

Global Governance, Humanitarian Intervention and the U.N.:

Moral and Normative Perspectives

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There is a growing tendency among policy-makers and social scientists alike to attribute certain features of the global political economic transformations that are taking place in our contemporary world to the emergence of *global governance*. In this paper, I will argue that global governance refers to the unregulated command mechanisms of a political economy that is based on balance of power and premises of peace, security, organized activity (voluntary and formal, domestic and transnational organizations) and prosperity that flows from an ever-increasing conduct of business and trade. Then, focusing on 'humanitarian intervention' and the 'United Nations' as my issue areas, I will demonstrate and argue that humanitarian interventions and the undemocratic nature of United Nations serve the purposes of legitimizing, perpetuating and furthering global governance by preserving the balance of power and order in the system so that organized activity, business and trade can flourish. Finally, I will argue that the emergence of global governance, as it is presented in the relevant readings, is profoundly anti-democratic in its structure, and Euro-centric in its theoretical and political economic assumptions, and thus, it is undesirable from a moral, normative and/or democratic point of view. Finally, I will conclude by asserting that a global governance mechanism that is morally and normatively compelling can only be achieved through the voluntary adoption of democracy with its subjects-as-individuals by the majority of the mankind.

"Global governance", as James Rosenau attests, is a "search for *order* in disorder, for *coherence* in contradiction and for *continuity* in change. It is to confront *processes* that mask both growth and decay."¹ Governance includes the actions of governments, yet it also comprises the many other channels through which commands flow in the form of goals framed, directives issued and policies pursued.² Defined as such, global governance is perceived to consist of systems of rule at all levels of human activity- from the family to the international organization- in which the pursuit of goals through the exercise of control has transnational outcomes.³ Rosenau distinguishes between the notions of *command* and *control* on the basis of the hierarchical structure of the former and the absence of an assertive hierarchical authority in the later, and then focuses on **practices** and **institutions** of global governance that minimally depend on hierarchical configurations.⁴ Accordingly, he replaces the concept of command mechanisms with the idea of *control* mechanisms without presuming the existence of hierarchy.⁵

Rosenau hints at the assertive power of what neoclassical economists' call the "invisible hand" in maintaining and advancing "order in disorder, coherence in contradiction and continuity in change," by referring to Shimon Peres for his recognition of the powerful market forces. Undoubtedly, laws of economics are more capable than anything else to demonstrate the existence of a predictable and scientific order within the anarchic jungle of *laissez-faire* competition of economic agents and corporate bodies. Moreover, the laws and functions of economic activity, by transcending all seemingly anarchic situations and asserting their importance, operate in an almost identical way as governance does. If we replace 'economic forces' with 'governance' in Rosenau's definition quoted above, it would still make perfect sense and hold true.

With regards to governance, we observe implicitly teleological processes at three distinct but interrelated levels in the contemporary world. First, at a **conceptual** level,

governance is grounded on processes of interdependence involving flows of control, consequence and causation within (micro-) and across (macro-) systems that convert values and behaviors at one level into outcomes at more encompassing levels, which in turn get converted into still other consequences of presumably greater scale at still more encompassing levels.⁶ Such conceptual proposition is absolutely consistent with Kant's theory of a teleological universal history with a cosmopolitan purpose, which will be discussed at the end of this paper, in the sense that it assumes an inevitable (teleological) integration and coming-together of all existing social systems around the world due to the centrifugal force of open markets.⁷ Second, at a purely **organizational** level, Rosenau brings up the rise in the number of UN members from 51 in 1945 to 185 a half-century later, as well as to the increasing density and proliferation of NGOs ("organizational explosion") as part of an organizational teleology.⁸ Thirdly, even at a **practical** level, proliferation of organized activities and behavior –not necessarily organizations per se- are pervasive at and across all levels of human activity –from neighborhood groups to transnational *regimes*⁹-.¹⁰ Manifestations of governance include *disaggregation* and *innovation*, by which the disaggregative dynamics of socio-economic privatization shift authority away from the governments to self-help systems of private realm;¹¹ emergence and evolution of self-organizing bottom-up mechanisms that would replace their top-down organized predecessors;¹² formal and substantive relocation of authority and decentralization;¹³ mechanisms of global governance such as NGOs and ethnic minority organizations as well as WTO and GATT regimes;¹⁴ and a decentralized prospect of political representation in a “Globalized Space” where "democracy as we know it within the countries does not exist."¹⁵

As a partial conclusion, global governance seems to denote an *explosion of organizations* and an emergence of transnational *patterns of behavior* for states and non-state actors alike. Now, I will inquire into the nature of such international organizational explosion

and patterns of behavior by questioning the **practical** and **organizational** levels of global governance through an examination of 1) the concept of humanitarian intervention and its enforcement, and 2) the organization of U.N. and its functions in accordance with the framework of global governance developed above.

Trachtenberg, in his *Intervention in Historical Perspective*, examines two distinct yet interrelated traditions of intervention while considering some theoretical propositions that seek to justify or oppose intervention. According to Trachtenberg, the notion that a nation should be free to determine its own destiny implied a general norm of nonintervention.¹⁶ Yet the emergence of this general norm inevitably required the designation of *exceptional cases* where national sovereignty, the legitimacy of which justified and necessitated the general norm of non-intervention, may not and/or should not be respected.¹⁷

According to the first tradition, intervention is a necessary consequence of guaranteeing international stability, almost an “act of police,” as a means to enforce international norms, although these norms are free of moral and ethical value and serve the purpose of protecting the balance of power, thus conservatively justifying and sustaining great powers’ dominance in the international system.¹⁸ Likewise, an interventionist policy relates to a *regime of constrained sovereignty*,¹⁹ whereby the great powers of the *realpolitik* game establish and enforce the favorable norms and terms (of trade, for example) through which they can persist as the domineering actors. In this process, they may constrain the sovereignty of the lesser powers through interventions if any of the lesser powers attempt to revise and change the balance of power. Thus, sovereignty is constrained and recognized only as a conditional right, whereby the sovereignty of the lesser powers can be overridden if it contradicts with balance of power politics. Moral background of this tradition, if there is any, seems to be very weak.

There is also an explicitly Euro-centric tradition of interventionism that is premised on imposing European values on non-European peoples, thus presupposing an inherent superiority of European values.²⁰ Also called the 'gunboat diplomacy', this tradition created a 'double-standard' of interventionism which targeted and stigmatized the non-Western states and societies as being less civilized and not worthy of the respect that civilized states show each other via mutual recognition of sovereignty rights.²¹ Surprising as it may sound, the Euro-centric interventionism, unlike the balance-of-power interventionism, assumes a *moral position* by defining its aim as "to pull them [uncivilized states and their societies] to European standards."²² Standards, in this case, also denote adherence to the same standard of morals, and as such, this moral position may be called the double-standard morality because of its disregard for non-European conceptions. As Trachtenberg exemplifies, countless humanitarian (!) interventions in the Middle East, Balkans, Africa and Latin America, the Boxer war, and even the minority treaty system of the WW1 (which assumed an even more moral appearance) provide us with rather striking examples of the persistence of double standards governing intervention into the contemporary era, by not constraining the sovereign rights of the traditional great powers, but always crushing the lesser powers.²³ "The assumption...was that the great powers, acting as a semiformal entity and often meeting in great congresses and conferences, should govern the system of foreign intervention."²⁴ Such elitist conceptualization of the system of foreign intervention persisted well into the post-Cold War era as a major Defense Department outlining America's post-Cold War strategy defined American interest in terms of preventing Third World countries from "the road to global competition with the United States."²⁵

As Trachtenberg concludes, *intervention should be thought as part of a system- a system of constrained sovereignty*, and such systemic approach implies that the sole test of the legitimacy of intervention should not be narrow, apolitical, and legalistic.²⁶ "One often has to

think of intervention in political terms—as governed far more by political considerations, than say, by legal principles.”²⁷

Michael Smith, after mentioning the critics who question as to whether or not international intervention for humanitarian causes is even moral, also asserts that there is no real consensus on when or how to intervene in conflicts or on who should do so.²⁸ Among the more penetrating critiques of 'humanitarian intervention,' Rieff claims that “humanitarian intervention is just a sop to the Western conscience and that the rich nations are using it as a way to avoid dealing with chronic and serious issues of poverty and misgovernment in Third World states.”²⁹ Even though every violation cannot justify intervention,³⁰ some scholars, like Walzer, conceive humanitarian intervention as a kind of international analogue to domestic law enforcement,³¹ tying it to the broader concept of global governance. Likewise, there are strands of liberalism that “subordinate value of sovereignty to human rights claims”³² by asserting that “the moral standing of a society rests on its ability to respect and protect the rights of its members and on their consent, explicit or implicit, to its rules and institutions,” which in turn presupposes at least a body that is representative of national opinion, if not outright liberal democracy, in every country. Finally, as part of his discussion of legitimate justifications for intervention, in the absence of any other plausible measure, Smith adopts a purely quantitative scale whereby the practice of capital punishment in Virginia, which is regarded as a violation of human rights, does not qualify as an adequate reason for intervention because “it cannot compare with the *scale* of violations that occurred in Rwanda or in the Cambodia of Pol Pot.” Thus, humanitarian intervention, even when it tends to have a moral justification, relies on an *economics of scale* with regards to human bodies, thus undermining the definition of a full-blown morality. Moreover, such *economic approach to human existence* also undercuts the similarities between the logic of global governance and the logic of classical and neoclassical economics.

What might be the role of the U.N. within the teleological framework of global governance? If we are to believe Tobias Debiel, U.N. would not fit any kind of teleology because the trend in the international system today is away from the multilateralism of U.N. towards various alliance-based regionalisms and unilateralism.³³ “What is more, various big powers seem increasingly less willing to accept universal regulation. Even the UN’s monopoly over the legitimation of force, guaranteed in international law, is given only selective recognition—as the Iraq and Kosovo crises demonstrated.”³⁴ In terms of the justifications of humanitarian intervention, Debiel reaffirms the strand of liberalism mentioned above, by asserting that “the legitimacy of state sovereignty is ultimately referred back to human rights and the protection of the individual.”³⁵ Other than disregarding the protection of social, economic and cultural rights (which constitute the second half of the UDHR³⁶), Debiel also seems to delegate a “right” but not a “duty” to the international community (IC) to intervene in the case of human rights violations. The distinction between a *right* and a *duty* is important because if the IC is given the right but not the duty to intervene, then the great powers, by using their assertive power within the organizational structures of IC, will force IC to “selectively intervene” only in cases which they see the opportunity to advance their interests. Whereas if it was a duty, then not power but legitimacy would count more and the IC, and UN as the representative body of IC, would be in a position to consider all appeals that are grounded on human rights violations.

“Successful enforcement often rests on what might be called a ‘culture of compliance’—beliefs, values, norms, symbols, institutions, and sanctions—rather than entirely or even primarily on sheer physical force.”³⁷ Then, the nature of those norms and values becomes the topic of a heated debate; and many scholars, like Samuel Huntington, and non-scholars alike, think that liberal democratic values, which are also the values and beliefs that all the previous authors discussed in this paper primarily refer to as “the values” of the

international community, claim that these “the values” are essentially Western. Therefore, “the norms and values” must be specified and cultural challenges must be seriously considered.

Amidst the debate over global governance, Raymond Aron claimed that “stable peace is achievable only through a benevolent hegemon” which is “distinguished by its uncontestable superiority” but “does not seek to swallow up those states condemned to impotence” because such a narrow-minded, uncompromising attitude might create resistance and/or may be costly in the long run, thus ending up hurting the hegemon.³⁸ The solution that Debiel offers is to encourage Nordic countries, Canada, Australia, EU states and the South Africa to join forces in an effective multilateralism.³⁹ Relative to the overwhelming majority of the countries in the world, the countries that Debiel have designated for partnership in ‘effective’ multilateralism are strikingly rich and illustrious in almost every socio-economic criterion that we can think of. Unconscious or not, what Debiel offers, that is, to combine and/or unite the socio-economic elite of the world in an “effective” multilateralism, might qualify as the worst nightmare that the rest of the world, especially the Third World, can dream of. To complement his proposal of an effective and elite multilateral bloc, Debiel also proposes to form political alliances for specific issues between “like-minded countries (the above mentioned elites?) and nongovernmental organizations with potential for campaigning and lobbying.”⁴⁰ Yet the disproportionate salience of NGOs in the First World countries and the apparent under-representation of the [both industrial and agricultural] working class and the disenfranchised people in these organizations would create an amazing *democratic deficit* by denying these peoples’ right of representation. Thus, NGOs are not accountable in the constitutional democratic sense of “accountability.” At least the *principle of sovereignty* secures a nominal representation of these NGO-deficient countries in UN, and the class/ethnicity/gender based representation is also contained within the *principle of*

sovereignty –hopefully- if the country is democratic, or even if it has some sort of democratic consultative hierarchy.

The four articles that were reviewed by Michael N. Barnett⁴¹ do not seem to offer any substantive solution to such questions of *democratic deficits* and the elitist practices of global governance in the form of ‘humanitarian interventions,’ empowerment of the inherently elite and democratically unaccountable NGOs and IOs at the expense of the representative (if not necessarily democratic) *nature of state sovereignty*. Rather, the reform proposals of all four articles compete in the degree to which they exacerbate each one of these problems! Instead of trying to take measures to democratize the UN Security Council through which only 5 (out of 191) countries are represented, Boutros-Ghali, in his *Agenda for Peace*, handed more power to Security Council as well as envisioning a standing UN army, which in turn, is obviously under the influence of the Security Council. Consequently, “third world countries worried that Boutros-Ghali’s vision handed more power to a Security Council that was controlled by the great powers, which, in turn, might threaten their sovereignty.”⁴² Likewise, “*Our Global Neighborhood* is less constrained by or committed to the idea of state sovereignty,”⁴³ without taking any measures to prevent the democratic deficit that results from their disregard for state sovereignty.

Democracy in the United Nations System, however, directly addresses the question of democratic representation at a global scale by presenting the various descriptive and theoretical reform proposals for the general body of the UN.⁴⁴ After defining democracy as a “political system wherein makers of law and policy are responsible to the people”; and identifying democratic processes as “processes by which ordinary citizens exert a relatively high degree of control over leaders,” authors outline two different proposals with ‘states’ and ‘individuals as subjects of democracy,’ respectively. Even though the proposals with states as subjects of democracy would help to alleviate democratizing some segments of the UN (like

the Security Council) that demonstrate elitism with respect to its members as states, since democracy is grounded on equal influence of human beings in electoral processes, the second proposal is theoretically more consistent and practically more promising to solve the problems rising from *democratic deficit*. “Childers and Urquhart take the European Parliament as a model [for UN assemblies] of how a parliamentary assembly could be established...and parliaments of member states would, in proportion to their populations, select a number of representatives to this first UN parliamentary assembly.”⁴⁵ Considering that “at present 0.5 per cent of the world population dispose more than 25 per cent of General Assembly votes,”⁴⁶ Childers and Urquhart’s proposal is very promising for carrying the “will of the world” through global democracy into the UN. The theoretical divergence between cosmopolitans and communitarians is relatively overcome in this issue since “the constitutional order proposed by cosmopolitans leaves states intact and wants them to be represented at the United Nations,” thus allowing for “the preservation of given communities and states that the communitarian principle of international democracy is concerned with.”⁴⁷ As a partial conclusion, the UN General Assembly, which is already relatively more democratic compared to the other ardently elitist regimes that participate in sustaining mechanisms of global governance (double-standardized humanitarian interventions, NGOs, etc.), can be further democratized through moving towards spirit of the ‘one person, one vote,’ principle, even if implementing that very principle remains undone and inconceivable for the foreseeable future.

In conclusion, while examining the specific issue areas of humanitarian intervention and various reform proposals for the UN, I found out that there is indeed a historical tradition of structured and conceptualized elitism and hierarchy (especially with regards to humanitarian intervention, but also with regards to UN, as long as Security Council persists as it is and has been). I further realized that the reform proposals for the restructuring of the UN,

while being consistent with the general propositions of global governance (endorsement of an explosion of organizations and organized activities, disaggregation and privatization of state authority), are not consistent with the fundamental tenets of representative democracy because of their perpetuation of an amassing *democratic deficit* through gradually eroding the authority of state sovereignty at the expense of the over-organization of non-democratic, not responsible, and not accountable NGOs and IOs at both domestic and the international level. Moreover, within the UN, the most substantive –military- authority is delegated upon the most un-democratic and elite segment of the UN- the Security Council. Thus, the only way of building-up morally and normatively plausible mechanisms of global governance is to reform the UN General Assembly around the idea of popular democratic representation (‘one person, one vote’ principle) and then witness the inevitable coming together of all peoples of the world around this cosmopolitan democratic legacy-provided that the inevitability of cosmopolitanism proves to be a historical truth. On the other hand, global governance, by virtue of its elitist manifestations in each and every direction it is reflected upon, appears to be a reversal of Mankind’s forward march to democratic representation and accountability – again, provided that there is such a “forward march”- and thus, fails to be the “teleological” hope or salvation of humanity.

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Notes

¹ James N. Rosenau, *Governance and Democracy in a Globalizing World*, in D. Archibugi *et al* edition of *Re-Imagining Political Community*, Stanford University Press. Stanford 1998. p.28. I have italicized some of the words to emphasize their meaning.

² Ibid, p.29.

³ Ibid, p.29.

⁴ Ibid, p.29.

⁵ Ibid, p.29-30.

⁶ Ibid, p.30.

⁷ Immanuel Kant, Idea for a Universal History with a Cosmopolitan Purpose, *Political Writings*, Cambridge University Press. p.41-53.

⁸ James N. Rosenau, Ibid, p.31.

⁹ The difference between the second –organizational- and third –practical- levels is very parallel to the distinction between an organization and a regime. For example, as I will later discuss in this paper, expansion and strengthening of U.N. is an organizational level process, whereas, increasing humanitarian intervention regime, is a practical level process.

¹⁰ Ibid, p.31.

¹¹ Ibid, p.32-3.

¹² Ibid, p.33.

¹³ Ibid, p.34-6.

¹⁴ Ibid, p.36-8.

¹⁵ Ibid, p.38-40.

¹⁶ Marc Trachtenberg, Intervention in Historical Perspective, published in L. Reed and C. Kaysen (ed.) *Emerging Norms of Justified Intervention*, American Academy of Arts and Sciences, Cambridge, MA, 1993. p.16.

¹⁷ Ibid, p.16.

¹⁸ Ibid, p.17.

¹⁹ Ibid, p.20 and also p.21.

²⁰ Ibid, p.21 through 27.

²¹ Ibid, p.24.

²² Ibid, p.24.

²³ Ibid, p.27.

²⁴ Ibid, p.28.

²⁵ Ibid, p.31.

²⁶ Ibid, p.30-31.

²⁷ Ibid, p.30.

²⁸ Michael J. Smith, Humanitarian Intervention: An Overview of the Ethical Issues, published in *Ethics and International Affairs*, 1998:12.

²⁹ Ibid, p.69.

³⁰ Ibid, p.73.

³¹ Ibid, p.75.

³² Ibid, p.75.

³³ Tobias Debiel, Strengthening the UN as an Effective World Authority: Cooperative Security Versus Hegemonic Crisis Management, published in the *Global Governance 6* (2000), p.21.

³⁴ Ibid, p.21.

³⁵ Ibid, p.27.

³⁶ The Articles 15 through 30 (the second half) of the Universal Declaration of Human Rights (UDHR) outlines the Social, Economic and Cultural Rights, which have their separate covenant under the same title and as separate from the Covenant on Civil and Political Rights which contains the first 15 articles of the UDHR.

³⁷ Ibid, p.27.

³⁸ Ibid, p.28.

³⁹ Ibid, p.39.

⁴⁰ Ibid, p.39.

⁴¹ Michael Barnett, Bringing in the New World Order: Liberalism, Legitimacy, and the United Nations, published in *World Politics 49* (July 1997), p.526-51.

⁴² Ibid, p.530.

⁴³ Ibid, p.532.

⁴⁴ Derk Bienen, Volker Rittberger and Wolfgang Wagner; Democracy in the United Nations System: Cosmopolitan and Communitarian Principles, published in, D. Archibugi (ed.), *Re-imagining Political Community*, Stanford University Press.

⁴⁵ Ibid, p.297.

⁴⁶ Ibid, p.298.

⁴⁷ Ibid, p.302.