on infrastructure
-> Poverty reduction and social safety-nets
-> Strengthening civil society

Washington Consensus (augmented)

The original list plus:

-> Legal/political reform
-> Regulatory institutions
-> Anti-corruption
-> Labour market flexibility
-> WTO agreements
-> Financial codes and standards
-> "Prudent" capital-account opening
-> Non-intermediate exchange rate regimes
-> Social safety-nets
-> Poverty reduction

The Social Democratic Agenda global

-> Salvaging Doha
-> Cancellation of unsustainable debt
-> Reform of trade-related intellectual property rights (Trips)
-> Creation of fair regime for transnational migration
-> Expand negotiating capacity of developing countries at international finance institutions (IFIs)
-> Increase developing country participation in the running of IFIs
-> Establish new financial flows and facilities for investment in human capital and internal country integration
-> Reform of UN system to enhance accountability and effectiveness of poverty reduction, welfare and environmental programmes.

The **Washington Security Doctrine**	The **Human Security Doctrine**
1. Hegemonic	1. Multilateralism and common rules
2. Order through dominance	2. Order through law and social justice
3. 'Flexible multilateralism' or unilateralism where necessary	3. Enhance multilateral, collective security
4. Pre-emptive and preventive use of force	4. Last resort use of internationally sanctioned force to uphold international humanitarian law
5. Security focus: geopolitical and, secondarily, geoeconomic	5. Security focus: relinking security and human rights agendas; protecting all those facing threats to life, whether political, social, economic or environmental
6. Collective organisation where pragmatic (UN, Nato), otherwise reliance on US military and political power	6. Strengthen global governance: reform UN Security Council; create Economic and Social Security Council; democratise UN
7. Leadership: the US and its allies	7. Leadership: develop a worldwide dialogue to define new global covenant
8. Aims: making world safe for freedom and democracy; globalising American rules and justice	8. Aims: making world safe for humanity; global justice and impartial rules

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