

# Claudia Hofmann

# Learning in Modern International Society

## On the Cognitive Problem Solving Abilities of Political Actors

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WAHLEN VERFASSUNG INTERNATIONALE BEZIEHUNGEN POLITISCHE THEO  
RIE PARTEIEN INSTITUTIONEN POLITISCHE KULTUR POLITISCHE ELITEN  
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ALISMUS POLITISCHE SOZIOLOGIE GLOBALISIERUNG POLITISCHE KOMMU  
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# 1 Introduction: Learning in Modern International Society

Learning in international relations is by no means a new or groundbreaking notion. The bell for the contemporary round of discussions was rung with the end of the Cold War when scholars sought to explain the unpredicted transformation that took place in the Soviet Union. Today, the old Union made way for a new union as many of the former Eastern bloc states become members of the European Union. Yet, learning as a means for explaining policy changes or transformations that at first glance contradict rational expectations of actors' interests is still under discussion. And as the fate of the former Soviet Union keeps moving, so do developments in learning theory. A modern theory of learning would have to exceed the now essentially historical case studies of individual policy change of the 1990s. Particularly the end of the Cold War has opened the world political stage for a new generation of actors. A diversification of levels of interaction and objects of regulation implicates the rising importance of international organisations, transnational networks, sub-state units of regulation, public-private partnerships and topically specialised non-governmental organisations on a transnational stage. Scholars refer to a growing transparency of national borders, the development of an international society or the formation of a global society (Brock/Albert 1995, Bull 1977, Forschungsgruppe Weltgesellschaft 1996) as well as the development of global governance or global statehood (Kommission für Weltordnungspolitik 1995, Messner/Nuscheler 1996, 1999, Shaw 2000).

Accordingly, in such an interconnected world with an uncountable number of actors the question of learning in international relations has changed. It has moved from whether political leaders learn from historical experience and whether the lessons of history influence their foreign policy preferences and decisions (Levy 1994: 279) to whether collective actors learn from historical experience and whether the lessons of history influence policy decisions of all collective actors, even those that did not experience the lesson directly. In this sense, the claim that modern international society learns matters for at least two reasons: Firstly it implies a variety of actors and is not restricted to states as sole decision-makers in international politics; instead it incorporates all actors shaping modern global society, such as states, international organisations and an emerging global civil society. Secondly, the study of learning presents a means of analytically addressing changes or transformations in global politics that surpass individual policy changes. Given the consistencies and changes in international affairs, both aspects become increas-

ingly relevant while single actor approaches and theories on individual learning have become almost outdated.

But this does not mean the wheel has to be reinvented. Scholars of early learning theory like Lloyd Etheredge and Ernst Haas have laid the foundation stone of incorporating a definition of learning into international relations theory. Their work on integrating complex understandings grounded in realistic attention to detail (Etheredge 1981, 1985: 143, Long 1981) and the utilisation of new knowledge to redefine the content of national interest (Haas 1980: 390) still form the basis for a definition of learning. Following this theoretical overture, scholars sought to apply these early assumptions to the distinct challenges of the time and found claims of learning in international relations to be of apparent importance. Timid first steps were undertaken by scholars such as Joseph Nye, William Jarosz, and the many contributors to George Breslauer and Philip Tetlock's edited volume by analysing whether the US or the Soviet Union, respectively, were undergoing learning processes in their foreign policy (Breslauer/Tetlock 1991, Jarosz/Nye 1991, Nye 1987, Tetlock 1991). Later, Janice Gross Stein joined their ranks with an analysis of the US-Soviet and Egyptian-Israeli accommodation processes (Crocker/Hampson 1996, Stein 1994, 1996a, 1996b). What these analyses found was that changes in national interest, and thus, in policy behaviour, depended on changes of political elites, for whom a learning process implied that practices or interests become illegitimate through the development of knowledge by study or experience. The scientific gain for learning theory was considerable but often too analytically problematic to apply empirically: Some of these first-wave studies equate learning with policy change. Others fail to differentiate learning from alternative sources of policy change, such as structural adjustment, evolutionary selection or mere political change. Some scholars desired to establish empirically correct or normatively desirable lessons to delineate learning. Most of them fail to conceptualise collective or even shared learning and concentrate primarily on individual learning. And some fail to differentiate genuine learning from rhetorical or strategic use of historical experience (Levy 1994: 282).

In an attempt to accommodate some of these problems, individualist approaches to learning have developed valuable ways to model social interaction empirically. Applied game theorists have examined patterns of learning in iterated prisoners' dilemma games and in sequential games with incomplete information (Axelrod 1984, Powell 1990). Utilising Bayesian updating, information is acquired through strategic interaction, where the players observe other agents' behaviour and then, at some later point, use their newly acquired information to update beliefs about other agents (Checkel 2001: 561). What these approaches cannot grasp, however, is everything that is not strategic or rational, which human and social behaviour so often is.

Naturally at the same time another line of research developed that proves to be diametrically opposed to Nye and his individualist fellows. Beginning with Ernst Haas' work on international organisations, these 'cognitive' regime scholars rely on the possibility that actors can share historical lessons and learn collectively (Adler 1992, Adler/Crawford 1991, Haas 1980, 1990, 1991). In their sense, learning occurs when new causal or technical knowledge is introduced through scientific reasoning and shared through processes of interaction. Persuasion presents the dynamics that produce a redefinition of interests during the interaction of, for instance, epistemic communities (Haas 1989) or pluralistic security communities (Deutsch 1963). These arguments capture an important part of international life: They open up the 'black box' that had been erected around the interaction context from which policy decisions emerge. Yet, while being intuitively and empirically plausible, elaborations were too insufficient to allow for empirical testing and generalising to other contexts. Generally, they avoid issues of operationalisation, empirical measurement and the development of scope or boundary conditions (Checkel 2001: 556). Additionally, especially Ernst Haas' work displays repeated uncertainty as regards actor levels and levels of analysis. Focussing on international organisations, he refers to them as collection of states as well as actors in their own right, blurring the distinction of learning by a single entity and learning by a collective. Subsequent works additionally do not clearly distinguish learning across countries from learning within countries (Knopf 2003: 187).

These early works and even more their shortcomings have led scholars to withdraw from the study of learning and shift their interests to related parameters. For instance, Andrew Linklater's line of critical theory presents learning as a challenge to the realist assumption of immutability as well as a Habermasian way that leads to more 'adequate' inter-subjective consensus. His argument, however, is entirely academic; he makes no attempt to examine empirically whether such 'moral-practical learning' actually takes place in world politics. Similarly, in social constructivism scholars have given particular emphasis to the inter-subjective understandings and the diffusion of norms. Alexander Wendt, a crucial author with regard to learning in international relations theory, argues that if the current Hobbsian state of war will ever evolve to a Kantian world of collective security, 'social learning' will be the primary mechanism for change (Wendt 1999). Similarly, Emanuel Adler and Michael Barnett in their edited volume re-examining Deutsch's ideas about pluralistic security communities hypothesise that social learning is one process in the emergence of security communities (Adler 1997, Adler/Barnett 1998). However, neither Wendt nor Adler and Barnett call for empirical research on learning. They assume that learning takes place rather than making it an object of research.

Research that has been done on social learning traces the internalisation of new norms by states (Finnemore 1996, Finnemore/Sikkink 1998), or the spread of

human rights norms through Europe (Checkel 2001), for instance. These scholars posit that states learn through the international environment, i.e. through social learning. However, their models tend not to consider other possible forms of learning beyond the diffusion of norms. Finnemore and Sikkink propose a norm life cycle that covers norm emergence, norm cascade and norm internalisations, based on mechanisms such as socialisation, institutionalisation and demonstration, but solely rely on rational cost-benefit analysis of actors (considering pressure and their desire to enhance legitimation and self-esteem) when deciding whether to start such a norm life cycle. Equally, Frank Schimmelfennig usually relies on rationalist and sociological institutionalism when examining actors' preferences and bargaining power, and, thus, over-stresses the evolutionary role of structure (Schimmelfennig 2000, 2003a, 2003b).

Literature on learning in international politics, whether addressing the topic directly or indirectly via norm diffusion, internalisation and socialisation, is immensely substantial. But despite being far from expounding a comprehensive review of this literature, significant shortcomings have become clear in all general approaches to the topic. Firstly, the notion of a collectivity of learning is still underdeveloped. While different modes of socialisation are extremely helpful in making a first step towards explaining the learning of the same historical lessons by different actors, the 'black box' around this process needs to be opened. Through what mechanism must socialisation happen in order to be part of a meaningful learning process? Secondly, conflicting results let us doubt whether learning can be shared. Doubt, but not be certain. Numerous difficulties need to be eradicated, such as bounded rationality or the 'accuracy criterion', isomorphism, process conditions, and the question of mechanisms, in order to present a comprehensive learning model that confirms, or refutes, whether learning exists in international political life. Thirdly, certain rational assumptions need to be put aside. If learning on an international stage is to occur, norms (as subject to learning) need to be endogenous and alterable through structure. At the same time a purely structuralist approach needs to be abandoned in order to account for actors' own interests and ideas. In a truly social constructivist way actors and structure need to be reunited in order to move forward in solving the learning puzzle.

This study aims to bring clarity to all these points. A learning model will be designed that relies on actors as well as structure for norms to change (and behaviour to adapt accordingly through internalisation). As such, actors will provide the learning impetus through advanced problem solving, in a manner of speaking, and structure will provide the platform for internalisation. Secondly, in order to finally get a grip on collectivity, the learning model will be divided into two steps, the first one being learning by experience and the second one addressing the learning of the same lesson without having experienced the challenge in the first place. This step will provide an answer to problems such as bounded rationality, the accuracy crite-

tion, and isomorphism. Elaborations will also prescribe process conditions and a mechanism for such a learning model to work.

### *1.1.1 Purpose of the Study*

The claim that international learning exists, that international actors collectively and cross-nationally learn from experience, opens up new avenues to the understanding of structural world politics (Modelski 1990: 1). It presents the possibility of examining global change over time by asking about the effects of the past on the future. It also presents the possibility of shedding new light on contemporary international relations by opening up to emerging actors and examining their contribution in shaping today's world. By identifying social mechanisms as one impulse for international learning, and thus moving away from the methodological individualism and idiosyncrasies seen in recent studies, human agency can be reintegrated into international relations. Utilising a constructivist approach as a foundation remains a method assisting in asking certain questions and making certain assumptions rather than presenting a model for explanation (Mayntz/Scharpf 1995a: 39, 1995b). They allow for seeing the international realm as socially constructed and being subjected to human agency through the norms and values it creates. Rather than taking actors and their interests and behaviour as given, social constructivism makes interests and behaviour objects of analysis. Social mechanisms present a means of linking actor behaviour with norms and values as well as the structure of the international system. In this way, international learning allows for the extension of explanation for actor behaviour from neorealist or neoliberal approaches to acknowledging the incorporation of lessons from the past into not only one actors' identity but also into the international system of norms and values altogether. The concept of learning, therefore, allows taking a step back from international relations and looking at the bigger picture of social mechanisms and systems of norms and values. Linking this with the cognitive problem solving abilities of political actors enables a novel approach to situations that cannot satisfactorily be explained by traditional approaches, dissenting from behaviour they predict. Relying on past experiences, actors may have different reasons and motivations to act a certain way than consequentialist and utility-maximising approaches may suggest.

The purpose of this study, therefore, is to introduce a novel and conceptualised way of understanding international actor behaviour and change. The following chapter will establish how international learning is taking place. It will venture deeper into the theoretical assumptions of an international social system and the collectivity of international learning before operationalising learning as well as socialisation and diffusion processes. The following three case studies will exemplify the latter in respect to global poverty alleviation on the institutional level, global

governance on state level, and civil conflict prevention on the societal level. The study sets out to surpass previous learning theories by establishing a working international learning model, confirmed by the three case studies, in order to contribute an alternative to explaining change in actors' behaviour in international politics.

## 2 Constructing International Politics

Constructing a learning model for international politics is a highly complex task as well as a highly unrewarding one. Much has been written on the very basics of learning in international politics, consulting literature from a wide variety of theoretical and methodological perspectives. But at present, these different perspectives have prevented scholars to put it all together. Firstly, there are conceptual difficulties, especially between the diametrically opposed social constructivists and rationalists. While social constructivist approaches (based on cognitive experiential psychology and the symbolic interactionism of George Herbert Mead in particular) build their analysis on the mutual constitution of the actor and the structure, rationalist approaches (based on economic theories such as those by John Stuart Mill and Adam Smith) build their analysis on individual rationality, proposing an essentialist human individual nature irrespective of group dynamics. Actors' behaviour, therefore, depends on very different images: For social constructivists, actor behaviour may depend on mutual learning and the discovery of new preferences through a non-instrumental choice mechanism in an interactive environment. For rationalists, actor behaviour stems from coercion, instrumental calculation and incentives (material as well as social). The choice mechanism is cost-benefit calculations in an environment of strategic interaction (Checkel 2001: 555-560). Accordingly, the two camps have developed a distinctly different view on norms: Social constructivist approaches see norms and values as constitutive of practice, while rational scholars see them as attributes of actors, ontologising norms as unchangeable and putting the state another billiard ball aside (Wolfers 1962: 19-24). No agreement could be established whether norms and values are endogenous and alterable (social constructivists) or whether they are exogenously given and unchangeable (rationalists).

Secondly, the definition of relevant actors in international politics has similarly divided the theoretical pitch. Many scholars, rationalist as well as social constructivist, have restricted the number of actors in international politics by solely attributing the power of decision to states or formal institutions.<sup>1</sup> Arguably, it is only "a

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1 "Institutions are the rules of the game in a society, or, more formally, are the humanly devised constraints that shape human interaction" (North 1992: 3). Thus, institutions are rules regarding the distribution and exercise of power, the definition of competence, the disposal of resources as well as the relationship between authority and subjections (Mayntz/Scharpf 1995a: 40). The analysis will explicitly refer to formal institutions, with informal institutions as part of the international system through behaviour, norms and values.

small number of big and important things, such as power, security and wealth”, controlled by states, that make the political world go round (Keohane 1986, Waltz 1986: 329). Actors such as informal and societal organisations often fall short of recognition and acknowledgement. This has become insufficient in today’s interconnected and transparent world. Societal as well as international levels of analysis bear important implications for explaining topics as diverse as regime formation, international trade policy, foreign policy decision making and security policy, and should be incorporated into analysis (Checkel 1993: 274). Moreover, new actors have surfaced that bear power of decision, or influence considerably those actors who bear such power. Reversing traditional causal arrows by taking the international system as a starting point for research helps in viewing international politics from a different perspective (Mayntz 2003, Mayntz/Scharpf 1995a). It allows for an examination of how the international system changes and reconstitutes states, international institutions and global society. It also allows for seeing all relevant actors in an interactive system, in which not one actor alone moulds the development of collectively held norms and values. Not many scholars, however, have dared to reverse traditional causal arrows. Thirdly, methodological issues arose that could not be solved, such as the benefits of methodological holism, bounded rationality, the accuracy criterion or progress in international relations, process conditions and process mechanisms.

Finding solutions to these problems is the highly complex task, as serving all conceptual directions in international relations theory becomes ever more unlikely, making the search for a comprehensive learning model quite unrewarding.

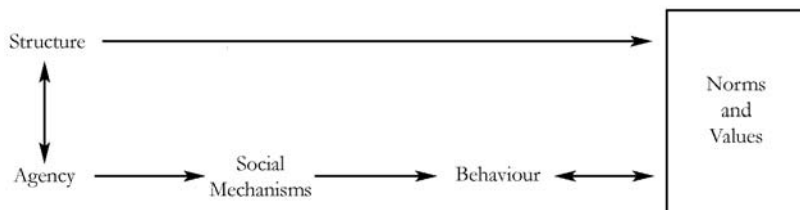
Nevertheless, research as regards learning in international politics has prevailed despite constant methodological disagreements and critics who think the very notion of learning impossible. (A nod to the (neo)realist fellows.) And this research bears important implications for the way we think about the international political world. What the following chapter aims at demonstrating is the theoretical foundation for how agency and structure have effect on internationally held norms within a social international system, and vice versa, in order to establish the foundation for international learning processes. It will answer the questions who, what, when and how – who is taking influence on what, how is this happening and under which conditions? In an answer to the above mentioned conceptual and methodological difficulties it will make a stand for the mutual constitution of human agency and structure, social mechanisms and endogenous norms and values (see Model 1). It will assume that agency is influenced by structure and the norms and values it assisted in creating. Of course this leads directly to the very (neglected) core of social constructivist theory: Both structure and agents are constitutive and generative with regard to norms.<sup>2</sup> The chapter will reveal that learning represents a motivation

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2 For an early paper on constructivism in IR see Nicholas Onuf (1989).



for actors to alter norms and values and that learning takes place internally as well as externally. To begin with, the following sections will elaborate on the ontological composition of international politics in order to draw conclusions on the ‘who’ – who is learning and influencing internationally held norms and values?



*Model 1: Norms and Values in International Politics*

### 2.1.1 Actor Autonomy: Rationalism or Constructivism?

This first theory section promised to shed light onto the actors that bear the capability for meaningful learning processes in international politics. This matter, however, includes several related issues. Despite identifying relevant levels of analysis, the character of their linkage as well as the more concrete process mechanism define the very nature of the actors in question. This nature is vastly dependent on the perceived conceptual character of the international system, in which (neo)realism, neoliberalism and social constructivism theoretically confront each other. One defining feature that distinctly divides these three concepts is the role that they attribute to social facts and the emphasis they put on social practices. While social constructivism refers to a social construction of international politics, the rationalist assumptions of neorealists and neoliberals are often criticised for being ‘under-socialised’ (Hellmann, et al. 2003, Kratochwil/Koslowski 1995, LeBow/Risse-Kappen 1995, Ruggie 1998, Wendt 1987, Wiener 2003: 133). Alexander Wendt explains that they are

“‘undersocialised’ in the sense that they pay insufficient attention to the ways in which the actors in world politics are socially constructed. This common thread has established a three-cornered debate with Neorealists and Neoliberals to emerge” (Wendt 1999: 3-4).

The foundation of this debate circles around ontology, “about what kind of ‘stuff’ the international system is made of” (Wendt 1999: 35). Neorealists as well as neoliberals argue that the very character of the international system is defined by self-interest – zero-sum for neorealists and enlightened for neoliberals. Neorealists address the state as sole unit of analysis and explain their identities and interests to be

generated by an objective structure. Anarchy, as a structural cause, leads actors to act according to their self-interest to produce power, wealth and security in a balance of power. Neoliberals equally address the state as primary unit of analysis, but explain their identities and interests to be produced by process, which allows behavioural modifications by institutions. These institutions by nature allow for cooperation, which may lead to a system of cooperative solutions instead of balanced security. What social constructivism contributes to this debate is the assumption that interests and identities are generated by a process of mutual constitution of the state and the system through interaction. In this ontology, a normative context may influence the behaviour of decision makers as well as of society, who may in turn choose to constrain decision makers (Finnemore 1996: 2-3). Such a context may also change over time, making it necessary for decision makers to shift their identities and interests accordingly. As the case studies will make clear, such shifts do occur in international politics – shifts that look odd from neorealist or neoliberal perspectives because they point to a shift in identities and interests neorealists and neoliberals think to be impossible or just not part of international politics. Moreover, the motives for a shift equally look odd because they are not necessarily based on conventional rational ideas about how actors think.

With regard to this analysis these considerations lead to very distinct conceptual decisions to be taken: If shifts of identities and interests indeed occur in international politics, as the case studies will demonstrate, rationalist approaches to learning are insufficient. If there is more to these shifts than zero-sum or enlightened self-interest then rationalist approaches to learning are even more insufficient. If these shifts are to occur in an international society of analytical units, rationalist approaches cannot fully grasp them. Therefore, in order to utilise the most appropriate heuristic for the examination of learning in international politics this study will draw on social constructivist insights to demonstrate the possibility to change norms and values through learning. Firstly, examining learning in modern international society through a social constructivist lens avoids single actor perspectives such as that of neorealism and neoliberalism. Instead, it allows the examination of any unit that is part of the system within this system. Secondly, social constructivism allows the incorporation of interaction between these units. And thirdly, it also allows moving the analysis from causal mechanisms such as zero-sum self-interest or cooperation to one that is based on ideas. Ontologically speaking, it allows ideas to become recurrent processes linking specified initial conditions and a specific outcome and serve as causal generalisations, in a wider sense, about recurrent processes (Mayntz 2003: 4).<sup>3</sup> The advantage of a social constructivist analysis of international learning is, therefore, that it reflects a mechanism that is outward looking. It

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3 “Social mechanisms are de facto often theoretically constructed, but they are not necessarily and by definition unobservable.” (Mayntz 2003: 5)

allows for examining an international system of individual actors, how they interact and what they produce, instead of concentrating on an inside perspective of individual actors, as neorealism and neoliberalism would prefer.

However, such an international system of individual actors must be defined. What is the value added in examining the system rather than the actors, who in the truest sense of the word, are the ones who act and react and, thus, bear the ability to change norms and values through behaviour or be changed by them. The following section will, therefore, remain in the realm of ontology and specify the nature of the actors that are under examination; it will establish who bears the capacity of influencing norms and values held on the international level through international learning.

### 2.1.2 *Structural Examination: Individualism or Holism?*

Traditionally, there are two main camps in social ontology: methodological individualism and methodological holism. Methodological individualism puts the emphasis on human agency and interaction. It represents the notion that actors are the central theoretical and ontological elements in social systems and social structure is an epiphenomenon, a result and consequence of the actions and activities of interacting individuals. Methodological holism is a structural or functional approach that puts the emphasis on structure. It seeks to demonstrate that the social cannot be reduced to the sum of individuals but, rather, that the collective has emergent properties. It represents the notion that actors are socialised and embedded into social structure and institutions that may constrain, enable, and generally shape individuals' dispositions towards and capacities for action. In order to bring individualism and holism – or agency and structure – together conceptually, social constructivism has put forward an attempt to reconcile these two notions, acknowledging social structure as shaping the actions of individuals in society, while also acknowledging the notion of human agency, where volitional agents are seen as being capable of making a difference to and changing the social system. Put more concretely, social constructivists have challenged the statist ontology prevailing in many rationalist theories by seeing international organisations as autonomous actors and treating international organisations as agents rather than structures (Barnett/Finnemore 1999: 700). In its most pronounced degree, accepting such an integration of human agency and social structure implicates a collective of actors to be able to form a socially coined free will (Mayntz/Scharpf 1995a: 46). As such, collective actors bear the capacity to act and dispose of centralised action resources that are not at the disposal of individual members. Formally, their decision-making about the utilisation of these action resources can either be hierarchical or majori-

tarian (Coleman 1974), and the orientation of action is consciously directed but without formal organisation (Mayntz/Scharpf 1995a: 49-51).

With regard to learning, both the individualist as well as the holist methodological model may be applied. Undeniably, if learning in international relations were to occur, it would occur within the individual. Right down to the lowest micro-level. Accordingly, in many previous studies, macro-phenomena were explained through micro-levels.<sup>4</sup> Conceptually, the macro-micro-macro model of sociological explanation (see Model 2) demonstrates simply how the level of motivated human beings and their activities (micro) must explain the connection between two macro-phenomena.<sup>5</sup> And quite rightly, “exploring the role of social learning and cognitive micro-foundations at the level of norm-makers helps restore agency to its rightful place in the constructivist enterprise” (Checkel 1999: 109). But at the same time, collective actors, such as states and international institutions, are of interest to a learning theory since they may operate as an individual actor in international politics, disposing of distinct action resources that may shape the normative system of individual members. Accordingly, macro-level actors should equally be included into a model of learning in international politics. In fact, scholars have argued that learning in international politics should only be analysed on a collective level, because “social actors can learn both individually and collectively” (Eder 1985: 28). Arguably, individuals can learn something fundamental only when their learning processes form part of the discourse of a collective (Miller 1986, Modelski 1990: 9-10). If collective actors bear the capacity to learn, change their identities and interests accordingly, and then influence the identities and interests of their micro-foundation, then, certainly, collective learning has to be acknowledged as important. And an individualist methodological approach, while imperative, appears to be insufficient. Learning in a field as vast and diverse as international politics as such, where individual choices are subjected to those of the collective, necessitates the examination of a collective of actors. Therefore, utilising the constructivist approach and moving away from the methodological individualism seen in recent studies, this analysis will integrate collective agency into ideas on norms in international politics.

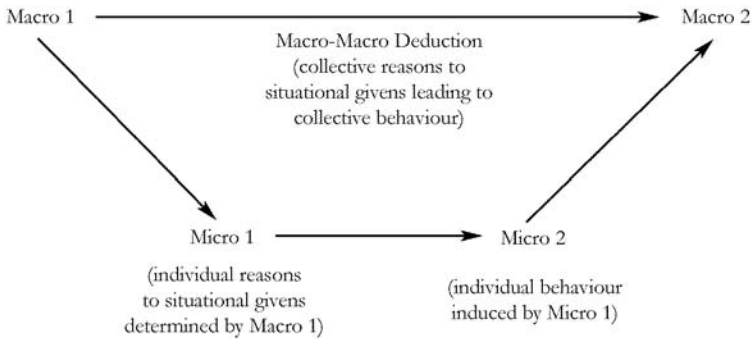
In order to equip the traditional macro-micro-macro model of sociological explanation for macro-macro deductions, first, social macro-macro relations must be assumed. These relational constellations may but need not be institutionally based,

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4 Macro phenomena are in a customary sociological manner defined as structural givens, such as protestant ethic and capitalist economy, improved social conditions and revolution. Micro 1 stands for individual reactions to situational givens determined by Macro 1, Micro 2 for the behaviour thus induced. The model can also be applied to processes of change in a given social structure or institution (Mayntz 2003: 8).

5 For the development and derivatives of the macro-micro-macro model of sociological explanation see especially James Coleman (1986, 1990), Hartmut Esser (1993, 2002) and Peter Hedström and Richard Swedberg (1996).

and are integral and decisive parts of processes generating social macro-phenomena. Structural features become explicitly part of the macro-micro-macro model. Developing a macro-macro relationship, thus, allows for the expression of agent as well as structural influences, and operationalises the influences of human agency and social structure on international norms in the international system. The results and conclusions that will be drawn from macro-level analysis will be more accurate in terms of social mechanisms and actor behaviour, since unnecessary detours will be left aside.



*Model 2: Macro-Micro-Macro Model of Sociological Explanation (modified) (Mayntz 2003: 8)*

What this analysis will refer to, therefore, are collective actors that bear the ability to alter the norms and values that guide their behaviour. The rationalist view on actor autonomy and individualism will be declined in favour of increased actor autonomy and holism, so as to provide for meaningful learning processes (as opposed to learning based on self-interest) and collective agency (as opposed to mere coexistence or cooperation). The following paragraphs will elaborate on collective agency by identifying the units of analysis, that is to say the relevant actors within a collective.

## 2.2 Norms and Values as Social Structure

Much of the above observations have already addressed notions such as behaviour, norms and values, and social structure. They have spoken of linkage between collective actors in some form of international system, related by some mysterious social mechanism, based on the fishy concept of ideas. What they have not addressed is what this means. The following paragraphs will make up for that. They

will head off by elaborating on what is meant by norms and values that guide the behaviour of collective actors and also identify the relevant collective actors under examination. They then will identify the social mechanism that links these actors by means of social structure.

To begin with, social structure refers to the framework for international life, and with that international politics. It is the grease that makes interaction possible. Within this framework, norms and values represent the “shared expectations about appropriate behaviour held by a community of actors” (Finnemore 1996: 22). While norms and values develop out of ideas, they become more than individually held ideas. Through structure they become social and inter-subjective and, therefore, collective rather than individual. In this collective, it is not sufficient for norms to be represented by each individual but rather they must be represented by most of the community. Additionally, norms are given meaning by the community and as such are supported and reinforced by the community and the collective. An individual disagreement is subordinated to the collective agreement to follow collective norms. More clearly, in a social environment it is the sum of individuals that constitutes the group. But it is the collective that not only unites norms and values held by individuals, but also develops norms and values as a collective that mould collective expectations about appropriate behaviour. Concurrently, “[i]deas may or may not have behavioural implications; norms by definition concern behaviour” (Finnemore 1996: 22, Goldstein/Keohane 1993). Norms and values create patterns of collective behaviour in accordance with their prescriptions. And just to make things that bit more complicated, norms and values can be analytically divided in internally and externally driven norms. What this means is that norms and values may on the one hand be developed within the collective (internally driven norms), based on ideas stemming from within the original actor. But they may also be developed outside the collective (externally driven norms) and be based on ideas that have not developed within the original actor itself. If this were the case, some sort of international socialisation would provide for a diffusion of norms between collective actors in an international system. The following section will elaborate.

### *2.2.1 Externally driven Norms and Units of Analysis*

The idea of externally driven norms and values, that is norms and values that were developed within one collective actor and transmitted to another, posed problems for previous theories. The underlying notion that norms may be unrelated to unit conditions and functional need, which could induce actors to accept externally driven norms rather than develop them themselves, contradict many rationalist assumptions regarding self-interest and the origin of identities and interests. A rationalist view would demand actors to generate solutions in response to a problem,

while their system of norms and values remains rigid and readily deducible from the objectives and characteristics of actors. Which is in part a consequence of the aspirations of scholars to construct a generalisable and deductively-driven theory of world politics (Finnemore 1996: 9). With regard to learning in international politics, however, this view has often led to the difficulty to distinguish genuine learning from cases of bounded rationality. How is it possible to distinguish a genuine learning process from cases, when boundedly rational actors were imitating solutions tried by others in order to solve their own problems? This is where the analytical distinction of internally and externally driven norms comes in handy.

Let's start with internally driven norms and values. They represent the development of a solution to a problem within one collective actor. The collective actor faced a problem, developed a solution to it, internalised the new expectations about appropriate behaviour into its system of norms and values and, thus, altered its behaviour. (Always keeping in mind the social constructivist assumption that norms and values are endogenous and malleable.) What is there that makes this process a genuine learning process rather than one of rational problem solving? A question that is difficult to answer because one easily falls into post hoc rationalisation of processes. But if this solution to a problem could be transmitted to a second actor without having to experience the problem or challenge in the first place, post hoc rationalisations may fail. What rational reason could lead actors to internalise certain norms and values that do not present a solution to an immediate problem? Why would actors accept both the problem or challenge and the solution for it from another actor? The number of possible rational problem solving answers drops, while the likelihood for answers relying on genuine learning processes rises. And the later section on learning processes will push this point. But what is already implicit in this viewpoint is that norms and values, in order to be transmittable, must be located on the same analytical level as collective actors, which opens up the examination to all macro-level actors. It also avoids Galton's problem, which explains that findings based on the analysis of causal relationships within only one unit may be distorted by inter-unit communication and inter-unit diffusion.<sup>6</sup> Thus, by opening up to externally driven norms and values, structure as the grease for unit interaction is not only recognised but also conceptually represented.

In order to systematically include such notions of externally driven norms and values into theory, multiple actor approaches and the processes of diffusion between actors become useful. Literature in this field is detailed but has primarily concentrated on a restricted number or distinct level of relevant actors. As such, attempts have been put forward that locate the causal significance of norms and values at the level of state interactions (Cortell/Davis 1996: 451) or at the level of

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6 For an explication of the theoretical impact of Galton's problem, diffusion in general, as well as on scientific inquiry, see Ross and Homer (1976), Klingman (1980), Wellhofer (1989), and Most and Starr (1990).

institutions (Brodocz/Schaal 1999, Kaiser 1999: 273). Moreover, a newer field “is concerned with how new institutionalism can analyse the relationship between individuals and institutions” (Kato 1996: 553). In contrast, social constructivism has concentrated on social dimensions and interaction. In order to bring all these units, or simply the major macro-units connected through interaction, together and develop a comprehensive approach to norm diffusion and learning, the present examination must address three actor units with regard to norm development and norm diffusion. These three actor units then comprise

- states,
- international institutions, and
- an international society.

The following section will take a closer look on how norm diffusion between these three collective actors is occurring and it will also elaborate on the mechanisms involved in a diffusion process within a social international system.

### 2.2.2 *International Socialisation and the Diffusion of Norms*

The concept of diffusion within a social international system leads to the very core of the international system depicted in the previous elaborations. These have clarified that through an overarching framework, structure to be precise, collective actors can be led by internally driven norms as well as by externally driven norms. This implies that relevant collective actors, identified as state, international institutions and an international society, must find themselves on the same macro-level in order to be able to interact. This interaction is made possible through some sort of grease that has yet to be identified. The underlying notion of these assumptions is that the collective actors in question operate in a form of society itself and are, hence, socialised by each other. International socialisation is not a novel approach in international politics but has been part of transactionalist and (neo)functionalist research from the 1950s to the 1970s. Especially in research on European integration international socialisation has been understood as a process in which participating individual actors acquire identities and loyalties that reach further than the borders of the their nation-state (Deutsch 1957: 36, Haas 1968: 14). Over time the preferred level of analysis shifted from the individual to the state and the object of research shifted from individualist approaches to collective changes in ideas, institutions and patterns of behaviour. In a kind of backwards trend, international socialisation research today focuses on the transmission of international norms and values to national actors (Schimmelfennig 2000, 2003a, 2003b: 404). However, there is no reasoning that should restrict processes of socialisation to only one level of transmission. Rather, the inclusion of all previous research strands allows for the expansion of the international socialisation concept into further analytical concep-



tions, which at the same time are necessary in order to account for a comprehensive socialisation process within an international system.

- Socialisation will, therefore, in its contemporary sense, be understood as the transmission of international norms and values to national actors.
- 'Advanced socialisation' will be understood as a transmission mechanism between society and international political institutions.
- 'Reversed socialisation' will be understood to represent the process of transmission from national actors to international ones.

Accordingly, the following analysis will refer to this expanded socialisation concept not as a means for causal reasoning but as a means to illustrate the transmission of norms and values in international politics as a process between all macro-level actors (Hasenclever, et al. 1997: 18-20).<sup>7</sup> The prerequisite for such a process occurring between different collective units is at its very foundation an international environment that is more than a material or technical environment but rather an international system in the sense of Hedley Bull's modern international society (Bull 1977).

But how, or to be more precise, through what social mechanism is this transmission or diffusion of norms taking place during international socialisation processes? To begin with, it is important to identify possible forms of conformity and differentiate their likely outcomes in order to be able to distinguish a genuine adaptation of norms from other mechanisms, such as mere utilisation or compliance. The need for this differentiation lies in the reliance of an establishment of internal mechanisms that maintain norms and values, altering behaviour accordingly, in order to demonstrate an internalisation of new norms and values. Ad hoc mechanisms, brought about by external sanctions or other forms of international intervention, may suffice for rational explanations for a change in behaviour but they do not, of course, allow for a change in the actor's system of norms and values. Internalisation, as such, refers to a conscious and reflected adaptation of norms and values (Powell/DiMaggio 1991). The mechanisms that may point towards a change in norms and values can be divided into two groups (March/Olsen 1989, 1998):

- social pressure and bargaining, and
- imitation and persuasion.

The mechanisms of social pressure and bargaining rest on incentives for conform behaviour. Social pressure utilises compliance with norms and values (as shared expectations about appropriate behaviour) to gain certain social incentives, such as

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7 While older research on socialisation concentrated on identities, loyalties and similar notions it is now widely understood that socialisation has norms and values, as collectively held standards of appropriate behaviour, as its content. See especially Ronald Jepperson, Alexander Wendt and Peter Katzenstein (1996: 54, Katzenstein 1996).

international recognition, an increase of international status or international image gains for example. Any apparent breach with these shared expectations for whatever reason will be punished through the withdrawal of such benefits through immediate measures like ‘naming and shaming’ or later consequences to that effect (Johnston 2001). This has recently most prominently been seen in the classification of certain states as ‘axis of evil,’ ‘terrorist states’ or ‘pariah states,’ and through their exclusion from international diplomacy. Bargaining instead utilises material incentives, such as financial support, economical gain, military protection or political incentives (such as participatory or decision making benefits within the international arena). Both mechanisms lead to conformity with norms and values based on conditionality (‘politics of conditionality’) rather than to a change of collective identities and interests.<sup>8</sup> They simply increase the cost of non-conformity to norms and values. The extent of such conditionality may even include an intervention by a party within the territory of the second party to ‘internally reconstruct’ the collective system of norms and values, as was done in Germany and Japan after the end of the Second World War (Ikenberry/Kupchan 1990: 292).

As an alternative, the mechanisms imitation and persuasion rest on certain roles of actors within the international society. One party may represent a role model, which others strive to observe and imitate. Or in the case of persuasion, parties may enter into dialogue through, for instance, international negotiations, workshops or non-governmental organisation campaigns. The second party then changes its identity and interests, or its system of norms and values, through the ‘better arguments’ that the first party represents (argumentative persuasion) (Checkel 2001, Mutz, et al. 1996, Perloff 1993, Zimbardo/Leippe 1991).

Notably, persuasion stands as the only mechanism that may work without the offer of incentives and it is the only mechanism that may work in both directions. It, therefore, represents the only mechanism that implies a willingness to learn and a degree of conviction necessary for genuine learning (see Table 1). Imitation and social pressure, instead, while allowing for a degree of internalisation of externally driven norms and values, will not lead to a voluntary adoption of norms. A similar view is to be taken with regard to bargaining. Thus, the following elaborations on a theory of learning in international politics will refer to argumentative persuasion processes as mechanism to infer genuine international learning.

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8 For a closer examination of the utilisation of incentives in order to achieve political compliance, especially between stronger and weaker states within the international sphere, see John Ikenberry and Charles Kupchan (1990).

Mechanism	persuasion
Norms and Values	subject to adaptation
Instruments	argumentation
Diffusion begins with	internalisation
Systemic-structural Conditions	authority of the socialising instance; legitimacy of norms and values; identification of the socialiser with society; instability or novelty of the situation for the socialiser
Process Conditions	duration and intensity of contact; consistency of external influences; reflection; no publicity
Sub-systemic Conditions	resonance

*Table 1: Conditions for Socialisation through Persuasion (adapted from Schimelfennig 2003b: 415)*

## 2.3 Learning in International Politics

In a ponderous but necessary exercise, the previous paragraphs have addressed the analytical framework and basic assumptions of this examination. The following paragraphs will build on these assumptions and finally progress to the essential: considerations on learning in international politics. The assumptions made above delineate that, while many rationalist scholars have defined norms as unchangeable, they are in fact subject to consistent macro-level actor behaviour, which may alter the existing norms or develop novel norms and values. As the mechanism responsible for norm diffusion between actors argumentative persuasion has been identified. So by now, the who (collective actors on an international macro-level), what (norms and values) and how (norm diffusion through argumentative persuasion) of a learning process in international politics has been identified. But when, meaning under which circumstances and conditions will actors change their system of norms and values? This is to be answered in the following paragraphs, suggesting genuine learning processes to be at the bottom of some changes in norms and values. The theory goes like this: A collective macro-level actor is posed a serious challenge, the solution to which requires it to change his system of norms and values and, thus, its behaviour. That being conceptually too suspicious to distinguish from more rational procedures of problem solving, a second step is to be included. In this step, the first actor transmits its new norms and values to a second collective macro-level actor through argumentative persuasion, without that second actor

having to experience the original challenge. That second actor yet incorporates the new norms and values.

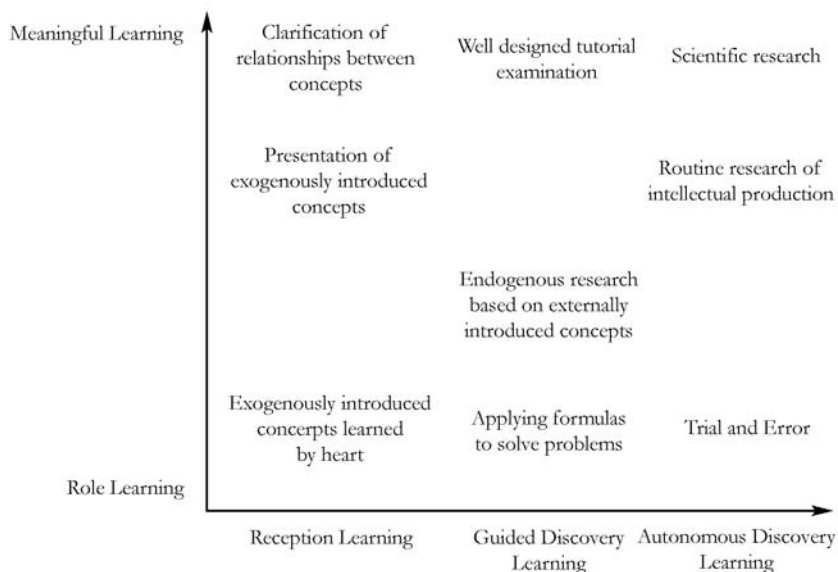
What discriminates the learning processes described in the following from previous learning approaches is the circumvention of problems such as bounded rationality, the accuracy criterion or progress. Employing a methodologically holist approach allows for seeing more than one collective actor in international politics, which in turn allows for opening learning processes up to multi-step approaches. Is the second step of a learning process removed from the original challenge that prompted the solution, bounded rationality as an explanation for the change in norms will fail as the learning process has become independent from pressing demands or obvious crises. With regards to bounded rationality, prompting imitation, state officials alter policies because they are under pressure to solve some already-identified problem. The motion for action stems from within the state, even if the solutions do not. Imitation processes of this type have been described in detail in previous research (Hecló 1974, Ikenberry 1990, Suleiman/Waterbury 1990). The following paragraphs will go into the issues of a motion for action, the accuracy criterion and progress before setting forth preconditions and limitations for learning in international politics and, finally, a definition of such learning processes.

### *2.3.1 Causal Impetuses for Learning*

The crux of including a second step into a learning process naturally divides this process into two forms of learning. These two forms refer to the position of the causal impetus. Is the causal impetus for learning positioned within the actor, the learning process actually resembles that of a teaching process. The causal significance in this process lies at the actor or sub-actor level. There are no active teachers in this process but instead actors are self-taught. Is the causal impetus positioned outside the actor, the process resembles that of or completes a learning process. The causal significance lies outside the unit of analysis and agendas, tasks, norms and values are set, defined and shaped by teachers for their pupils. Both the definition of the problem and the strategies for solving it came from outside (Finnemore 1996: 11-12)

Such receptivity to learning processes relies heavily on concepts introduced in the previous paragraphs: a social role of actors and interaction between them. It implies that the international sphere is in fact a social structure and socialised to a degree that allows for the diffusion of norms and values between units. More importantly, the role of a teacher involves a more active causal character for actors

than especially rationalist theories allow.<sup>9</sup> They often implicitly rely on learning processes in international politics as such but neglect the active causal character of actors as well as the origin of the impetus. As a result, these approaches are fundamentally restricted to a mere compliance with set rules rather than genuine learning. By not addressing learning by external impetus, the possibility of genuine change in norms and values is denied in favour of a mere reaction to problems. In literature, this usually takes one of the following forms: 1) compliance with rules – adhering to traditional instruments, 2) individual error adjustment – ad hoc adjustment to arising issues, or 3) institutional transformation learning – a coordinated modulation of relevant areas (Czada 1995: 315). These approaches, however, are reactive rather than active and underestimate the constitutive capabilities of actors.



Model 3: Learning Matrix (adapted from Ausubel, et al. 1968: 28)

Learning approaches stemming from psychological theories demonstrate much more potential in accounting for external causal significance. Different scopes of

9 Actors' additional causal status also stands in contrast to basic constructivist theories, such as Alexander Wendt's state centric-approach (1987, 1992), for which the state remains the main unit of analysis. However, there is nothing to suggest that constructivist theory should be confined to state level analysis.

possible learning stages may be analytically divided into three classes of learning (reception learning, guided discovery learning and autonomous discovery learning), as well as different types of learning (meaningful or role learning), providing both for external impetuses as well as for extent (see Model 3). This model as well as relevant research from psychological studies on individual reaction to challenges will serve as a beneficial foundation for further considerations on learning in international politics. But before moving to the final stages of conceptualising learning in international politics, one final hurdle has to be taken: the notorious idea of progress.

### 2.3.2 *Progress in International Politics?*

One predicament with a conceptualisation of learning in international politics remains: The notion of progress within the study of learning draws to it distress from various theoretical directions and has, therefore, remained a contentious issue. So much so that authors have avoided to use the term 'learning' and often rather concentrated on processes of the diffusion of norms and ideas, cognitive evolution and intersubjective understandings. The idea that learning should in some sense lead to progress or an improved understanding of how the world works (accuracy criterion) is not only based on various psychological assumptions but more commonly on the assumption that the collective will harbour the will to realise an environment that gives delight or spares pain (Breslauer/Tetlock 1991, Levy 1994). Action is seen in prospect to the realisation of this fiction through executive acts. However, the positive normative connotation has not been accepted by many learning researchers due to its being too vulnerable in the world of political theory. Concurrently, realism critiques the restriction of learning to purely idealist outcomes, while positivist methodological standards critique the normative influences on what favourable outcomes and progress comprises. And both critiques are undoubtedly valid. A normative bias, inherent in the very idea of learning, makes the study of learning difficult with regard to the identification of a learned value. Is it only a learning process when we have learned to solve conflicts without the use of arms or would we also speak of a learning process by actors that have acquired new military tactics that lead to more probable and less costly success through a swift annihilation of the enemy? Martha Finnemore agrees in that "[t]here is no a priori reason to think that shared understandings are ethically 'good' or will lead to peaceful behaviour. Intersubjective agreement on the desirability of a scarce commodity will cause conflict. Shared understandings enable imperialists to exploit and ethnic cleansers to kill" (Finnemore 1996: 6, footnote 6).

Therefore, definitions of learning have to account for the unknown direction that a learning process may take. The crucial characteristic is the internalisation of a

norm through learning rather than a possible aim. Accordingly, William Sahakian has defined learning as the modification of an accomplishment in a certain direction (Sahakian 1970: 123). Significant is the undefined direction of the modification, which complements a neutrality regarding norms. Equally noteworthy is the direct implication of change in the definition, representing the connection between psychological research and international relations. As a consequence, “[l]earning should be defined as any change in an individual’s belief based on new experiences, without any attempt by the observer to judge the accuracy or complexity of those beliefs” (Knopf 2003: 190).

### 2.3.3 *A Definition of Learning*

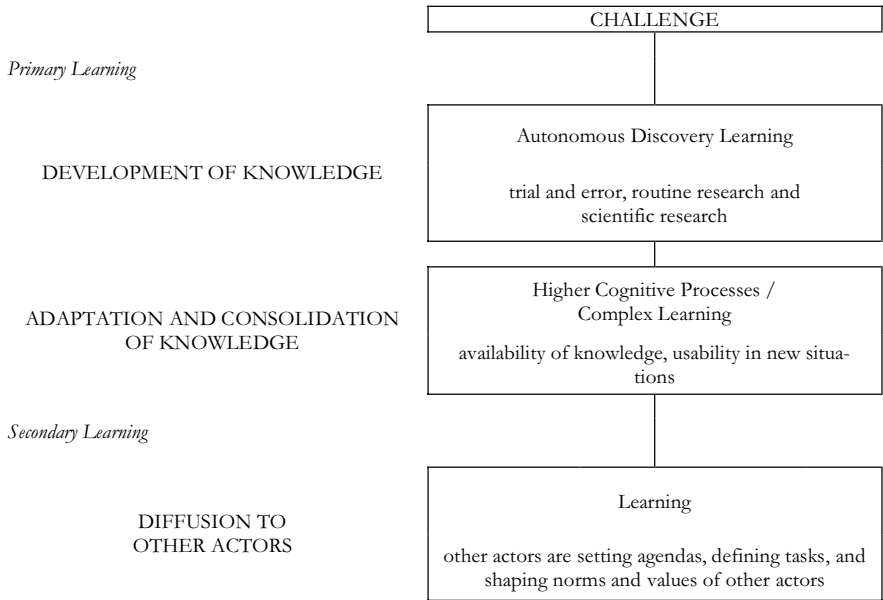
Taking from psychological research again, two aspects of learning become relevant. The first aspect is learning itself. Learning as such is defined as the active building up of increasingly de-contextualised knowledge. A genuine establishment and incorporation of knowledge into actors’ consciousness reflects a lasting acceptance of norms and values – ends-oriented and long-term. Inversely, a temporary acceptance is only means-oriented and short-term. The second aspect of learning is the wider context in which learning is taking place. Cognition has become a useful concept in both psychology and in political theory in this regard.<sup>10</sup> Basic cognitive processes (or simple learning) are involved in obtaining and storing knowledge. Higher cognitive processes (or complex learning) presuppose the availability of knowledge that is put to use. The connection between knowledge and its application is provided by so-called trace systems, consolidating knowledge and making it accessible in both repeated and in new situations. Accessible traces may modify new processes and thereby achieve modification of behaviour and accomplishment (Steffe/Gale 1995: 334). But in order to be able to employ complex learning, the development of knowledge (through simple learning) is necessary. Forms of Ausubel, Novak and Hanesian’s autonomous discovery learning must, therefore, forego complex learning as a foundation for learning as well as for teaching. By reacting to a problem and establishing a working solution for it, the knowledge that can be learned or taught is created. Only then may complex learning lead to meaningful learning.

The definition of learning that results from these considerations is a sequence that accounts for methodological as well as psychological restrictions to learning (see Model 4). The sequence, depicting a genuine learning process, describes actors’

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<sup>10</sup> Cognition in political science is mostly used as a topic incorporating beliefs, perceptions and information processing, while in psychology these factors denominate personality, together with motivation, emotion and other factors (Neack, et al. 1995, Rosati 1995: 68).

response to challenges (teaching or here ‘primary learning’) and the diffusion of norms to other actors through socialisation (learning or here ‘secondary learning’).



*Model 4: Sequence of Genuine Learning Processes*

Taking into account the considerations drawn from ontology, political theory as well as psychological research, primary learning describes a process of establishing knowledge on how to confront a distinct challenge (simple learning). In this process, an actor would develop a working solution to a pressing demand or obvious crisis and apply it also with regard to new challenges (complex learning). A genuine learning process has been completed when the working solution has been incorporated into the actor’s system of norms and values (structure) and from thereon shapes the actor’s behaviour. Secondary learning describes a process that leads to a diffusion of norms and values from one macro-level collective actor to another by means of argumentative persuasion. While the learning impetus for primary learning rests within the actor itself, the learning impetus for secondary learning is located externally. The actor subject to secondary learning would run through a similar learning process as the actor subject to primary learning, although the actor subject to primary learning will set the agendas, define the tasks, and thus shape the



norms and values of the actor subject to secondary learning, who is also not facing a pressing demand or obvious crisis that would require it to learn.

For reasons relating to comprehensibility, the event that would spark a learning process would be a traumatic or historical event (like the attempted putsch in Munich in 1923 or the attack on Pearl Harbor in 1941) as the greater the challenge faced the greater the impact of the solution (Knopf 2003: 198). The greater the impact of the solution the more obvious the change in actor's norms and values and thus the easier it will become to such a change. However, there is no reason to believe that only traumatic or historical events may trigger a learning process.

## 2.4 Requirements

Much of the ontological analysis of the beginning of this chapter has drawn assumptions of what a learning process in international politics requires. One of these requirements was a connection between international collective actors, which is provided by structure. Another requirement was a social international system, where collective actors utilise structure to interact. A third requirement was the assumption that norms and values are not given but can instead be altered. This process of alteration required a social mechanism, which has been identified as argumentative persuasion.

These ontological requirements shaped the perspective on where learning processes can be witnessed, which means that through this lens learning processes may become visible to the outside observer. But even then learning processes, like any other processes, need certain conditions to provoke and entice them. It has been implicit in the above considerations that problem solving is a first part of a learning process, which in turn requires some form of challenge to the actors. Yet, a fundamental question remains: Under which conditions may a process of problem solving develop into a learning process? Combining the generally accepted preconditions for successful socialisation (Schimmelfennig 2000, 2003b) and norm diffusion (Checkel 1999, 2001, 2005a, Johnston 2001) leaves three very strong conditions that allow argumentative persuasion to kick in and learning processes to begin. According to these, learning is most successful if

- the 'socialiser' (the actor subject to secondary learning) acts within a novel and unstable environment or the 'socialising agent' (the actor subject to primary learning) acts as an acknowledged authority for the society the socialiser aspires to accede (systemic-structural condition);
- the learning process takes place within an environment comprising the socialiser's deliberation and no internal or external coercion (process condition);

- the societal and domestic resonance to the respective norms and values is high or (at least) does not contradict already internally anchored norms and values (sub-systemic condition) (Schimmelfennig 2003b: 412).

In other words, the learning process is most successful if the actor's transformation takes place within an internationally homogenous society (that of the actor subject to primary learning) to which the socialiser aims to accede or if the socialising agent treats the socialiser as a serious interlocutor.

## 2.5 Summary

This chapter focused on establishing the ontological and theoretical foundations for a learning cycle in international politics. It was aimed at answering the questions: Who learns? What is being learned? When and how does learning take place? It elaborated on considerations on collective agency and the redundancy of methodological individualism with regard to the study of macro-effects. It utilised social constructivism to establish a collective of actors that bears the capacity for collective learning processes and, thus, for influencing norms and structure. While norms have been defined as the subject of international learning, they represent shared expectations about appropriate behaviour. Accordingly, it is the behaviour of collective actors that forms the foundation for the examination of norms and social mechanisms. In the following analysis, behaviour will signify a change in actors' system of norms as well as delineate the socialisation processes and diffusion of norms to other actors that are taking place. The reason for this adaptation and development of norms is learning, following a challenge to the actors' current system of norms and values. Actors, such as states, international institutions and modern international society, react to new challenges by adapting previous knowledge or developing new knowledge, which will be internalised accordingly. Through socialisation this knowledge is transmitted to other actors without them having to experience the original challenge. While progress in this regard has often been part of learning research, this examination wishes to avoid such a connotation and focus on the successful or unsuccessful internalisation of new knowledge, regardless of the nature of the knowledge.

Following these considerations a definition of learning has been established that delineates primary learning as the actors response to a challenge through autonomous discovery learning and the adaptation and consolidation of knowledge through higher cognitive processes. It outlines secondary learning processes as the diffusion of novel norms to other actors by setting agendas, defining tasks and shaping norms and values. The conditions for such a process have been identified as a novel environment, the lack of coercion and domestic resonance.

### 3 Cases of International Learning

The following three chapters will present cases of learning processes that have occurred in international politics. The instances examined each exhibit a coordinated shift in actor behaviour across the international system, which would look odd from conventional perspectives as their results contradict rational state interests, such as power, security and wealth. The cases presented here demonstrate that shifts in norms and values as well as the respective behaviour of actors are, instead, stemming from an inherent change within one collective actor based on experience. By drawing on sociological insights regarding the role of actors in institutionalising and propagating cultural norms, they closely relate to social constructivism in that they focus on the socially constructed nature of international politics and treat actors and their behaviour as objects of analysis.

#### 3.1.1 *Positivist Qualitative Design: Process Tracing*

In this sense, the exhibited cases of international learning perform a testing function of the theory developed in the preceding chapter. Theory testing has traditionally been associated with positivistic research methods, placing a numerical value on the relationship between phenomena and invoking ways of controlling for confounding variables (Layder 1993). Although positivism may see qualitative modes of theory testing as muddled methodology, the epistemology applied here will enable a free methodological justification when choosing ways of theory testing (Hacking 1981, Laudan 1981). Accordingly, the purpose of the case studies is to test the underlying validity of the proposed theoretical structure. Indirect evidence of the validity of the theoretical assumptions and propositions is provided and, further, this evidence will be discussed in terms of how it supports, refutes or explains relevant aspects of the theory. The case studies will offer evidence to support the influence of learning regarding a shift in actors' norms and values as well as in their behaviour. The analysis of the descriptions of learning based on experience will be used in line with the criteria for qualitative theory testing (Piper 2006). The examination seeks to identify a relationship between the individual experience of actors and the change in norms and values, signified through the change of actors' behaviour.

The testing of the proposed theory requires the examination, or tracing, of the processes involved in a normative shift. In order to enable a view at the relationship between experience and learning of actors and the diffusion of norms between actors, an examination of causal chains and mechanisms is essential. Mechanisms are features connecting individual processes; more in particular, mechanisms are “recurrent processes linking specified initial conditions with a specific outcome” (Mayntz 2002, 2003: 4-5). As such, mechanisms “could be the explanation for some social phenomenon, the explanation being in terms of interactions” between actors (Hedström/Swedberg 1998: 25, 32-33). They reduce the lag between input and output, between cause and effect (Checkel 2005b: 4). Accordingly,

“[t]he process-tracing method attempts to identify the intervening causal process – the causal chain and causal mechanism – between an independent variable (or variables) and the outcome of the dependent variable” (Bennett/George 2005: 206-207).

At the very basic level, process tracing leads to an examination of a series of theoretically predicted intermediate steps. The series of steps are to be held in constant: A causes B, B causes C, C causes D, and so on. It cannot, thus, capture the fluidity of many post-positivist methodologies but enables the mapping of processes and interactions in a structured manner. The data for process tracing is qualitative in nature and includes historical memoirs, interviews, press accounts and documents. Accordingly, while qualitative in nature, with its focus on causal dynamics, process tracing is a method anchored in positivism (Checkel 2005b: 6).

### 3.1.2 *Case Selection: Similarity*

Much of the discussion on case study methods and, therefore, on case selection has focused on the research design of ‘controlled comparison’. Controlled comparison attempts to achieve the functional equivalent of an experiment by finding two cases that are similar in every respect but one. However, this requirement cannot often be met due to the recursion and complexity of many case settings. Accordingly, alternative research designs for carrying out causal analysis in single cases or small-n research have been identified: the congruence method and process tracing. Process tracing, as a method for so-called ‘within-case’ causal inference may be applied to both single and comparative case study research designs (Bennett/George 1997a, 1997b). The present study utilises within-case analysis of individual cases as well as case comparisons to assess the previously proposed theory. The case studies are structured in that the same general question is asked of each case (How does normative change take place?) in order to guide data collection and making systematic comparison of findings possible. The method is focused as it deals with only certain aspects of cases; a selective theoretical focus guides the analysis of cases.

The case selection as such was based on three previously derived considerations: Firstly, the case studies employ variables of theoretical interest for the purpose of theory testing. As such, they present a shift in actors' behaviour that follows several conditions:

- The socialiser acts within a novel and unstable environment.
- The process of socialisation takes place within an environment comprising the socialiser's reflection and no internal or external coercion.
- The societal and domestic resonance to the respective norms and values is high or (at least) does not contradict already internally anchored norms and values (Checkel 2001, 2003, 2005a, 2005b, Johnston 2001, Schimmelfennig 2000, 2003a, 2003b: 412).

Secondly, the case studies are each instances of primary learning on state level, of international organisations and civil society, respectively. The case studies, thus, differ in the beginning level of a learning cycle (independent variable). Thirdly, a specific theoretical focus, learning, determined the selection and analysis of the cases within the investigated phenomenon.

While two cases can almost never be perfectly matched, process tracing strengthens the comparison by helping to identify the causal mechanism at work and match it to the other case studies. Therefore, rather than perfectly harmonising variables, the matching of the mechanism provides comparability. As such, process tracing can focus on potentially puzzling variables, including the effects of history, instrumentation and other idiosyncratic differences that exist between the cases and have been argued to account for the differences.

The first case study will address the shift of norms in development policies during the 1960s. It will examine how an international institution, the World Bank, developed new knowledge on the basis of historical experience and incorporated these new norms into its development portfolio (primary learning). It will also examine how this institution persuaded other actors to commit to this new norm and change their behaviour accordingly (secondary learning). The same procedure is applied in the second and third case studies. The second case study examines the shift of states from sovereignty as the *ultima legitimitatio* to the establishment of juridical global governance institutions, such as the International Criminal Court. The third case study examines the shift that began in global civil society and led from the utilisation of a traditional security concept based on military intervention to a human security concept, which allows for early action and civil conflict prevention strategies. In order to demonstrate a complete learning process in each case study, the primary learning cycle must have been completed preceding the secondary learning process so that new norms and values are recognised by the socialiser. The differences between the case studies lie in the different actor units they address in order to deliver a determined view of learning processes. The causal effect of a

successful learning process will be the shift in the behaviour of all actors involved without the external need to do so.

### *3.1.3 Operationalisation of Cases of Learning*

Analytically, the case studies will be divided into two sections. After having introduced the case study by a short summary of the current state and the state before the examination period, the first section of each case study will begin the epistemological run-down for primary learning. The challenge that led to the development of new knowledge will be examined as well as its influence on learning. Then the establishment of the institution or the inclusion of new knowledge into an existing institution will be analysed. To complete the primary learning process a consolidation of knowledge will be observed that propelled knowledge beyond the original challenge through individual research and the alignment of behaviour. The second section will build on the primary learning process by tracing the same shifts to states, international institutions and civil society. Persuasion will be identified as the causal mechanism in all three case studies. In order to follow the learning process within the shift in the actor's behaviour, it will be necessary to trace the normative claim back to the socialiser. The analysis will, hence, go further than tracing the impetus for action but trace the impetus for the new norm back to its actual development and the respective actor. This modelling will account for the social character of the international system in which actors operate.

The case studies will not be instances that each provide the same insights but rather they will work together. According to the different actor units they address, they will each encounter obstacles to learning that will be discussed in Chapter 7.

### *3.1.4 Limitations of Process Tracing in Similar Cases*

Process tracing allows for the examination of the mechanism at work, moving away from correlational arguments. It moves from as-if styles of reasoning to theories that capture and explain the world as it works (Checkel 2005b: 14). Thus, while not allowing for parsimonious or generalisable theories, process tracing enables 'contingent generalisations' and consolidated middle-range theories. The step-wise procedure of process tracing produces a series of additional checks. Those checks force a reconsideration of the connection (or lack thereof) between the theoretically expected patterns and the data (Checkel 2005b: 15). While by employing qualitative data problems of interpretations cannot be eliminated, process tracing minimises them. At the same time, the utilisation of partial documentation as proxy for causal mechanisms may, in general, appear unrealistic. However, the case stud-

ies presented utilise feasible and justifiable proxies for measuring the impact of the mechanism in the sense of a positivist epistemology.

## 4 The World Bank and Global Poverty Alleviation

### 4.1.1 *Global Poverty Trends*

For the first time in history a far reaching push back and even an extermination of global poverty seem possible. The long term development of social indicators support a positive outlook as the share of world population living in poverty decreases. Poverty is usually captured on the basis of income poverty. As multidimensional phenomenon, ‘income poverty’ encompasses the inability of people to satisfy basic needs, the lack of control over resources, education and skills, as well as poor health, malnutrition, lack of shelter and poor access to water and sanitation. This in turn often leads to an increased vulnerability to shocks, violence and crime, which in many cases is accompanied by a lack of political freedom and voice (World Bank 2001: 3). Statistical indicators comprise the share of the population living on less than 1 US-\$ a day in purchasing power parity (PPP) terms (absolute poverty). Currently, an estimated 1.1 billion people are living in absolute poverty in developing countries (see Table 2).

In 1980, the influential report to then US President Jimmy Carter, ‘Entering the 21<sup>st</sup> Century’ (Barney 1980), delivered a sombre forecast of global poverty in the year 2000, and seemed to remain right during the end of the 1980s and the beginning of the 1990s (‘Lost Decade’). During the mid-1990s global poverty numbers started to decrease (see Chart 1). Today, these revisions do not affect the major conclusions about global poverty trends that Barney’s 1980 report drew. Absolute poverty declined only slowly in developing countries during the 1990s: The share of the population living on less than 1 US-\$ a day fell from 28 percent in 1987 to 23 percent in 1998, and the number of poor people remained roughly constant as the population increased (World Bank 2001: 5). In general, poverty declined in countries that achieved rapid growth and increased in countries that experienced stagnation or contraction, now counting more poor than ten years ago (Eberlei 2001: 79). At the same time, the decline in poverty in rapidly growing countries was slowed by increases in inequality in a number of countries with a large number of poor, especially in China, India, Bangladesh and Nigeria. Sub-Saharan Africa remains the poorest region in the world with the lowest Human Development Index, closely followed by South Asia (United Nations Development Programme 2000, 2005: 37).



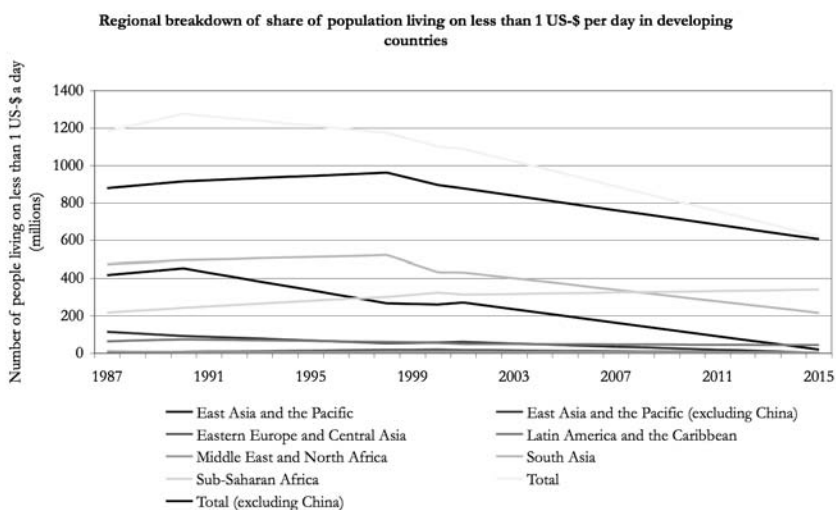
Region	Population covered by at least one survey (percent)	Number of people living on less than 1 US-\$ a day (millions)					
		1987	1990	1998	2000	2001	2015
East Asia and the Pacific	90.8	417.5	452.4	267.1	261	271	19
(excluding China)	71.1	114.1	92.0	53.7	57	60	2
Eastern Europe and Central Asia	81.7	1.1	7.1	17.6	20	17	2
Latin America and the Caribbean	88.0	63.7	73.8	60.7	56	50	43
Middle East and North Africa	52.5	9.3	5.7	6.0	8	7	4
South Asia	97.9	474.4	495.1	521.8	432	431	216
Sub-Saharan Africa	72.9	217.2	242.3	301.6	323	313	340
Total	88.1	1 183.2	1 276.4	1 174.9	1 100	1 089	622
(excluding China)	84.2	879.8	915.9	961.4	896	877	606

*Source:* Poverty Trends and Voices of the Poor (World Bank 2001: 6) and Global Economic Prospects 2005 (World Bank 2004: 21).

*Note:* The proportion of the population covered by at least one survey, given in column 1 of the above table, only refers to data for the years 1987, 1990 and 1998. Additionally, it should be emphasized that historical estimates as well as projections are subject to some uncertainty due to the availability of data and the difficulties involved in estimating PPP exchange rates. Despite these weaknesses, the estimates provide a reliable view of poverty trends at the aggregate level due to the substantial increases in data accuracy over the past few years.

*Table 2:* Regional breakdown of share of population living on less than 1 US-\$ per day in developing countries

While considerable achievements in reducing the global number of absolute poor were made, the challenge remains until today. Reducing by half the share of people living on less than 1 US-\$ dollar a day and reducing by half the share of people who suffer from hunger has, therefore, become the first of eight Millennium Development Goals that were adopted by all United Nations member-states and with them the Bretton Woods institutions (United Nations 2005).



Source: Poverty Trends and Voices of the Poor (World Bank 2001: 6) and Global Economic Prospects 2005 (World Bank 2004: 21).

Chart 1: Regional breakdown of share of population living on less than 1 US-\$ per day in developing countries

#### 4.1.2 The Global Poverty Concern before 1945

Global poverty has not always been at the forefront of international attention. Prior to the Second World War poverty was largely the provincial concern of religious and private philanthropic groups rather than of global awareness. Concurrently, relief aid prior to the Second World War was more erratic and ad hoc, such as relief aid in response to a natural disaster, famine or war. The chronic structural poverty in other countries was not a concern to states until about 1940, the Great Depression and the Second World War. The concern with global poverty took shape, for example, in Roosevelt’s 1941 Four Freedoms speech when he expressed the responsibility for economic conditions in other states as the right to “freedom from want (...) everywhere in the world” (Lumsdaine 1993: 202). This ‘freedom from want’ was reiterated in the Atlantic Charter and became more universal and explicit after the establishment of the United Nations.<sup>11</sup> As a means to address this

11 The Universal Declaration of Human Rights (adopted by the General Assembly in 1948) claims “the right to a standard of living adequate for the health and well-being of [all human beings] and

new economic order the Bretton Woods institutions were founded and the link to development was established. Accordingly, the World Bank's Articles of Agreement emphasise productivity, investment, capital accumulation, growth and balance of payments (Finnemore 1996: 93).<sup>12</sup>

Development as a framework to combat poverty, however, only received increased attention at the Bretton Woods conference treating the rebuilding of Europe (Ayres 1983: 1). In the 1950s and 1960s bilateral foreign aid programmes were created and multilateral development lending by the World Bank was extended to least developed countries (LDCs), which increasingly came into being through the ongoing process of decolonialisation. Donor countries increased their offer on concessionary components of bilateral assistance. However, development assistance during this time was understood to mean solely the increase of the GNP or GNP per capita, meaning the increase in industrialisation within a country through capital accumulation.

This focus of development policies changed rapidly in the late 1960s, "when everyone involved in development started talking, writing and structuring policies about poverty issues" (Finnemore 1996: 97). This change led to a considerable increase in data collection regarding the impact of development policies on poor populations. Later the goal of poverty alleviation became part of the global development effort, which sparked diverse strategies that were far more encompassing than previous attempts to increase the GNP or GNP per capita.

#### 4.1.3 *Poverty Alleviation in International Politics*

Martha Finnemore, addressing the problem of preferences in 1960s' international society, reports three possible sources for change (Finnemore 1996). Accordingly, a first source addresses the change in focus as being states, such as poor LDCs or industrialised states. If this were the case, LDCs would have utilised public forums such as the Bretton Woods institutions and UN agencies to publicise their need for aid for poor populations among donor countries and multilateral development banks. Industrialised states as the source of change would have increased their bilateral aid and pressed LDCs to target poor populations more directly. Influential states would also have utilised their standing in multilateral institutions to force the matter ahead. Finnemore, however, comes to the conclusion that neither industrial-

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of [their] families, including food, clothing, housing, and medical care". The Covenant on Economic, Social and Cultural Rights (adopted by the General Assembly in 1966) reaffirmed these rights and elaborated on them.

12 The terms "World Bank" and "the Bank" are used interchangeably to refer to the entire World Bank Group, including the International Bank for Reconstruction and Development (IBRD), the International Finance Corporation (IFC) and the International Development Association (IDA).

ised states nor developing states have been the source of change in development policies (Finnemore 1996: 119-123). Developing countries' efforts consisted of development plans submitted to the World Bank as part of loan applications, which suggests the antecedence of World Bank efforts. Similarly, the World Bank's shift towards poverty-oriented policies precedes the efforts of developed states to alleviate global poverty.

Secondly, development experts, such as development economists, engineers and consultants, or the epistemic community might have been the source for the change in focus. Peter Haas, for example, has elaborated on the political importance of such groups and their potential influence on key policymakers or the government apparatus (Haas 1989, 1992). Emanuel Adler provides a case for such persuasion in the field of nuclear arms control (Adler 1992). If the influence of epistemic communities were large enough to lead to a change in the focus of development policies, clear principles for the elevation of poverty concerns would have been developed. A comprehensive mission and rationale would have been able to influence policy. And indeed, intellectual influence on change can be ascertained. In the late 1960s economists began arguing that poverty alleviation should become the primary focus of development policies. Gunnar Myrdal and Dudley Seers became the outriders of the new discipline of development economics that soon found support by universities (Baster 1972, Myrdal 1968, Seers 1969, 1972, Seers/Joy 1971).<sup>13</sup> Their critique of previous analyses was that despite remarkable growth records among LDCs during the 1960s, development policies had failed because they had failed to eliminate poverty. At the same time these studies were dependent on data on employment, income distribution and social welfare already collected by the UN and other international bodies.

Thirdly, international organisations, such as the Bretton Woods institutions or UN agencies, might have been the source of change. Numerous scholars have argued that international organisations bear the capacity of operating as independent actors in international politics (Ayres 1983, Meier 1984). If this were the case, executive heads and international organisations' staff would have utilised the institutions' resources to exercise pressure on member-states. This pressure would stem from persuasion and attempted coercion and would lead to an acceptance of anti-poverty policies, meaning financial support in industrialised states and adoption by LDCs (Finnemore 1996: 99).

Since the first and second suggested sources of change both seem unlikely, they point towards international organisations as being the starting point for a change in development policy, the following analysis will examine their role in the change in development politics and poverty alleviation. The World Bank Group

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13 In 1968, Dudley Seers and colleagues founded the Institute for Development Studies at the University of Sussex.

was chosen as an entity for analysis for its “central role in promulgating and revising these development norms in the international system” (Finnemore 1996: 90).

#### 4.1.4 *Poverty Alleviation Strategies as Learning Process*

In order to examine the change in focus of development policies after 1960 the World Bank is indeed an appropriate entity for analysis. The World Bank immediately suggests itself as a focus of analysis for several reasons:

- Being a vital component of the Bretton Woods system, the Bank’s task is the financial consultation of developing countries.
- In addition to the dollar amount of its lending, its actions have important signalling effects to private lenders and donor governments providing development assistance.
- It serves important facilitating and coordinating functions by brokering the participation of lenders and donors in consortia for development aid packages.
- It has a highly regarded cadre of experts on its professional staff making decisions about the allocation of money.
- The World Bank is global in scope (as opposed to the regional development banks) (Finnemore 1996: 98-99).

Additionally, a shift within development politics is particularly visible within the Bank: Initiatives shifted over time from concerns about capital accumulation, foreign exchange and construction of large industrial projects, such as dams and power plants, to concerns about small farmers, renewable resources and the provision of social services in urban areas with the clear intention to alleviate poverty. The shift in the Bank’s focus indeed precedes that in other international institutions, states and society.

This chapter aims at demonstrating that the source of change was a learning process that took place within the World Bank.<sup>14</sup> The experiences made and accumulated within the institution (primary learning) were in turn diffused to states, other international institutions and society (secondary learning) through the mechanism of persuasion, and altered the way in which poverty alleviation was perceived. This examination will be able to explain how the idea of poverty alleviation as a norm was institutionalised within the Bank and other international institutions, states and society without at one point being revoked by new national interests. The challenge is to “identify the intervening causal process – the causal chain and causal mechanisms [persuasion] – between an independent variable (or vari-

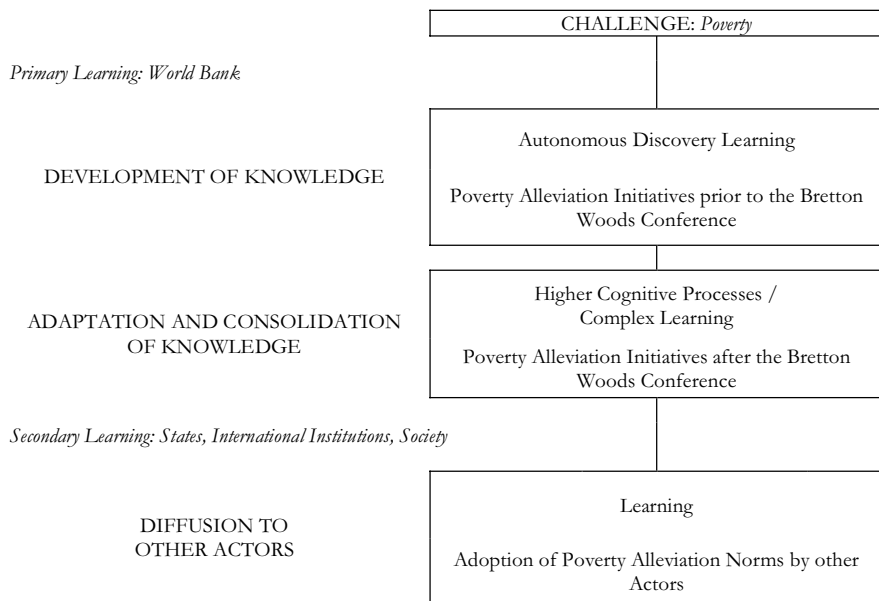
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14 Finnemore in her chapter emphasises the role of the individual, especially during the presidency of Robert McNamara, in the institutionalisation of the shift in the Bank’s focus.

ables) [states, international institutions, society] and the outcome of the dependent variable [degree of norm internalisation]” (Bennett/George 2005: 206-207). Accordingly, genuine internalisation of new norms holds under the following conditions (Checkel 2005a):

- the socialiser (the World Bank to represent international institutions) acts within a novel and unstable environment;
- the process of socialisation takes place within an environment comprising the socialiser’s deliberation and no internal or external coercion;
- the societal and domestic resonance to the respective norms and values (poverty alleviation) is high or (at least) does not contradict already internally anchored norms and values.

The following analysis will examine the series of intermediate steps between the beginning (independent variable[s]) and the end (outcome of dependent variable) of the focal shift in development policies towards poverty alleviation initiatives. The series of intermediate steps will orientate on the most important international milestones with regard to poverty alleviation. By mapping the processes at work in the shift at the World Bank, prior theoretically derived expectations about the workings of persuasion as a mechanism will be explored. This will lead to an analysis of the diffusion of poverty alleviation as a norm to other actors by means of persuasion and the internalisation of the norm by means of socialisation.



Accordingly, the following section of this chapter will examine the processes involved in primary learning. It will elaborate on poverty alleviation initiatives prior to and after the Bretton Woods Conference and demonstrate a clear consolidation of knowledge based on experience and the corresponding alignment of research and behaviour. Then the chapter will continue to reveal how this primary learning process led to secondary learning, representing the basis for a diffusion of norms and their internalisation through socialisation. It will examine how the World Bank set agendas, defined tasks and shaped norms and values for other international actors. The conclusion will address how the findings relate to the workings of the mechanism and attempt a deduction whether the outcome would have been different in the absence of persuasion.

#### **4.2 Primary Learning: The Development of Poverty Alleviation Initiatives**

Since its inception at the Bretton Wood Conference in July 1944, the World Bank has expanded from a single institution to a group of five development institutions. The Bank Group's mission evolved from the International Bank for Reconstruction and Development (IBRD) as facilitator of post-war reconstruction and development to the present day mandate of worldwide poverty alleviation. Reconstruction remains an important focus of the Bank's work; it has, however, shifted its focus onto poverty alleviation as the overarching goal of its work.

This section will first elaborate on how poverty alleviation as a norm within development politics was able to increase its influence on the global agenda in such a way that led from mostly disregard within the international sphere to the multilateral establishment of the World Bank. The section will demonstrate how the perception of the challenge of global poverty changed on the basis of common experiences such as the Great Depression and the following increase in the importance of economic security, the Atlantic Charter and the wartime devastation of Europe and East Asia. Secondly, the section will demonstrate how knowledge on poverty alleviation was developed and adapted within the World Bank to increase the initiatives' efficiency. This will reveal how, through the development of knowledge, the World Bank became an international actor in itself that is able to set agendas, define tasks and shape norms of other actors. This analysis will provide the foundation for the examination of a secondary learning process, which will examine how the World Bank was able to diffuse its knowledge and the norm of poverty alleviation to other actors.

#### 4.2.1 *From Provincial Philanthropy to an International Concern*

The political basis for the establishment of the Bretton Woods institutions can, among others, be found in several shared experiences such as the Great Depression and the following increase in the importance of economic security, the Atlantic Charter and the wartime devastation of Europe and East Asia. This section will examine how these experiences paved the way for the establishment of the Bank and brought poverty as a global concern to the forefront of international politics.

The experience of the Great Depression during the 1930s shook not just one state but also the whole community of industrialised states. Foreign exchange controls had undermined the international payments system that was the basis for world trade. Currency devaluations had led to an increase in competitiveness of a country's export products in order to reduce balance payment deficits. This tendency had in turn worsened national deflationary spirals, resulting in plummeting national incomes, shrinking demand, mass unemployment and an overall decline in world trade. Trade in the 1930s became largely restricted to currency blocs (groups of nations that use an equivalent currency, such as the 'Pound Sterling Bloc' of the British Empire). These blocs impeded the international flow of capital as well as foreign investment opportunities. Although this strategy tended to increase government revenues in the short term, it dramatically worsened the situation in the medium and longer term.

In the aftermath, the hope of being able to avoid a recurrence of an economic phenomenon as the Great Depression in the future led to a high level of agreement on the goals and means of international economic management. The foundation of the agreement was a shared belief in capitalism.<sup>15</sup> One of the lessons learned from the monetary chaos of the interwar period included the importance of economic security and the idea that a liberal international economic system would enhance the possibilities of post-war peace. US Secretary of State from 1933 to 1944, Cordell Hull, brought forward the suggestion that the fundamental causes of the two world wars lay in economic discrimination and trade warfare. Specifically, he hypothesised that the trade and the bilateral exchange controls of Nazi Germany and the British imperial preference system contributed to the basis for the depression. Hull argued that

“unhampered trade dovetailed with peace; high tariffs, trade barriers, and unfair economic competition, with war (...) [I]f we could get a freer flow of trade, freer in the sense of fewer discriminations and obstructions, so that one country would not be deadly jealous of another and the living standards of all countries might rise, thereby eliminating the economic

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15 Industrialised countries differed in the type of capitalism they preferred for their national economies: France, for example, preferred greater planning and state intervention, whereas the United States favoured limited state intervention.



dissatisfaction that breeds war, we might have a reasonable chance of lasting peace.” (Hull 1948: 81)

By creating a theoretical connection between economic security and peace, Hull was one of the first political leaders to acknowledge the demise poverty can bring about. The experience of the comparatively rich industrialised countries of how a flawed economic system can also wreak political and social havoc led to the increasing willingness of these states to confront poverty as a global political issue. An agreement that the liberal international economic system required governmental intervention emerged. Soon after the Great Depression, public management of the economy had emerged as a primary activity of governments in industrialised states. Employment, stability and growth, as a measure for economic well-being, were now central subjects of public policy, resulting in the political importance of Keynesian economics and the development of the welfare state.

A similar shift occurred at the international level. The perception that national goals could only be realised through international cooperation formed the very basis of the Bretton Woods system. As New Dealer Harry Dexter White put it:

“[T]he absence of a high degree of economic collaboration among the leading nations will (...) inevitably result in economic warfare that will be but the prelude and instigator of military warfare on an even vaster scale.” (quoted in Pollard 1985: 8)

The key pillar for a regulated international economic system was free trade involving lowering tariffs and a balance of trade favourable to the capitalist construct. This system was designed to create and maintain an effective international monetary system and foster the reduction of barriers to trade and capital flows. This was intended to stabilise the economic system globally and reduce the danger of international economic and political crises. While the experiences of the Great Depression primarily led to insights about the economic system, poverty was not explicitly addressed in the agreements. Nevertheless, the agreements implicitly referred to a relationship between poverty and war, which formed the theoretical foundation for future poverty alleviation initiatives. The idea that the lack of economic well-being or security, such as poverty, can lead to consequences such as international wars, initiated the increase of significance given to global poverty despite not being addressed explicitly. The drafting of the Atlantic Charter in August 1941 furthered this development considerably.

Like former US President Woodrow Wilson had done before him in his ‘Fourteen Points’ speech, then US President Franklin D. Roosevelt had set forth a range of ambitious aims for the post-war period, which were codified in the Atlantic Charter. The Atlantic Charter affirmed the right of all nations to equal access to trade and raw materials, called for freedom of the seas, the disarmament of aggressors and the “establishment of a wider and permanent system of general security”.

Primarily, the provisions set down in the Atlantic Charter were intended to restore prosperity to the industrialised countries after the economic devastation of the Great Depression and two world wars through an open world economy with unhindered access to markets and raw materials. However, without a strong European market for US goods and services, many policymakers believed, the US economy would be unable to sustain the prosperity it had achieved during the war. Europe, being economically exhausted by the war, needed US assistance to rebuild their domestic production and to finance their international trade. This reliance on a common open market necessitated international economic cooperation with reference to international economic security. In 1945, the US agreed to a loan of 3.8 billion US-\$ to Britain and 1 billion US-\$ to France.<sup>16</sup> These loans represented the first move towards development lending, which would become institutionalised during the Bretton Woods Conference.

#### 4.2.2 *Bretton Woods*

The Bretton Woods Conference took place between 1 and 22 July 1944; the resulting agreements were intended to regulate the monetary and financial order after the Second World War through establishing rules for commercial and financial relations among the major industrial states. Setting up the first permanent system of rules, institutions and procedures to regulate the international monetary system, the Bretton Woods agreements established the International Bank for Reconstruction and Development (IBRD), now one of five institutions in the World Bank Group, and the International Monetary Fund (IMF).<sup>17</sup> The most important innovations of the Bretton Woods system were the obligation for each country to adopt a monetary policy that maintained the exchange rate of its currency within a fixed value in terms of gold, and the ability of the IMF to bridge temporary imbalances of payments.<sup>18</sup>

As one of the Bretton Woods institutions, the IMF was to be the keeper of the rules and the main instrument of public international management. IMF approval was necessary for any change in exchange rates and it advised countries on policies affecting the monetary system. As to the other Bretton Woods institutions, the IBRD was to be the promoter of the growth of world trade and the guardian of the post-war reconstruction of Europe ('development through growth'). The IBRD

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16 Developing countries, tied to the industrialised countries of the West economically and politically, had little choice but to acquiesce to the international economic system established for them.

17 The organisations became operational in 1946 after a sufficient number of countries had ratified the agreement.

18 The system eventually collapsed in 1971, following the United States' suspension of convertibility from dollars to gold.

had an authorised capitalisation of 10 billion US-\$ and was expected to make loans of its own funds to underwrite private loans and to issue securities to raise new funds to secure a speedy post-war recovery. The IBRD was to be a specialised agency of the United Nations, charged with making loans for economic development purposes that, with the development of the institution itself, grew not only in size but also expanded its task beyond European states.

The international development from the lessons of the Great Depression onwards went, step-by-step, from national regulations to the beginnings of international economic cooperation through the Atlantic Charter to the establishment of the first example in history of a fully negotiated monetary order intended to govern monetary relations among independent states, Bretton Woods. The conceptual foundation of this first of its kind is still reducible to the understanding that economic security may serve as an arbiter for peace. Therefore, although developing countries and global poverty were neither part nor subjects of the negotiations that were involved in this process, the foundation for their inclusion into the new economic order was already in place. The industrialised states not only understood that economic security might serve as an arbiter for peace but also that their economic well-being, through an open market, is connected to the economic well-being of other states. Additionally, the institutional connection between the IBRD and the United Nations confirms the connection between economic and international security at its highest level. This acknowledgement of a connection enabled the IBRD to become the first instance in the reconstruction and (re)development of Europe.<sup>19</sup>

Structurally, the multilateral and negotiated nature of the agreements leading from the Great Depression to the establishment of the Bretton Woods institutions points towards persuasion as the mechanism that led the process from one step to the next. During these conferences and negotiations, actors were attributed certain roles within the international environment that shaped the dialogue of the time. As such, Britain (and France) were deemed leaders (role models) within Europe, while the US had become a considerable political as well as economic power that, economically restored after the Great Depression and the Second World War, was able to finance the reconstruction of Europe. The necessity for a partnership between Europe and the US and between the individual countries became a new interest in international politics in order to be able to systematically prevent economic disaster and war. States, which were originally opposing financial cooperation on such a scale and with considerable restrictions on their national economies, were finally

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19 The only available market for IBRD bonds was the conservative Wall Street banking market, which forced the IBRD to adopt a conservative lending policy, granting loans only when repayment was assured. Given these problems, by 1947 the IMF and the IBRD themselves were admitting that their capabilities were insufficient to deal with Western Europe's reconstruction. Thus, the more flexible Marshall Plan was set up to provide Europe with grants rather than loans.

persuaded by the presented arguments.<sup>20</sup> Coercion or incentives (in the sense of additional benefits outside the agreements) were not part of any of the negotiations.

This section has elaborated on the development of the first system of international monetary management as a means to confront the challenges of the time. It has demonstrated how and why an international monetary cooperation came about and, thus, illustrated the effect the knowledge about a connection between economic security and international peace had on the international order. Through process tracing, the influence of persuasion as a causal mechanism has become visible. The following section will build on the above analysis by examining how the acquired knowledge was developed further within the World Bank and was soon extended beyond the original challenge and beyond Western industrialised countries as a sphere of influence. This step will conclude the primary learning process within the World Bank. The section on secondary learning will subsequently demonstrate how the lessons learned within the World Bank were diffused to states and society, which over time internalised the inherent norms through socialisation. This internalisation will complete the learning cycle.

#### 4.2.3 *From European Recovery to Development and Poverty Alleviation*

The establishment of a conceptual connection between economic security and peace had widespread implications. To begin with, through a series of processes it led to the establishment of the IMF and the IBRD, the first international monetary management system world-wide, which bore the ability to bridge temporary imbalances of payments and urged member states to maintain the exchange rate of their currency within a fixed value in terms of gold. However, originally, the IBRD was implored to increase its sphere of influence beyond Western industrialised countries. In his inaugural address on 20 January 1949, Harry Truman had already explained that

“we must embark on a bold new program for making the benefits of our scientific advances and industrial progress available for the improvement and growth of underdeveloped areas. More than half the people of the world are living in conditions approaching misery. Their food is inadequate. They are victims of disease. Their economic life is primitive and stagnant. Their poverty is a handicap and a threat both to them and to more prosperous areas. For the first time in history, humanity possesses the knowledge and skill to relieve the suffering of these people.” (Truman 1949)

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20 In 1945, Charles de Gaulle, the leading voice of French nationalism, was forced to grudgingly ask the US for a 1 billion US-\$ loan. In return France promised to curtail government subsidies and currency manipulation that had given its exporters advantages in the world market.

Until the late 1960s, however, no such development policy was actually adopted. The ‘development through growth’ initiatives implemented by the World Bank had only half-hearted support of industrialised states and their success was doubtful. When Robert McNamara became president of the World Bank in 1968, he almost immediately commissioned a report to examine the effectiveness of the ‘development through growth’ programme (the Pearson Report). The result was devastating: Growth, if occurring at all, was regionally uneven. Locally, poverty was expanding and growth-oriented measures only benefited the upper classes of developing countries. It became necessary for the World Bank to reform and formally distance itself from the primary interests of states in order to accomplish its mandate of worldwide poverty alleviation.

This section will demonstrate how the World Bank consolidated its knowledge on the connection between economic security and peace in order to improve development programmes for developing countries. Thus, it will examine how and why the World Bank’s focus shifted from an emphasis on capital accumulation, foreign exchange and construction of large industrial projects to concerns about small farmers, renewable resources and the provision of social services in urban areas with the clear intention to alleviate poverty. It will orientate on several changes in development policies occurring during the 1960s and 1970s, such as the creation of the International Development Association (IDA), the Pearson Commission and the influential presidency of Robert McNamara. This analysis will serve as the basis for elaborations on the process of norm diffusion in the subsequent section.

By the 1950s the initial success of the IBRD had become evident. By improving the capacity of states to trade by lending money to war-ravaged and impoverished countries for reconstruction and development projects, Europe had made considerable progress in recovering from the devastations of the Second World War. At the same time, it had also become clear that the poorest developing countries needed softer terms than those that could be offered by the Bank, so they could afford to borrow the capital they needed to grow. As a result, the International Development Association (IDA) was created in September 1960 as a UN specialised agency and part of the World Bank Group. Although not targeting poor populations directly but rather adhering to the ‘development through growth’ initiatives of the time, the creation of the IDA was an important step towards a systematised approach to reduce poverty in developing countries for two reasons: Firstly, the IDA redirected multilateral development activity toward where the poor were and, secondly, provided loans on terms more lenient than those of the World Bank proper. IDA lending redirected money from industrial, energy and transport sectors toward agriculture where, arguably, the greatest benefits to the poor could be realised. Agriculture was the largest production sector for the poorest countries without a significant industrial base in which to invest. Concurrently, investments

in agriculture were said to be 'directly productive', as opposed to 'indirectly productive' sectors such as utilities. Additionally, the IDA is able to provide grants and 'soft loans' with repayment maturities of 20, 35 or 40 years with a 10-year grace period and no interest to the poorest countries (generally with per capita incomes below 500 US-\$ per year).

The IDA did not provide a point of departure for global reorientations of development efforts because development policies were still focussed primarily at political stabilisation, not economic development.

This focus, however, was about to change in the late 1960s. The assumption of the 'development through growth' programme that underdevelopment was based on a lack of capital and that enough growth would 'trickle down' to the poorest populations were refuted by development economists such as Gunnar Myrdal and Dudley Seers (Myrdal 1968, Seers 1969, 1972, Seers/Joy 1971). Based on data on employment, income distribution and social welfare collected by the UN and other international bodies, their analyses revealed that development policies had failed because they had failed to eliminate poverty. The aim was to "thrust debates over economic and social development into the arena of ethical values" (Goulet 1971) and to demonstrate that, in the light of this, the goals of the entire development efforts needed to be reassessed (Adelman 1975: 302-309). What Myrdal, Seers, Goulet and others did by undermining the conventional wisdom was to create a permissive environment for change. They drew attention to the failings of previous development policies. However, they did not provide any clear, consensual blueprint for alternative policies (Finnemore 1996: 103).

It was in this general mood that the Pearson Commission on International Development was convened. The initiative for the Commission originated from George D. Woods, World Bank president from 1963 to 1968. Amid concern about flagging enthusiasm among rich countries for making resources available for international development, Woods sought a group of experts "judging the world's record and prospects of growth [which] should in any case precede any attempt to round off our faltering Decade of Development with a genuine reformation of policy" (as quoted in World Bank 2003). The Pearson Commission's report 'Partners in Development', authorised in 1968 by Woods' successor, Robert McNamara, balanced the results of 20 years of development policies and drew up recommendations for the following decade. The commission supported an expanded role for the bank in aid coordination through the creation of further consultative groups and through increased monitoring of the external debt of developing countries. The commission also highlighted the burden imposed by uncontrolled population growth.

Based on this report, McNamara re-formulated the Bank's focal point from 'development through growth' to one oriented on 'basic human needs'.<sup>21</sup> Despite annual growth, malnutrition was common, infant mortality high, life expectancy low, illiteracy widespread, unemployment growing, income distribution skewed and the gap between the rich and poor countries was growing. As a response, McNamara proposed expanding education lending to all levels of education, emphasising fundamental literacy as well as more advanced technical training. He spoke of basic nutritional requirements for individual well-being and of lending for the benefits of individual peasant farmers as well as farming business. He devised strategies to address health and the reduction in infant mortality. This approach would later spark action initiatives such as the Food and Agriculture Organisation (FAO), the World Health Organisation (WHO), the United Nations Educational, Scientific and Cultural Organisation (UNESCO) and the International Labour Organisation (ILO), aiming at securing basic needs for all.

McNamara realised that economic growth without equitable distribution did little to change the worst economic problems. He turned to Hollis Chenery, head of the Bank's economic research department, who focused on the problems related to the uneven income distribution in developing countries. Chenery's collection and processing of data became an important institutional response to the quest for better understanding and more effective solutions. What was needed to aid the 700 million people living in rural poverty, most in some kind of subsistence or sub-subsistence farming situations, was an integrated, multi-sector approach toward developing an entire impoverished region. Simultaneously providing agricultural credits, limited irrigation, roads to markets, improved seed stock, education, and training in new cultivation techniques in ways that would be mutually reinforcing could lift entire areas out of poverty. Chenery recommended measures such as land and tenancy reform and programs to increase the productivity of small farmers (Chenery 1974). The focused rural development project was institutionalised in 1972, when the Bank established a specialised unit for rural development; it arrived on centre stage of the world development community's debates when McNamara outlined it in his 1973 Nairobi speech. From this speech onward, the momentum behind the anti-poverty programme snowballed.

McNamara also launched an attack on urban poverty, where he attempted to raise the productivity of the poor. Urban assistance programs aimed at increasing employment opportunities, improving services, sites-and-service projects, squatter

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21 McNamara's concept of "basic human needs" generally corresponds with Abraham Maslow's "hierarchy of needs", consisting of five levels: physiological needs, safety needs, love/belonging needs, esteem needs and actualisation needs. The basic concept is that the higher needs in this hierarchy only come into focus once all the needs that are lower down in the pyramid are mainly or entirely satisfied (Maslow 1943, 1970).

settlement programs, small-scale enterprise financing and plans for basic services in transport, electricity, water supply and education.

In order to institutionally meet the new normative and expanded geographical demands, McNamara reconfigured the financial relationship between the Bank and the IDA. Given a global recession and donor states' lack of enthusiasm for aid, securing large replenishments for the IDA proved difficult. McNamara's response was to begin funnelling IBRD surplus funds to the IDA as well as endorsing proposals to provide the IDA with 3 billion US-\$ per year in special drawing rights from the IMF. In 1972, McNamara hired McKinsey & Co. to analyse the existing structure and business and to make recommendations for change; a major reorganisation of the Bank took place in the same year. Responsibility for lending was placed in the hands of regional vice presidents, who had control over resources required to meet agreed output targets.

By the mid-1970s, reducing poverty and facilitating economic growth in developing countries had become the core mandate of the Bank. It diversified into sectors of activity where progress was inevitably slow and unspectacular. The Bank became more deeply involved in the economic and social conditions of its borrowers. The needs of the developing world rather than the need to satisfy the investment community became paramount in determining the type and quantity of the Bank's activities. Additionally, the Bank's economic research capacity expanded considerably under the leadership of Hollis Chenery.

It was the adaptation and consolidation of knowledge, both in intellectual circles and within research departments of the World Bank through which a 'new style' of poverty-oriented lending developed. This new style was achieved by persuasion through innovative research within a novel intellectual, economic and geographical environment. After studies pointed towards the inefficiency of the 'development through growth' programme, further research pointed to the importance of poverty alleviation for all sections of a developing society. Acknowledging the connection between poverty and violence, rich nations could create a more stable and secure world for themselves by alleviating the poverty of others. Despite donors' lack of enthusiasm, the Bank incorporated a poverty-oriented lending approach, which entailed lending for more small projects based on less information, using less well-developed techniques, and involving more costs and benefits. The institutional setting of the Bank was adjusted accordingly, creating an individual character of the World Bank Group and expanding its capabilities, and for the first time fulfilling its initial task. The following section will elaborate on how this new World Bank was able to diffuse its focus on anti-poverty lending to other actors such as states and societies, which in turn adapted their development policies to similarly accept an anti-poverty focus.



### 4.3 Secondary Learning: Adopting Global Poverty Alleviation

When leading states saw themselves confronted with the economic disaster caused by the proliferation of foreign exchange controls and trade barriers during the Great Depression, the establishment of an organisation operating world-wide in an attempt to alleviate the poverty of developing states as one means to avert war was unimaginable. Yet, the theoretical establishment of a connection between economic security, the lack of which arguably led to two world wars, and conflict implicated a series of steps that would lead to exactly such an international institution. By creating a system of rules for commercial and financial relations among the world's major industrial states, a system of international monetary management was created that, through the IBRD, was charged with the promotion of the growth of world trade and the financing of post-war reconstruction of Europe. Although originally devised as a mechanism to economically assist the industrialised states, a consolidation of knowledge about the relationship between economic security and war within the institution as well as a geographical expansion beyond industrialised states led to an inclusion of developing countries into the system. Within less than 50 years the system created to institutionally maintain the international payments system that was the basis for world trade had developed the mandate of global poverty alleviation.

However, during the early 1960s, development policies were still primarily seen as a form of security policy by states.<sup>22</sup> Development policy and poverty alleviation remained exogenously introduced concepts that were learned by heart and applied only to solve specific problems. Similarly, societies did not embrace the philanthropy of global poverty alleviation at once. Rather, in a secondary learning process, the World Bank began to set agendas and define tasks for states, international institutions and societies that would diffuse the norm to these actors. The mechanism for this diffusion was persuasion. Beginning as early as 1969, McNamara proposed a new emphasis on population issues, educational advance, and agricultural expansion at the Annual Meeting of the Board of Governors of the World Bank Group and the International Monetary Fund. McNamara argued that development is more than economic growth and urged states to take action on the Pearson Report. In his speech at the Annual Meeting in 1972, McNamara called for nations "to give greater priority to establishing growth targets in terms of essential

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22 Generally, former colonies characterised by inefficient government and economic mismanagement receive more assistance from one-time colonial powers than other developing countries which are better governed and have honest, accountable policy-makers and comparable levels of poverty, but no colonial past. Today, this motivation to provide compensation has eroded. It can be demonstrated that the majority of people in developing countries suffer more from mismanagement of their national economies, autocratic forms of exploitation practised by the indigenous upper classes, and other consequences resulting from policy failures at the national level, than from the consequences of their previous colonial status (Leisinger 2006).

human needs: in terms of nutrition, housing, health, literacy and employment'. This concept of basic human needs was taken up in his 1973 Nairobi speech, which focused on the rural poor and "absolute poverty: a condition of life so degraded by disease, illiteracy, malnutrition and squalor as to deny its victims basic human necessities", and their provision was identified as a development goal. During the following years, the Annual Meetings remained one forum in which the World Bank could diffuse its increased knowledge on the value of poverty alleviation to its member states. Accordingly, poverty alleviation was the emphasis of his speeches in 1975, 1976, 1978 and 1979.

Additionally, the World Bank stressed permanent exchange with other actors, such as the epistemic community, non-governmental organisations and society. As such, in 1970, McNamara proposed the formation of the Consultative Group for International Agricultural Research (CGIAR), which went on to make a major contribution to increasing global food production and reducing hunger. Study papers made research results and issues publicly available from the following year onwards. In 1977, McNamara proposed the creation of a new commission to break the impasse in discussions between the rich and poor nations related to economic development, suggesting Willy Brandt as chairman.<sup>23</sup> In the same year, McNamara gave a major speech at the Massachusetts Institute of Technology (MIT) on World Change and World Security that connected issues of development to issues of global peace and stability with a focus on population growth. In 1978, the Bank published the first issue of its annual World Development Report. The theme was the prospects for accelerating growth and alleviating poverty. In a major speech at the University of Chicago in 1979, McNamara focused on development and the arms race, saying that the concept of security has become erroneously and dangerously oversimplified into a problem, which nations thought could be addressed through an increase in military hardware. He argued that alternatives to an arms race included the acceleration of economic and social progress in developing countries.

Many similar instances and events were utilised by the whole of the World Bank staff to exchange with governmental, non-governmental and societal actors outside the Bank. On the basis of this exchange, the following section will examine how a secondary learning process occurred within state actors, international organisations and society resting upon the World Bank experience. It will examine how the presentation of exogenously introduced concepts led to a reshaping of norms within the respective actors to such an extent that influenced institutional settings as well as the behaviour of the respective actors. The genuineness of the learning process will be specified by the development of autonomous discovery mecha-

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23 The Brandt Commission released its landmark report North-South in 1980 (Brandt Commission 1980).

nisms, such as scientific research in the field, which will illustrate the merging of the norm into the actors' identity. Firstly, the behaviour of state actors will be examined on the basis of USAID, DFID and other representatives of national development agencies, and the OECD DAC as an aggregate of state behaviour.

#### 4.3.1 *Nation-States and Anti-Poverty Commitment*

During the 1960s and early 1970s, foreign aid was on the decline among the industrialised states and McNamara's objective of doubling Bank lending during his first five years in office was met with scepticism among the donor countries. States were not pushing the Bank to increase its activity or redirect its efforts to the poor. Concurrently, national aid strategies of industrialised states reflected a sense of uncharted territory and being at a loss for anti-poverty policy options. Although the annual OECD report on Development Assistant Committee (DAC) aid begins to emphasise poverty alleviation in December 1972, no initiatives or data based on private research suggests actual DAC member orientation or changed bilateral lending referring to poverty-oriented policies (Finnemore 1996: 120).<sup>24</sup> While Bank lending for 'directly poverty oriented sectors' tripled between 1968 and 1973, states during this period were occupied by restraining foreign aid from declining any further and to improve conditions of aid.

The impetus given by McNamara's Nairobi speech, however, led to a shift in the focus of national development policies. During the same year, the World Bank's basic human needs approach became the central thrust of reform within the US Agency for International Development (USAID). The direct conceptual connection between economic security and peace has been explicit from the beginnings in 1961:

"To fail to meet those obligations now would be disastrous; and, in the long run, more expensive. For widespread poverty and chaos lead to a collapse of existing political and social structures, which would inevitably invite the advance of totalitarianism into every weak and unstable area. Thus our own security would be endangered and our prosperity imperilled. A program of assistance to the underdeveloped nations must continue because the Nation's interest and the cause of political freedom require it." (Kennedy 1961)

However, only in the mid-1970s, Congress replaced the old categories of technical assistance grants and development loans with new functional categories aimed at specific problems such as agriculture, family planning and education to extend assistance directly to the recipient nation's poor populations. The aim of bilateral

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24 Unlike the World Bank, the DAC's ability to translate its own changes in development activity into an individual identity is limited by the compliance of its members. Therefore, the DAC will in the following serve as an aggregate of states' policies and behaviour.

development aid came to concentrate on sharing American technical expertise and commodities to meet development problems, rather than relying on large-scale transfers of money and capital goods or the financing of infrastructure. Moreover, in 1978 the International Development Cooperation Agency (IDCA) was established to coordinate foreign assistance activities as they related to bilateral and multilateral programs of international lending, voluntary contributions to United Nations agencies, food programs and the activities of the Overseas Private Investment Corporation (OPIC). An International Development Institute was established within the IDCA to conduct individual scientific research with one of the Institute's constituent parts being the Peace Corps.

Similarly, the main piece of legislation governing the UK Department for International Development's (DFID) work was the 1980 Overseas Development and Co-operation Act, replaced in 2002 by the International Development Act. The Act makes poverty reduction the focus of DFID's work and effectively outlaws tied aid. Programmes in fisheries management, post-harvest, aquaculture and genetics follow the notion of basic human needs. Originally established in 1964 as the Ministry of Overseas Development, the ministry was dissolved in the tide of decreasing development concern in 1970 and the functions of the Minister of Overseas Development were transferred to the Secretary of State for Foreign and Commonwealth Affairs. The Overseas Development Administration, as a functional wing of the Foreign and Commonwealth Office, then carried out overseas development work. The Overseas Development Administration was only replaced by the DFID in 1997 (with a previous intermission between 1974 and 1979).<sup>25</sup>

On an aggregated level, concurrent with an international stagnation in development and poverty commitment, Official Development Assistance (ODA) from the OECD's DAC from 1965 to 1972 remained flat (OECD/DAC 1985: 95). As a percentage of GNP, ODA for DAC countries declined steadily during the 1960s (Finnemore 1996: 106, OECD/DAC 1985: 97, World Bank 1982: 14). During this period, the DAC was preoccupied with the improvement of aid conditions, such as increasing the percentage of grants (as opposed to loans) and of untied aid, and improving the terms of loans (OECD 1975: 157-160). In 1973, however, the OECD Council launched an integrated approach to the problems of development co-operation and invited the DAC to assume a comprehensive view of the development problem in order to, firstly, identify the main issues on which not only the DAC itself but also other bodies could contribute and, secondly, to make suggestions for the consideration by these bodies of development issues falling within their sphere of competence. The Committee underlined the need for greater efforts

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25 Development agencies in other donor countries have equally developed a focus on poverty alleviation and basic human needs. See for example the Canadian International Development Agency (CIDA), Swedish International Development Agency (SIDA), German Corporation for Technical Cooperation (GTZ) etc.

on the part of all member governments individually and through the DAC to strengthen the development co-operation effort, especially in the form of increased development assistance. Following the 1974 oil shocks, development and poverty experienced an upsurge of concern by states. In 1975, the Ministerial Council, consisting of state representatives, adopted the Declaration on Relations with Developing Countries “with a view to identifying what new and other constructive approaches could be adopted on selected substantive issues” (Führer 1996: 28).

In 1977, DAC member states adopted a Statement on Development Co-operation for Economic Growth and Meeting Basic Human Needs. In this statement, DAC member states emphasised that concern with meeting basic human needs is not a substitute for but an essential component of more economic growth, which involves modernisation, provision of infrastructure and industrialisation. They explained that a basic needs approach is not primarily welfare or charity but productivity-oriented, aiming at increasing the productive income of the poor and strengthening the basis for long-term self-generating development. As donor states were persuaded to incorporate poverty-focused policies, sectoral shifts away from industry, energy, and transport towards agriculture became visible. By the beginning of the 1980s, an emphasis on agriculture seemed to have been consolidated (Finnemore 1996: 121-123, OECD/DAC 1985: 214).

It has been confirmed that states, over time, incorporated McNamara’s basic human needs approach based on the conceptual connection between economic security and peace, and shifted their development focus towards poverty alleviation. Building on knowledge transmitted by the World Bank, their behaviour reflects this incorporation through the unsolicitous establishment of relevant development institutions with individual research agendas and respective adaptations of the basic human needs approach. Moreover, developing states were receptive to the Bank’s new anti-poverty focus and subsequently endorsed it in international forums, such as the non-aligned countries meeting in Sri Lanka in August 1976. They demanded for the “eradication of unemployment and poverty” through the implementation of basic human needs policies (International Labour Organisation 1977: viii). They quickly adopted individual development plans and policies for their respective countries and systematically incorporated the World Bank’s anti-poverty goals as central parts of their national development plans (Finnemore 1996: 119).

#### 4.3.2 *World Conferences and Non-Governmental Aid*

A multinational institutional incorporation of the basic human needs approach is difficult to trace, as the overarching subjects of the relevant institutions remain very broad. Beyond the Bank, a number of UN agencies and non-governmental organi-

sations as well as the various regional development banks were involved in different aspects of the development effort and basic human needs, although none of them was employed solely in poverty alleviation. Additionally, multinational organisations of this size often bring together a variety of experts. Among them, the International Labour Organisation (ILO) was probably the most important multinational organisation contributing to the intellectual commotion that gave rise to the basic human needs focus (Finnemore 1996: 123). The ILO's chief concern in its work was employment, however, rather than poverty. In 1969 it launched a World Employment Programme and attempted to "pioneer a new, employment-oriented approach to development" (International Labour Organisation 1977: v-xi). Beginning in 1970, it undertook a number of technical assistance missions to developing countries to attack unemployment and improve the conditions of workers. Only from 1976 onwards, the ILO played an active role in the promotion of the basic needs approach to poverty and was joined by regional development banks, such as the African, Asian and Inter-American Development Banks, as well as the United Nations Development Programme (UNDP), the Food and Agriculture Organisation (FAO), the World Health Organisation (WHO) and the United Nations Educational, Scientific and Cultural Organisation (UNESCO) (International Labour Organisation 1977: 1-11, White 1972). Thus, in their own way, international institutions contributed to poverty alleviation by supporting McNamara's priorities in terms of nutrition, housing, health, literacy and employment.

Although the behaviour of international institutions remains diffuse with regard to poverty alleviation, the increased consolidation of knowledge on their distinct specialised subjects sparked a series of world conferences beginning in 1972 that heralded a qualitatively novel global cooperation and signified shifts within the global development agenda. These shifts also indicated a change in their emphasis on poverty alleviation, as a causal relation between specialised subjects and poverty became evident. Accordingly, the emphasis of the first conferences moved from the human environment (UN Conference on the Human Environment, Stockholm, 1972) to children (New York, 1990), development (UN Conference on Environment and Development, Rio, 1992), climate (UN Framework Convention on Climate Change in 1992) and biodiversity (Convention on Biological Diversity in 1992).<sup>26</sup>

The World Conference on Human Rights, which took place in Vienna in June 1993, marked the first major global review of human rights and the UN focus in

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26 The establishment of the Brundtland Commission was chiefly responsible for the early emphasis on the environment. The report of the Brundtland Commission, *Our Common Future*, deals with the groundbreaking concept of sustainable development and the change of politics needed for achieving that. Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs (Brundtland Commission 1987).

this area since 1968. It was called because there remained an overwhelming sense that human rights needed to be better integrated into the overall policies and programs promoting economic and social development, democratic structures and peacekeeping. The conference brought together an unprecedented number of government delegates from 171 countries, representatives from UN treaty bodies, academia and national institutions, as well as representatives of more than 800 non-governmental organisations. The principle subject of the conference was centred on the promotion and protection of human rights as the birthright of all human beings and the responsibility of governments at all levels. The resulting document of the conference was the Vienna Declaration and Programme of Action, which outlined a comprehensive plan for strengthening the implementation of human rights and focused on the connection between development, government and the promotion of human rights. In the end, then UN Secretary-General Boutros Boutros-Ghali told the delegates of the Conference that by adopting the Vienna Declaration and Programme of Action they had renewed the international community's commitment to the promotion and protection of human rights and saluted the meeting for having forged "a new vision for global action for human rights into the next century".

It is in the field of human rights that poverty alleviation found principal attention throughout the series of world conferences. Human rights include, but are not limited to, a broad range of internationally accepted rights in civil, cultural, economic, political and social areas. They also address issues concerned with the legitimacy of development, protection of vulnerable groups, such as women, children, indigenous people and refugees, and point out that extreme poverty and social exclusion are violations of human dignity, thus requiring that the state foster poverty eradication and participation by the poorest members of society.

Despite these multinational efforts, the following century would give rise to an increased importance of non-governmental organisations. Many problems could not have been solved within one nation or international treaties and organisations, such as the World Trade Organisation (WTO), which were still perceived as being too centred on the interests of capitalist enterprises. In an attempt to counterbalance this trend, non-governmental organisations developed to emphasise humanitarian issues, development aid and sustainable development. Korten set up a categorisation into three generations of non-governmental organisations that illuminate their development process and trend (Korten 1990: 118). First, typical development NGOs focus on relief and welfare and deliver relief services directly to beneficiaries. Patterns follow the distribution of food, shelter or health services. Non-governmental organisations notice immediate needs and respond to them. Non-governmental organisations in the second generation orientate on small-scale, self-reliant local development. At this evolutionary stage, they build the capacities of local communities to meet their needs through 'self reliant local action'. The third

generation is that of sustainable systems development, at which stage non-governmental organisations advance changes in policies and institutions at a local, national and international level and move towards a catalytic role based on individual scientific research within development efforts. Individual research has led them to supplement the shortcomings of multinational governmental organisations to integrate human rights policies into the overall policies and, over time, increased their own knowledge base over three generations. A prominent highlight of such individual research was the World Social Forum, a rival convention to the World Economic Forum held annually in Davos. Representatives from more than 1 000 non-governmental organisations attended the fifth World Social Forum in Porto Alegre, Brazil, in January 2005.

Overall, multinational organisations present the essence of the diffusion of the basic human needs concept through the distinct knowledge on the specialised subjects addressing basic human needs. Additionally, an effort was made to address the anti-poverty focus developed by the World Bank during the period dating from 1968 to 1975 within the arena of human rights. However, the emphasis on specialised subjects throughout these organisations also led to a lack of concerted efforts, which induced the development and adaptation of non-governmental organisations to foster immediate relief, capacity-building and political pressure in order to bring poverty alleviation onto the multilateral arena. The following section on societal efforts for global poverty alleviation after 1975 affirms this observation through the closer examination of the role of non-governmental, societal pressure groups.

#### 4.3.3 *'Make Poverty History'*

Conceptually, studies such as Inglehart's Silent Revolution have analysed how a shift in values and an increase in political discontent within society especially during and after 1968 occurred (Inglehart 1977, 1997). The account pointed to a fundamental shift in norms and values of Western industrialised societies and an increased demand for political participation. Two hypotheses led Inglehart to his deduction, one of which is based on the assumption of fundamental, materialist and post-materialist needs, similar to Maslow's hierarchy of needs and McNamara's basic human needs.<sup>27</sup> Concurrently, post-materialist societies would emphasise the importance of fundamental human needs and express this importance through formal and informal political participation. Inglehart's research data comprised representative questioning on different items, which represented materialist and

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27 His second hypothesis referred to the political environment and individual experience during youth. These are described as forming the measure for the assessment of political development. A shift in values is seen as the aggregated result of a succession of generations under specific socio-economic conditions through time.



post-materialist values, such as a poverty concern relating to developing countries, and revealed that the Netherlands and Germany had the highest post-materialist share in Europe, followed by the UK. Although the overall national post-materialist shares never exceeded 25 percent, the influence of post-materialist values and the importance of political participation especially within Western industrialised societies increased compared to the early 1960s.

In this general mood, a number of societal associations had developed to follow the accomplishments of philanthropic and religious groups focussing on poverty in developing countries before 1968. The 'Make Poverty History' campaign, which started as a charity fundraiser in the UK, exceeded its goals more than any other association.<sup>28</sup> Having begun with the publication of a 'Band Aid' charity single in the winter of 1984, the project today comprises two global events and more than 530 member organisations. As such, despite its comparatively recent establishment, it serves as a global aggregation of various societal anti-poverty associations. This section will, therefore, concentrate on the dimensions of this campaign in order to elucidate the influence World Bank knowledge had on society after 1973.

The 'Make Poverty History' campaign commenced as a British and Irish coalition of charities, religious groups, trade unions, campaigning groups and celebrities who mobilised to increase awareness and pressure governments into taking action towards relieving absolute poverty. The three demands of the campaign comprised trade justice, the relief of debt and more and 'better' aid. Until today, the Make Poverty History campaign refers to the World Bank's basic human needs approach:

"The task of calculating how much debt should be cancelled must no longer be left to creditors concerned mainly with minimising their own costs. Instead, we need a fair and transparent international process to make sure that human need takes priority over debt repayments." (Make Poverty History 2006)

The campaign first received attention outside the British Isles through the Live Aid concerts on July 13, 1985. The event was organised in order to raise funds for famine relief in Ethiopia. Billed as the 'global jukebox', the main sites for the event comprised the Wembley Stadium, London, and the JFK Stadium, Philadelphia, with some acts performing at other venues, such as Sydney and Moscow. It became one of the largest scale satellite link-ups and TV broadcasts of all time: an estimated 1.5 billion viewers in 100 countries watched the live broadcast. Although it was later criticised that Mengistu Haile Mariam and his army had siphoned off

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28 The UK Make Poverty History campaign is now formally disbanded. On January 31 2006, the majority of the members of the campaign passed a resolution to disband the organisation, arguing that the UK coalition had only agreed to come together formally for a limited lifespan, to correspond with the UK holding the presidency of the EU and G8.

much of the donated funds, it is estimated that around £150 million had been raised for famine relief as a direct result of the concerts.

As a follow-up of the success of Live Aid, 'Live 8', another series of benefit (though not fundraiser) concerts, accompanied the G8 Conference and Summit held at the Gleneagles Hotel in Perthshire, Scotland, from 6 to 8 July, 2005. Running parallel with the UK's Make Poverty History campaign, which organised a vast protest march of 225 000 people through central Edinburgh, the shows planned to pressure world leaders to drop the debt of the world's poorest nations, increase and improve aid and negotiate fairer trade rules in the interest of poorer countries. Ten simultaneous concerts were held on 2 July in London, Paris, Berlin, Rome, Philadelphia, Barrie, Chiba, Johannesburg, Moscow and Cornwall, and one on 6 July in Edinburgh. On 7 July, the G8 leaders pledged to double the 2004 levels of aid to Africa from 25 to 50 billion US-\$ by the year 2010.

Substituting the now disbanded Make Poverty History campaign, national organisations follow their path. The Canadian Make Poverty History campaign was launched in February of 2005 by a coalition coordinated by Gerry Barr, President and CEO of the Canadian Council for International Cooperation. The campaign is supported by a coalition of charities, trade unions, faith groups, students, academics, literary, artistic and sports leaders. It comprises four main objectives, namely, more and better foreign aid, trade justice, cancellation of all debts owed by poor countries to developed countries such as Canada and the elimination of child poverty in Canada. Similarly, in April 2005, a commercial began airing in the United States with several celebrities in black and white stating the pledge of the American ONE campaign, their adaptation of Make Poverty History. The commercial featured 33 celebrities and personalities as diverse as religious leaders, musicians and actors. The general goals of the ONE campaign in the US are to end extreme poverty, hunger and AIDS. A more specific goal is a commitment of the US government of at least 0.3 percent of the national budget (approximately 30 billion US-\$) to foreign aid and to increase it further to the UN goal of 0.7 percent of GDP (approximately 73 billion US-\$). The founding sponsors of ONE encompass organisations such as Bread for the World, CARE, DATA, the International Medical Corps, the International Rescue Committee, the Mercy Corps, Oxfam America, Plan USA, Save the Children US, World Concern and World Vision. The Norwegian campaign was started in June 2005 and is supported, among others, by Haakon Magnus, Crown Prince of Norway. The three primary demands of the Norwegian campaign are equal to the UK's (trade justice, the alleviation of debt and more and 'better' aid).

As many societal non-governmental organisations lack research capacities they often draw on the epistemic community to develop knowledge. Is this the case, their contribution rests in the compilation of expert opinion that otherwise would stand alone. The secondary learning quality of the Make Poverty History campaigns

and the groups that were established after its disbanding lies in their very nature: the raising of societal and political awareness through networking, public relations, consulting and project management. Their extent and insistence is explained by Inglehart's second hypothesis referring to the political environment and individual experience forming the measure for the assessment of political development. The shift in values is seemingly the aggregated result of a succession of generations under specific socio-economic conditions through time. Thus, the influence of the World Bank's scientific research, leading to the establishment of a connection between economic security and war and a focal shift towards global poverty alleviation, is apparent in the amount of political participation increasing during the 1970s as well as in the focus of participation shifting. While the 1984 event merely raised awareness on a national scale, the 1985 concert aimed at gathering money globally for famine relief in Ethiopia. In a further development, the 2005 event went beyond a response to an emergency or the general aim of raising global awareness for poverty in an acknowledgement of the World Bank focus in an unprecedented scale and pressured heads of states into increasing commitment for poverty and debt alleviation.

#### **4.4 Conclusion**

This chapter concentrated on revealing how a learning cycle unfolded with regard to poverty alleviation. As a first step, the above analysis has demonstrated how the experiences of the Great Depression during the 1930s and the Atlantic Charter paved the way for the establishment of the Bretton Woods system in 1944. The experience of economic disorder followed by plummeting national incomes, shrinking demand, mass unemployment and an overall decline in world trade was made responsible to a considerable extent for two world wars. Especially the analyses of Cordell Hull had led to the conceptual acknowledgement of a connection between economic security and peace. The concept was picked up by the Wilson and Roosevelt speeches as 'freedom from want' and furthered the establishment of a permanent system of rules, institutions and procedures to regulate the international monetary system. The IMF and the IBRD were established as the first Bretton Woods institutions in order to promote the growth of world trade and act as a guardian of post-war reconstruction. Although primarily established as a safeguard for the Western industrialised world, their successes in the regulation of world trade and the reconstruction of Europe soon allowed them to expand the concept of economic security as a factor for peace as well as their activity to developing countries.

However, the 1950s revealed that the 'development through growth' programmes that were successful in the reconstruction of the Western industrialised

markets, failed to do so in developing countries because they failed to reduce poverty. As a result, the IDA was created in 1960 as the first systematised approach for tackling poverty. The redirection of multilateral development activity to where the poor were and the introduction of 'soft loans', which included more lenient terms than those of the World Bank proper, were thought to alleviate poverty by investing in 'directly productive' sectors such as agriculture. However, the devastating conclusions of the Pearson Commission's report in 1968 exposed that growth in developing countries, if occurring at all, was still regionally uneven and that, locally, poverty was expanding and growth-oriented measures only benefited the upper classes of developing countries. The solution for the new problem was a systematic reorientation of the Bretton Woods institutions.

Intellectual contributions of development economists such as Myrdal, Seers, Joy, Goulet and Adelman created a permissive environment for this reorientation towards social development as well as the scientific groundwork necessary for the World Bank to shift its focus from 'development through growth' to poverty alleviation. Hollis Chenery and the World Bank economic research department adapted and consolidated their research in order to devise new programmes based on McNamara's 'basic human needs' approach, which would drive the World Bank initiatives until today. Rural and urban poverty became the focal points of lending next to education, fundamental literacy, technical training, nutrition, health and the reduction of infant mortality. Circumventing the lack of political will and financial contribution of the founder states, McNamara reformed the structure of the World Bank in order to secure replenishments for the IDA. By 1975, the World Bank had become institutionally (although of course not financially) independent from its founder states and, furthermore, had developed the capacity to alleviate poverty in an attempt to avoid political conflict.

States as well as international institutions and global society, however, were lagging behind in individual development. For states in the early 1970s, development was confined to a means within national security policy in the sense of ad hoc emergency relief. International governmental and non-governmental action was erratic due to indistinct organisational structures between the institutions. Global society was preoccupied with economic security within their respective countries after the devastations of two world wars or structural poverty in developing countries.

The above analysis has demonstrated, however, how the knowledge developed within the World Bank and the lessons learned 'trickled down' to other actors. Dialogue, such as through the World Bank's Annual Meetings of the Board of Governors as well as with academics and researchers, open lectures and publicly available research papers diffused World Bank knowledge. Through their inherent relations with states as founders and financiers of the World Bank Group, OECD DAC countries began to underline the need for a greater effort for poverty alleviation on

the part of all member governments by 1973 and agreed on a Statement on Development Cooperation for Economic Growth and Meeting Basic Human Needs by 1977. National development departments, such as USAID and DFID, became independent from other departments and moved from large-scale transfers of money and capital goods towards a sharing of technical expertise and commodities to meet development goals. International organisations were given increased meaning after 1976 but were soon partly replaced in their task by non-governmental organisations, which expressed the pace of growth of societal post-material values and the demand for political participation. Global societal action peaked in the recent Make Poverty History campaign that in 2005 pressured G8 heads of states into doubling aid to Africa by 2010.

Accordingly, the impetus given by the World Bank Group's primary learning process points towards persuasion as the mechanism for diffusion. The degree of internalisation of the norms by all actors can be judged by the shift in behaviour concurring with the shift in prevalent norms, underlined by the move from a mere presentation of exogenously introduced concepts by the World Bank to individual and original scientific research within national development departments, research institutes or non-governmental organisations (autonomous discovery learning).

Returning to the theoretical conditions, the chapter has demonstrated that

- state, international institutions, non-governmental organisation, as well as society (socialiser) acted within a novel and unstable environment. The confrontation with the conceptual connection between economic security and peace led to an internalisation of this concept into the actors' identity;
- the normative shift implied in the internalisation of the concept was not subject to internal or external coercion but rather was subject to persuasion;
- the societal and domestic resonance for the shift was high and did not contradict already internally anchored norms and values.

## 5 Global Governance and the International Criminal Court

### 5.1.1 *Global Governance in the 21<sup>st</sup> Century*

The problems of economic development, social justice and tensions, environmental protection, and of peace and security have expanded beyond the borders of traditional nation-states. The conditions of global collective action, independent from the challenge it is meeting, cannot be separated from the cooperative and contract-based international system. International relations are dependent on the voluntary interaction between sovereign states. At the same time, the system that maintains the sovereignty of states as *ultima legitimitio* necessitates a form of global politics that is able to favour global interest above the interests of states in order to address economic, social and environmental problems effectively and on a global level: a global governance architecture that goes beyond the deepening of international cooperation and coordination. Attributes of statehood would no longer be bound to states but instead to a global level.<sup>29</sup> Basic international attempts of establishing such a global governance architecture are manifested in international regimes and institutions such as the UN Security Council, the International Monetary Fund (IMF), the World Trade Organisation (WTO), the World Bank and the International Criminal Court (ICC), which possess legal competences and possibilities for setting up binding regulations and sanctioning member states, limiting the sovereignty of their respective members. These institutions represent a far-reaching agreement in normative and material issues – a necessary but not a sufficient condition of a global capacity to act – and an extension of international jurisdiction. For the realisation of global agreements, the enforcement of normative and material goals and rules is necessary in as much as an adequate form of collective global action.

Despite an ostensible movement towards it, there are many rational reasons to reject the notion of a global governance architecture. Global governance and a democratic world republic would have to build on the pluralism of governance structures that exists today: Elements of global statehood, multilateralism, global policy networks and regimes as well as diverse cooperation between states would

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29 It has been implicated in literature that a global governance structure would also necessitate elements of “global statehood” and that, therefore, only a long-term transition of competences from states to international institutions is a plausible means to achieve global governance (Hauchler, et al. 2001a: 21).

have to complement each other. Even partial deferral of sovereignty on a supranational level requires the agreement of all member states, which often opposes current national interests. Building a world state could, therefore, mean surrendering sovereignty of states to international institutions, a step that might not be able to be repealed, without gaining the certainty that international institutions better represent global interests. Additionally, coercion into giving up national sovereignty to international institutions could, on the one hand, lead to international conflict that would overshadow the positive effects of a deferral of sovereignty and, on the other hand, would not be democratically legitimate.

Notwithstanding the disadvantages of a loss of national sovereignty, states have already embarked on a path towards a global governance architecture by agreeing on establishing international institutions as well as increasing economic cooperation throughout the world. The quintessence of global governance remains the transition from an international legal system to a global legal system. In the current international legal system single states constitute international rules in agreements and deeds. The powers that remain indispensable for the domestic sphere of a state are usually exempted from such agreements. The legal reality of such international rules is dependent on the good will of states and private global players; a global legal system would have to independently enforce global law for the protection of global interest and public goods through authorised courts and institutions. Accordingly, international courts in actual fact enjoy the autonomy from member states and bear the effective capacity to act as an international subject. Moreover, the International Criminal Court (ICC) has “international legal personality” (Art. 4.1 of the Rome Statute). It may “exercise its function and powers (...) on the territory of any State Party and, by special agreement, on the territory of any other State” (Art. 4.2 of the Rome Statute) and “[t]he prosecutor may initiate investigations *proprio motu*” (Art. 15.1 of the Rome Statute). The ICC is designed to complement existing national judicial systems and, thus, since 2002, represents one of the first steps from judicial cooperation to global governance. At the same time, the court faces large opposition surrounding the source and nature of its jurisdiction, leading back to a perceived loss of sovereignty by states if the court were to develop an independent identity. Examining the development of international jurisdiction until today, however, certainly points in that direction.

### 5.1.2 *The International Community before 1919*

The origin of the international community in its present structure and composition is usually traced back to the time of the Peace of Westphalia of 1648. Naturally, international interaction between groups and nations had existed previously. Reprisals had been regulated and during the Middle Ages a body of law on the conduct

of belligerent hostilities had gradually evolved. The idea of an ethically just war retrogrades to Cicero, and was developed further by Augustinus and Thomas of Aquin. *Jus ad bellum* (the right to go to war) comprises legitimate authority, a just cause, a just intention, last resort and a reasonable hope to success. *Jus in bello* (the right in war) addresses the proportionality of means and the differentiation between combatants and non-combatants (Nohlen/Schultze 2002: 266). However, resort to force was lawful both to enforce a right and to protect national interest (Cassese 2001: 6). Yet, the regulation of rights and duties during warfare represents the moment when politics and crime inevitably mingle.

The period following the Peace of Westphalia inaugurated a new era – the independence of states from any other superior authority (previously the Pope at the head of the Catholic Church and the Emperor at the head of the Holy Roman Empire). It concluded a most appalling war, which had caused “great effusion of Christian blood, and the desolation of several provinces” (preamble to the Treaty of Westphalia). The Peace constituted a defining moment in the evolution of the modern international community. First, it recognised Protestantism at an international level and the state became independent from the church. By granting the *jus foederationis*, the right to enter into alliances with foreign powers, Catholic and Protestant powers were allowed to ally, leading to a number of major realignments (Art. 65). Second, it granted the right to wage war, provided the efforts were not directed against the ‘public peace’ (Art. 125). Additionally, by mutually recognising the state as the sovereign entity and the legal equality of these entities, the Peace of Westphalia recorded the birth of an international system based on the plurality of independent nation-states. The basic features of international law, including the term itself, date back to this period. Nevertheless, the Westphalian system had its limits. Firstly, the introduction of the principle of sovereignty also produced the basis for rivalry and exclusion. International rules and principles were the product of Western civilisation and, therefore, bore the imprint of Eurocentrism, Christian ideology and of a free market outlook. Secondly, the Great Powers or middle-sized states, particularly those that distinguished themselves as colonial empires, mainly framed international norms and principles.

While during the reign of the Treaty of Westphalia no single state became so strong as to subject all other countries to its will, the rise of Napoleon Bonaparte shattered deep-rooted principles and upset the existing order. The new system ending the Napoleonic Wars in 1815, the Concert of Europe, rested on three principal elements: a declaration of principles, a military alliance (the ‘Holy Alliance’) and a new procedure for the settlement of political questions (consisting of periodical summit meetings). At the same time, forcible intervention by major powers in the internal and external affairs of other states was spreading. Troops were increasingly sent policing in trouble spots and states menaced by nationalist revolutions. As a result, attempts were made to restrain the domination of the Great Powers by in-



ternational or national legislation and to make resort to force conditional to international arbitration.<sup>30</sup> All efforts, however, proved insufficient to prevent the recurrence of war in 1914.

As the great devastation during the Thirty Years War inspired novel international legal regulations, the Great War sparked new international normative standards that aimed to increase international order and to

“promote international cooperation and to achieve international peace and security by the acceptance of obligations not to resort to war, by the prescription of open, just and honourable relations between nations, by the firm establishment of the understandings of international law as the actual rule of conduct among Governments, and by the maintenance of justice and a scrupulous respect for all treaty obligations in the dealings of organised peoples with one another” (preamble of the Covenant of the League of Nations, 1919a, Evans 1999).

### 5.1.3 *International Jurisdiction in International Politics*

In the literature, the search for the source of change in international politics from a system supporting the hegemonic ambitions of individual states to one that is willing to transfer its sovereign rights to international legal institutions sparked two chief views: One view highlights the power of actors in the sense of a realist (Morgenthauian) power; the other a structural supremacy in the sense of societal (Gramscian) power, emphasising a normative base, beginning with the cherishing of peace. In this context five distinct discussions emerged in International Relations theory (List/Zangl 2003: 362-364):

- During the 1980s research concentrated on the development and effects of international regimes (Hasenclever, et al. 1996, 1997, Keohane 1984, Krasner 1983, 1991). The discussions elaborated on a growing importance of norms and rules but it was not established whether these would have an effect in formal law or as so-called ‘soft laws’ (Sprinz 2003, Wolf 1993).
- Legal Sciences have concentrated on the constitutionalisation of international and supranational legal order, such as the EU constitution or previously the constitutional character of the EC (Bogdandy 1999, Weiler 1999), as well as the UN Charter (Paulus 2001, Verdross/Simma 1984).

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30 The Calvo Doctrine, primarily used in concession contracts in Latin America, stipulated that in cases of dispute arising out of contracts, foreigners relinquished the right to request the diplomatic and judicial protection of their national state and agreed to have the dispute settled by local tribunals. The Drago Doctrine argued for Great Powers not to use military force to seek payment of debt from poor countries (Cassese 2001: 28-29).

- A third discussion in International Relations theory concerned the characterisation of the European common law as a legal order of its own kind. It established the difference to the European Court of Justice, the predominance of common law over the legal order of its member states and its direct formation in its international legal orders. Furthermore, it discussed international commercial law and the parallels between the WTO and the EC, as well as third party adjudication (quasi-legal dispute resolution through an independent third party) (Jackson 1997, 1998).
- Niklas Luhmann and Gunther Teubner developed a system-theoretical approach to legal sociology, which concerned the autonomy of social subsystems and their self-control. As an example serves the *Lex Mercatoria*, an international private law, concerning the legalisation of transnational economic relations of companies (Lieb 1998, Teubner 1997, 1998).
- In a political philosophical direction Fernando Tesón (1998) attempted a philosophical reasoning of international law, while Otfried Höffe (1999) discussed the idea of a world legislation for a world state. Implications of special areas of international law, such as the protection of human rights and the right to peace, were treated by the Frankfurt group led by Matthias Lutz-Bachmann (Lutz-Bachmann/Bohman 1996, 2002, Sprinz 2003).

Within these five discussions, different schools of theory developed that correspond with the four areas of International Relations: realism, liberal institutionalism, social criticism and constructivism. Among those it is the constructivist approach that is especially useful to express the central thought within the emergence of international jurisdiction, namely that the modern international system is one constituted through the ideological factor of warding off a third world war through a strong network of international instrumentalities to impose far-reaching constraints on states (Arend 1999). Supplementing the previous analytical approaches by analysing the cooperation of Morgenthauian agency and Gramscian structure, this examination will trace the development of instruments of international jurisdiction back to a learning process, based on the need for regulated interaction between states and the cherishing of peace by state actors after the experience of the devastation of unregulated warfare after the Great War, and the diffusion of these norms by international institutions to states, international organisations and global civil society. Accounting for the fact that state actors still constitute the most influential actors within a formal international system, they represent the starting point for a shift in the international system.

#### 5.1.4 International Jurisdiction as Learning Process

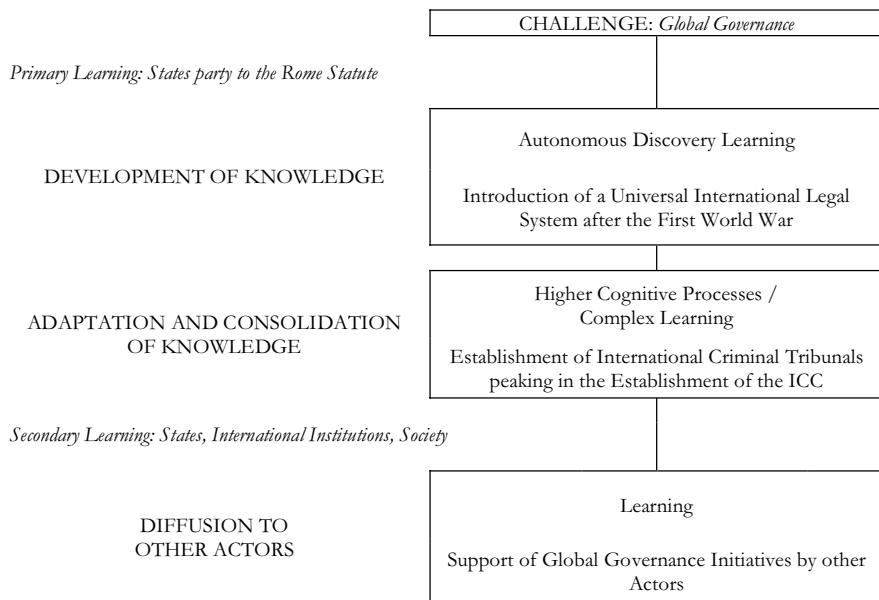
Ever since the idea of an international legal system emerged after the First World War and led to the establishment of the League of Nations in 1919, it underwent numerous further developments. Particularly after the end of the Second World War, human rights as a legal basic right have become 'globalised' through the spread of international organisations and international networks that facilitate the production, dissemination and utilisation of information (Hajjar 1998: 5). In the same vein, the International Criminal Court (ICC) immediately suggests itself as a focus of analysis for several reasons:

- The International Criminal Court is the first ever permanent, treaty based, international criminal court established to promote the rule of law, ensure the protection of human rights and punish the gravest international crimes in a system of legally equal states. Thus, it is a vital component of the international judicial system.
- Considering its status, it has important signalling effects for international law and jurisdiction.
- With its central role in international law it bears the capacity of brokering cooperation between states, international institutions and individuals.
- The ICC is designed to complement existing national judicial systems, meaning that the Court can exercise its jurisdiction if national courts are unwilling or unable to investigate or prosecute international crimes, being a court of 'last resort'.
- With an *ex officio* prosecutor, it represents the height of international efforts for establishing a global rule of law and a global governance architecture.
- It is product of the shift in international relations that occurred especially after the experiences of two world wars and efforts to surrender national authority and endow international agencies with autonomous powers.

The following chapter aims at demonstrating how state actors circumvent their primary national interests in order to increase the factual importance of individual responsibility and establish a comprehensive legal system. It will examine the series of intermediate steps taken by state actors party to the Rome Statute establishing the ICC and trace their influence to the norms and values embedded in the current international judicial system. This approach will be able to uncover how the notion of global governance was institutionalised within the Court, other international institutions, states and society without at one point being revoked by national interests. The challenge is to "identify the intervening causal process – the causal chain and causal mechanisms [persuasion] – between an independent variable (or variables) [states, international institutions, society] and the outcome of the dependent variable [degree of norm internalisation]" (Bennett/George 2005: 206-

207). Accordingly, genuine internalisation of new norms holds under the following conditions (Checkel 2005a):

- the socialiser (state actors party to the Rome Statute) acts within a novel and unstable environment;
- the process of socialisation takes place within an environment comprising the socialiser’s deliberation and no internal or external coercion;
- the societal and domestic resonance to the respective norms and values (global governance) is high or (at least) does not contradict already internally anchored norms and values.



Accordingly, the following section of this chapter will examine the processes involved in primary learning. It will elaborate on global governance initiatives between the end of the First World War and the establishment of the ICC and demonstrate a clear consolidation of knowledge based on experience and the corresponding alignment of research and behaviour. The chapter will continue to reveal that the experiences made and accumulated by state actors that led to the establishment of the ICC (primary learning) were in turn diffused to states, other international institutions and society (secondary learning) through the mechanism of persuasion and norm internalisation through socialisation. The chapter will demonstrate how the ICC today sets agendas, defines tasks and shapes norms and values

for other international actors based on its accumulated knowledge. The conclusion will address how the findings relate to the workings of the mechanisms and attempt a deduction whether the outcome would have been different in the absence of persuasion.

## **5.2 Primary Learning: Consolidating International Jurisdiction**

The 17<sup>th</sup> century had acquired a legalisation of politics through the Treaty of Westphalia in 1648. Especially during the period leading up to the First World War, the normative systematic order became more than a materialistic structure of power and ended the mediaeval system of transnational-hierarchical order in imperial and religious-ecclesiastical form, respectively (Niemeyer 2001: 27). The period following the First World War represented three further stages of consolidation of international jurisdiction: The first stage points to the universalisation of international law, answering to the factual development of the increased importance of extra-European powers and their formal acknowledgement. Lastly this was seen during the decolonisation process during the second half of the 20<sup>th</sup> century and the division of the world into more than 190 sovereign states, as well as the universalisation of international law through the UN Charter. A second stage is represented by the textual expansion of coexistence and cooperation through the legal claim to validity based on an extra-legal ethical basis, which lastly contributes extra-legal legitimacy. The textual expansion is concerned especially with shared bases of interest and values (Bleckmann 1985, 2001) as well as security in economic, cultural and social realms (Birnie/Boyle 1992). Acknowledging the qualitative developments after the 1980s, a third stage is observable describing the institutional deepening of the legal processes supporting legal norms (Abbott, et al. 2000, Keohane, et al. 2000).

Based on these stages, the section on primary learning will elaborate on how the norm of global governance was able to increase its influence on international politics. It will analyse the development up to the establishment of a permanent governance body as the universalisation of international law, such as the League of Nations and the United Nations. It will further examine the establishment of ad hoc criminal prosecution through international tribunals in Yugoslavia and Rwanda as the textual expansion of coexistence and cooperation. Thirdly, it will elaborate on the establishment of the International Criminal Court as the institutional deepening of the legal process. The section will demonstrate how the perception of global governance of other states changed especially after the common experiences of two world wars and how this change in perception led to an increasing effort of state actors to advance international criminal prosecution. This will reveal how, through the development of knowledge, the ICC became an international actor in

itself that is able to set agendas, define tasks and shape norms of other actors. This analysis will provide the foundation for the examination of a secondary learning process, which will investigate how the ICC is able to diffuse its knowledge and the norm of global governance to other actors.

### 5.2.1 *Legal Universalisation and the Regulation of Warfare*

After 1648, two major events mark the beginning of a new era within international jurisdiction. The first, the First World War, caused members of the international community to strive to rebuild the community on a better and universal foundation of international cooperation and peace. As Arthur Henderson, former British Foreign Secretary, explained:

“Four years of world war, at a cost in human suffering which our minds are mercifully too limited to imagine, led to the very clear realisation that international anarchy must be abandoned if civilisation was to survive.”

The system established in 1919 by the Western states was designed to prevent the recurrence of worldwide armed conflict and included provisions on the reduction of national armaments (Art. 8 of the Covenant of the League of Nations), collective action in case of aggression (Art. 11), arbitration in case of a failure of diplomacy (Art. 12) and a Permanent Court of International Justice (Art. 14).<sup>31</sup> Although recourse to force was not generally prohibited, the Covenant of the League subjected resort to war to a ‘cooling-off’ period of three months, which meant that if a dispute was submitted to the League Council, the Permanent Court or an arbitrary tribunal, war could only be resorted to three months after the decision or Council report (Art. 12.1). Resort to war in disregard of the Covenant was *ipso facto* deemed an international crime. The right to self-defence was not affected. There was no ban on resort to force short of war, which induced states to engage in war operations while claiming that they were merely using coercion and were, therefore, not breaking any provision of the League Covenant. The Covenant’s capacity to react in response to such instances was limited since it merely envisaged joint voluntary action on the part of states and there was no provision for an institutionalised enforcement procedure or a monopoly of force granted to the League organs. Indeed, in the only case when there was resort to sanctions (against Italy in 1935/6) they proved a failure, for political reasons. In order to remodel the League Covenant and make it more suitable for contemporary national interests, the Paris Pact was concluded in 1928. Promoted by the US and France, it did not make much

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31 Member-states included 42 states as well as five British dominations (India, New Zealand, Canada, Australia, and South Africa). The US did not become a member of the League of Nations.

headway despite making a ban on war more sweeping. At the same time it placed a very liberal construction in the right to self-defence, which led Britain to promulgate its right to defend “certain regions of the world, the welfare and the integrity of which constitute a special and vital interest for our peace and security”. The US in turn defined self-defence as “any action decided on by the US Government to prevent an infringement of the Monroe doctrine” (as cited in Cassese 2001: 33). In short, states gradually endeavoured to retrieve their traditionally unfettered right to use military force in international relations.

Despite introducing a universal legal body and reducing the instances of recourse to force, the League proved unable to introduce a radical change in one particular structural element of the old international community: the prevalence of state sovereignty. In fact, during this period there was no clear success in elaborating new rules. The principal area, which marked progress during the League of Nations period, was made concerning arbitral and judicial settlement of disputes. Frequent recourse to arbitration made it possible for international courts, particularly the Permanent Court, to pronounce on many international issues. The case law, which evolved, was instrumental in filling many gaps in international human rights legislation based on Art. 23 of the League Covenant.

The second event that marked the beginning of a new era, the Soviet Revolution, represents the rise of the first state that openly opposed the economic and ideological roots of the international community, first and foremost the League of Nations. At the end of the First World War, it became clear that European states no longer played a crucial part in the world community being compromised by the rise of the US and the Soviet Union as world superpowers as well as the end of colonial expansion, leading to the collapse of the colonial empires in the 1960s. It became difficult for states to keep aloof from what was happening in other areas of the world. In the international realm, the Soviet Union advocated the principles of self-determination of peoples for national groups in Europe (such as the nationalities in Austria-Hungary) and to people under colonial domination, as well as the substantive equality of states (as opposed to sole legal equality) and socialist internationalism. It aimed at assisting the working classes and the political parties struggling for socialism in any state, representing a policy aimed at disrupting the fabric of other states and their colonial possessions, and the partial rejection of international law based on their ‘bourgeois’ and ‘capitalist’ tendencies. The Soviet attitude towards international legal instruments undermined some of the community’s basic doctrines, such as the protection of investments abroad and those on the rights of colonial powers. The innovations of arbitration and socialist internationalism were indicative of a new tendency to pay greater attention to the interests of individuals, who until then had no participation in the international community (Cassese 2001: 35).

By 1939, traditionally unfettered rights of states and power politics had led to a resume to war, which the League provisions could not prevent. Ever since its establishment, member states had attempted to regain sovereignty from the already ineffective League of Nations; non-member states had principally opposed and undermined the universalisation of the League system, leading to its final collapse. Yet, the knowledge that international cooperation and regulation is necessary for international peace endured the Second World War and later supported the establishment of a stronger league. As then US Secretary of State, Cordell Hull, recalled,

“[f]rom the moment when Hitler’s invasion of Poland revealed the bankruptcy of all existing methods to preserve peace, it became evident (...) that we must begin almost immediately to plan the creation of a new system” (Hull 1948: 1625).

On 26 June 1945 the UN Charter was signed in San Francisco

“to save succeeding generations from the scourge of war, (...), and to affirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, (...)” (preamble of the Charter of the United Nations).

On 6 August 1945 the atomic bomb was dropped on Hiroshima, on 9 August 1945 a second bomb was dropped on Nagasaki, and on 8 August 1945 the Agreement on the International Military Tribunal (IMT) for the Punishment of War Criminals was signed in London. Although not formally linked, these events advanced the goal of putting an end to war (which had reached a new worldwide magnitude), punishing those individuals responsible for it and setting the ground for a new and universal international community. In order to make the absence of war a normal state of affairs and armed clashes exceptional events, waging war in breach of international law (a war of aggression) was made an ‘international crime’ entailing the personal responsibility of its authors (Art. 4 of the Convention on the Prevention and Punishment of the Crime of Genocide). The UN Charter banned not just war but any threat of or resort to the use of military force (Art. 2.4) and at the same time granted its Security Council the power to take sanctions and measures involving the use of force against any state in breach of the ban (Art. 24.2).

Arguably, once again, an attempt of establishing a global governance body ended in failure and the old regime of self-help acquired new importance during the Cold War. Conversely, the UN has practically abolished colonialism, made immense progress in the area of human rights and attained the adoption of a number of conventions codifying and developing international law. By acknowledging the innovative international norms set up by the League and at the same time accounting for the shortcomings in the implementation of League legislation, the UN achieved a legal universalisation that comprised not only Europe and the US but



191 member states world-wide.<sup>32</sup> The reinforcement of the values of peace after the Second World War and in the face of a nuclear third world war transcribed state interests that hampered the general implementation of League provisions. The following section will demonstrate how UN legal principles were expanded to enable the establishment of a permanent international legal regime that examines criminal offences committed by individuals having led to armed conflict.

### 5.2.2 *Textual Expansion and International Crime*

Traditionally, individuals have been subject to the exclusive jurisdiction of the territorial state in which they live. Hence, any violations of international rules that they might commit were prosecuted and punished by the respective state authorities where these acts had been performed.<sup>33</sup> If the state authorities were not entitled to take action, the state of which the victim was a national was authorised to claim internationally from the relevant state that it either punish the perpetrators or pay compensation. Matters gradually changed and new classes of acts emerged that were considered punishable as crimes in the international community.<sup>34</sup> One of these new acts concerned offences entailing the personal criminal liability of the individuals concerned (as opposed to the responsibility of the state).

As early as 1919, the victors of the First World War had agreed upon provisions providing for the punishment of the major parties responsible for war crimes committed during the war. The provisions the victors had decided upon delineated the responsibility of the German Emperor, Wilhelm II, “for a supreme offence against international morality and the sanctity of treaties” (Art. 227 of the Versailles Treaty). The same provision envisaged the establishment of a ‘special tribunal’, charged with trying the Emperor. Additionally, military tribunals were envisaged for “persons accused of having committed acts in violation of the laws and customs of war” (Art. 228). Eventually, only 12 of the 895 indicted German military personnel were tried in German courts and the Netherlands, where the German Emperor had taken refuge, refused to extradite Wilhelm (Cassese 2001: 266). Al-

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32 In fact, Vatican City is the only universally recognised state in the world that has chosen not to become a member of the UN.

33 Exceptions exist, such as piracy: All states of the world were empowered to search for and prosecute pirates, regardless of the nationality of the victims and of whether the proceeding state had been directly damaged by piracy.

34 Generally, international crimes can be held to embrace: (1) violations of international customary rules; (2) crimes against the universal interest of the international community, which may in turn be prosecuted and punished by any state regardless of any territorial or nationality link; and (3) cases where the perpetrator has acted in an official capacity, as *de jure* or *de facto* state official. Under this definition international crimes include piracy, war crimes, crimes against humanity, torture, aggression, and terrorism (Cassese 2001: 246).

though the Allied attempt at establishing international criminal justice failed, the judgements against the military defendants set significant precedents in international law. Similar attempts to produce international criminal justice were repeated after the Second World War in Germany and Japan. The International Military Tribunals in Nuremberg and Tokyo were established “for the just and prompt trial and punishment of the major war criminals” of the European Axis and in the Far East (Art. 1 of the Charter of the International Military Tribunal for Europe and the Far East, respectively). Additionally, in Germany, the Allies instituted supplementary courts addressing minor war crimes, and German courts were authorised and requested to try persons accused of war crimes, crimes against humanity, and crimes against peace (Control Council Law No. 10). Despite their deficiencies (‘victors’ justice’), these two international tribunals for the first time broke the state monopoly of national jurisdiction over international crimes.

The demand for international criminal justice peaked during the 1990s, fostered by the end of the Cold War and the increasing worldwide importance of the human rights doctrine. The clear reduction of distrust and mutual suspicion between the Western and the Eastern bloc as well as the respect Russia and the member-states of the Confederation of Independent States (CIS) developed for the basic principles of international law dissipated the animosity and assisted the emergence of a relative optimism after the end of the Cold War. As a result, unprecedented agreement in the UN Security Council emerged with the consequence that the institution became able to fulfil its functions for the first time since its establishment in 1945. An equally important development at the end of the Cold War was the fact that the model of international order, which was maintained by the two superpowers policing their respective spheres of influence, collapsed. This led to a fragmentation of the international community coupled with rising nationalism and fundamentalism, and in turn culminating in a spiralling of mostly internal armed conflicts. “The ensuing implosion of previously multi-ethnic societies led to gross violations of international humanitarian law on a scale comparable to those committed during the Second World War” (Cassese 2001: 268). This development led to an increasing demand for international jurisdiction to enforce the human rights doctrine and, consequentially, the need to punish those through international criminal law who seriously attack such dignity.

In 1993, the establishment of the International Criminal Tribunal for the former Yugoslavia (ICTY) gave a great impulse to the prosecution and punishment of alleged war criminals (res. 827). The Tribunal has jurisdiction over various types of crime committed on the territory of the former Yugoslavia since 1991, such as grave breaches of the 1949 Geneva Conventions (Art. 2 of the Statute of the ICTY), violations of the laws or customs of war (Art. 3), genocide (Art. 4) and crimes against humanity (Art. 5). Before then the criminal provisions of the 1949 Geneva Conventions had never been applied. The Tribunal can try only individu-

als, not organisations or governments (Art. 6). It was established on the basis of Chapter VII of the UN Charter, which allows the Security Council the determination of “the existence of any threat to the peace, breach of the peace, or act of aggression” and the decision on “what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security” (Art. 39 of the UN Charter).<sup>35</sup> The Tribunal serves as a direct political as well as legal continuation of the efforts establishing the UN and as textual expansion of coexistence and cooperation, making considerable headway at the level of prosecution and punishment of genocide and at the normative level.<sup>36</sup> States must cooperate and comply “with the International Tribunal in the investigation and prosecution of persons accused of committing serious violations of international humanitarian law” (Art. 29 of the Statute of the ICTY). The Appeals Chamber of the Tribunal elaborated that Art. 29 represents an obligation *erga omnes partes*, describing the notion that every UN member-state has a legal interest in the fulfilment of the obligation laid down (Appeals Chamber 1997: para. 26).

By 1994, national courts of various European states began to prosecute persons allegedly guilty of serious breaches of international humanitarian law in the former Yugoslavia, while otherwise the international humanitarian law laid down in the Geneva Conventions remains an area where the gap between legal potential and implementation continues to be broad (Cassese 2001: 208-210). In 2004, the ICTY published a list of five successes which it claimed it had accomplished, such as 1) spearheading the shift from impunity to accountability; 2) establishing the facts, highlighting the extensive evidence-gathering and lengthy findings of fact that Tribunal judgments produced; 3) bringing justice to thousands of victims and giving them a voice; 4) the accomplishments in international law, describing the fleshing out of several international criminal law concepts which had not been ruled on since the Nuremberg Trials; and 5) strengthening the rule of law, referring to the Tribunal’s role in promoting the use of international standards in war crimes prosecutions by former Yugoslav republics.

A year after the establishment of the ICTY, the International Criminal Tribunal for Rwanda (ICTR) was established following a similar institutional design as the ICTY (res. 995, 978 and 1165). The Tribunal has jurisdiction over genocide, crimes against humanity and war crimes, which are defined as violations of Common Article Three of the Geneva Conventions (dealing with war crimes committed

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35 Criticisms issued regarding the ICTY include doubt whether a tribunal could be considered a measure to maintain or restore international peace and security, and the lack of powers of arrest (the Tribunal is reliant on national governments, EUFOR and KFOR). Furthermore, critics have questioned whether the tribunal exacerbates tensions rather than promotes reconciliation.

36 ICTY and ICTR have delivered important judgements on the matter, with *Jelisić* by the ICTY and *Jean-Paul Akayesu* and *Clément Kayishema and Obed Ruzindana* by the ICTR. In normative terms, major substantive provisions have gradually turned into customary international law.

during internal conflicts), prosecuting offences committed in Rwanda during April 1994. Additionally, a trial against 'hate media' began on 23 October 2000. It is charged with the prosecution of the media, which encouraged the genocide of 1994 (incitement to genocide).

The establishment of ad hoc tribunals in Nuremberg, Tokyo, Yugoslavia and Rwanda delineates the development of international criminal prosecution after 1945. While after the First World War criminal prosecution of individuals responsible for international crimes was merely a matter of rhetoric, the Nuremberg and Tokyo Tribunals made this rhetoric reality and put into force the groundwork set down by the UN Charter. Since then the prosecution of war crimes has become a common phenomenon after conflict, confirming individual responsibility in war as well as the superimposition of international law over national sovereignty.<sup>37</sup> Despite the criticism that all criminal tribunals since the Second World War have awoken, the call for a permanent criminal court increased. The following section will elaborate on the processes that led to the establishment of the International Criminal Court in 2002 and demonstrate how persuasion became a factor in defeating opponents to the Court.

### 5.2.3 *Institutional Deepening and the Consolidation of Knowledge*

The systems emerging after the Peace of Westphalia with their means to regulate the most primary forms of jurisdiction was a first step away from the assumption that only states were responsible for the prosecution of criminal offences on its territory. For the first time a regulation was in place that went beyond the sovereignty of the territorial state. Through the development of knowledge about new classes of criminal acts within the international community, new and international ways of dealing with this situation had to be found. The extension of juridical regulation culminated in the Treaty of Versailles after the end of the First World War. Art. 227 not only condemned an individual for the harm that was done to civilians in the name of states but it also formed a precedence for the formation of a special tribunal to judge war criminals. Although this special tribunal was never actually set up, the provision of such a procedure in an international treaty of such magnitude represents the widespread belief that the interconnectedness of international relations had now also reached judicial matters. The plurality of diverse moral and religious values, which led to coexistence first and cooperation later, demonstrates

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37 The tribunals established after conflict have developed vastly different shapes, dependent on environment and purpose. Prominently, in South Africa, the Truth and Reconciliation Commission (TRC) has taken the place of a tribunal. Not undisputed, the TRC is a tripartite institution with responsibilities to prepare a record of the Apartheid era, make recommendations for reparations and grant amnesty on the basis of individual applications in limited circumstances.

influence on international relations and international law (Glenn 2000, Lepard 2002).<sup>38</sup> The first time such tribunals supporting the responsibility of the individual were set up was after the end of the Second World War in Nuremberg and Tokyo. Knowledge about new technology of warfare and its scope had developed into a direction that necessitated judgement on war crimes, crimes against humanity and crimes against peace. Different from the Versailles tribunal, these provisions were enacted in response to the form of atrocities that had not been known in recent history. Similar procedures were followed after the emerging gross human rights violations following the end of the Cold War through the ICTY, which for the first time applied the criminal provisions of the Geneva Conventions, and the ICTR. This development culminated in the establishment of the International Criminal Court.

The first step towards the establishment of an international criminal court was taken as early as 1948, when by resolution 260 B (III) the General Assembly invited the International Law Commission “to study the desirability and possibility of establishing an international judicial organ for the trial of persons charged with genocide”. After several meetings of an ad hoc Committee on the Establishment of an International Criminal Court and a Preparatory Committee on the Establishment of an International Criminal Court, the International Law Commission had prepared a draft statute that could be negotiated by the international community. This negotiation process culminated in the UN Conference of Plenipotentiaries in Rome in 1998, which was characterised by sharp polarisation between the US and a handful of other states on the one side and the diverse group of ‘like-minded’ states committed to a court with an *ex officio* prosecutor and the competence to decide, without additional state consent, its jurisdiction over a case. The dialogue between the groups was marked by sharp disagreement over the range of war crimes the court would be empowered to prosecute in internal armed conflicts. Similarly, there were sharp differences over the nature of a state party’s obligation to comply with a court request for arrest and transfer of those accused or to provide other forms of cooperation with the court, such as surrendering documents. While they never functioned as a coherent group unified by a common plan, the like-minded had a decisive impact at the conference. By announcing new additions to their ranks from Africa and Eastern Europe during the first weeks of the conference, they projected a sense of growth and initiative. The group became a rallying point for previously undecided states whose delegates were drawn to the need for an effective ICC. Additionally, an important turning point in the negotiations was the announcement by the United Kingdom that it was breaking ranks with the other

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38 Especially Friedmann (1964) and Bleckmann (1985, 2001) have examined the shift in values with regard to the textual extension from security policy to economic, cultural and social policy. Similarly, Kiss (1989), Birnie and Boyle (1992) and Sands (1994) examined a shift in international environmental law.

four permanent members of the Security Council to oppose a single permanent member's ability to veto the investigation of any situation by the court. The commitment of individual states for this international juridical agency increased the number of those states willing to sign the Statute of the International Criminal Court, which was adopted on 17 July 1998 in Rome. It entered into force on 1 July 2002 and concluded the formal establishment of the ICC as a permanent tribunal to prosecute individuals for genocide, crimes against humanity and war crimes.<sup>39</sup>

At the same time, the consolidation of the knowledge about global governance that led to the establishment of the International Criminal Court goes beyond the Court. An examination of the long-term development of international law allocates additional power-restricting effects to international customary law (as opposed to international treaty law) especially with regard to norm adoption or rejection. And here, too, states are the initiator. However, the emphasis on the equality of states in international customary law, international treaty law remains the 'faster', more short-term and more current means of change. Its limit is the fact that only signatories to the treaty are bound by its obligations. Nevertheless, the utilisation of treaties as a means to develop international law has increased considerably: The World Treaty Index Research Programme of the University of Washington quantified a rise from 2 000 international treaties in 1946 to 55 000 in 1997 (Hauchler, et al. 2001b: 378).

What is striking in the development of international norms in international jurisdiction is that they took place despite external need to do so. Although the form of warfare changed with the introduction of new technology especially during the First and the Second World Wars, the atrocities had not changed in comparison to previous wars. War crimes had taken place in the same amount and even mass killings and genocide are not at all unknown even in pre-1648 history. Generally, morality has become a significant force in world politics. The development of international jurisdiction has surpassed the influences of national interest and advantage and turned to discussions about duties, responsibilities, identity and appropriateness on the basis of religious and moral duty borne by civilised nations – an explanation embraced by the participation of modern societies. The following section will take a closer look at the societal influence that became essential for the development of the ICC and how states and international institutions have been affirmed in their efforts to incorporate criminality into international jurisdiction.

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39 The Statute became a binding treaty after it received its 60th ratification, which was deposited at a ceremony at United Nations Headquarters on 11 April 2002. As of October 2005, 100 states are parties to the Statute. Only the United States, Israel, China, Iraq, Qatar, Libya and Yemen, though participants of the UN Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, voted against the Statute. Israel went on to sign the Statute just before the Statute was closed for signatures but later nullified its signature. The United States under Bill Clinton signed the treaty, but never submitted it for ratification. When George W. Bush took office shortly afterwards, he nullified the signature.

### 5.3 Secondary Learning: Promoting Global Governance

An ICC, had it existed in 1988, would have been the place to draw up an indictment against then Iraqi President Saddam Hussein and his top cohorts for their genocidal campaign against the country's Kurds.<sup>40</sup> Had it existed at the time, the ICC could have been the venue for the work of the special tribunals dealing with the atrocities committed in the former Yugoslavia and Rwanda. When the Khmer Rouge appeared ready to hand over Pol Pot for prosecution in 1997, the ICC could have been the responsible legal forum to draw up charges as Cambodia was in no position to adjudicate (Stork 1998: 3). Instances like these had increased international demand to establish a permanent international criminal court with an *ex officio* prosecutor and the competence to decide, without additional state consent, its jurisdiction over a case. Simultaneously, it led to sharp polarisation between the United States and the group of states committed to a court. The US government publicly supported the establishment of an ICC and on procedural issues the US delegation made important contributions. However, the Clinton and Bush Administrations categorically opposed a court that could indict US citizens without prior US approval. Enough like-minded states, however, were persuaded during the negotiation process and the Rome Conference to attain state agreement to the Statute of the International Criminal Court in order for it to enter into force.

In order to reach a sincere persuasion by states to ratify the Statute, non-governmental organisations, intergovernmental organisations and state governments sponsored a series of regional conferences that became valuable training sessions on the substantive issues raised by the first draft text. For instance, over sixty Senegalese lawyers, human rights activists, academics and civil servants met in Dakar, Senegal, on 5 and 6 February 1998. The participants discussed the need for and the essential features of the proposed ICC. They adopted a strong resolution calling for the establishment of an effective and independent court. The following day Senegal's President Diop opened a conference in Dakar for representatives of twenty African governments. The discussion and the accompanying excitement about the court spurred awareness and commitment in the ICC negotiations among governments across Africa and in West Africa especially. The growing African interest in the ICC was reflected in the high level and quality of participation of African delegations at the March 1998 Preparatory Commission. Similarly, representatives from twenty Latin American states and a number of domestic, regional and international non-governmental organisations met in Guatemala City to discuss the draft text in mid-February 1998. The discussion generated sharp questions over the effect of a court that is unable to examine crimes committed in the past

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40 The Iraqi High Tribunal indicted Saddam Hussein with this crime in August 2006. However, Human Rights Watch has questioned the capability of the High Tribunal to judge on international law. Additionally, Saddam Hussein's top cohorts were not indicted.

and the possibility of establishing a court independent of US domination. The meeting spurred awareness and interest on the part of governments throughout the Americas.

The pace of regional meetings intensified in the period between the end of the final Preparatory Committee session in March and April 1998 and the start of the Rome Conference in July 1998. The Australian government convened a meeting in Canberra for states from throughout Asia. The German Foreign Ministry sponsored a session with representatives of twelve eastern and central European states. Representatives from a number of former Soviet Republics met for two days at the Central European University in Budapest. Non-governmental organisations worked to reinforce the commitment and strengthen the organisation of the like-minded states for the challenges in Rome (Human Rights Watch 1999).

Based on these and further negotiations, the establishment of the International Criminal Court became the greatest advance in international law of the last decade. Though ultimately it was states that brought the court into being by ratifying its statute, the Court would not have emerged in the way it did without the active participation of groups and individuals from the realm of global civil society. The following chapter will examine how the norm of international jurisdiction was diffused between states, international organisations and international society. In this process, each level contributed to the ongoing development of international law and international jurisdiction. To begin with, norm diffusion between states can be measured by the incorporation of international jurisdiction into national law, leading to a change in state behaviour.

### 5.3.1 *State Modalities of Implementation*

To be put into operation, international rules need to be implemented by states within their own legal systems and generally need to be incorporated into national law (Cassese 2001: 9). This in particular holds true for such acts as the economic and diplomatic sanctions adopted by the UN Security Council (for example against South Africa, Iraq, Serbia and Montenegro) as well as for the Statutes of the ICTY and ICTR, enacted by the Security Council in 1993 and 1994 by a decision taken under Chapter VII of the UN Charter, and the Statute of the ICC. National legal systems normally do not contain any specific provision on the automatic or ad hoc incorporation of decisions of international organisations.<sup>41</sup> They do not make international values, as sanctioned in international rules, prevail over domestic interests and concerns as laid down in national legislation (Cassese 2001: 180). They

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41 Exceptions can be found in the constitutions of the Netherlands, Greece and Spain or in the judicial practice of France (Cassese 2001: 178).



retain the power to disregard international values at any time by passing municipal legislation inconsistent with international rules. Consequently, a number of states had passed legislation for the specific purpose of adjusting their national legal system to the statutes of the ICTY and ICTR, in particular with a view to specifying the national judicial bodies entrusted with the task of ensuring cooperation with the Tribunals. The ban on the use of force stemming from the UN Charter has already turned into a principle encompassing the whole international community, although the resulting limitation on state freedom is beset with loopholes, which chiefly affect the enforcement mechanisms. With regard to the International Criminal Court, states party to the Rome Statute need to assert which crimes to make punishable under national law and which provisions need to be created in national law to allow them to effectively cooperate with an independent Court.

The most extreme of nationalist attitudes would seem one that is adopted for example by the UK and Russia, which out of respect for parliamentary prerogatives require for treaty rules to be binding at national level that the treaty be translated into national legislation by act of parliament. Concurrently, the International Criminal Court Act for England, Wales and Northern Ireland was adopted in 2001, delineating proceedings on the arrest and delivery of persons, forms of assistance, the enforcement of sentences and orders, offences under domestic law (such as genocide, crimes against humanity, war crimes and ‘ancillary offences’) and general provisions (such as interpretation, application and extent of provisions). It confirms the Court’s legal personality by issuing the act

“to give effect to the Statute of the International Criminal Court; to provide for offences under the law of England and Wales and Northern Ireland corresponding to offences within the jurisdiction of that Court; and for connected purposes” (preamble of the International Criminal Court Act for England, Wales and Northern Ireland).

A comparable act was passed by the Scottish parliament in 2001,

“to make provision for offences under the law of Scotland corresponding to offences within the jurisdiction of the International Criminal Court; to enable assistance to be provided to that court in relation to investigations and prosecutions; to make provision in relation to the enforcement of sentences and orders of that court; and for connected purposes” (preamble of the International Criminal Court (Scotland) Act).

Russia has not yet ratified the Rome Statute.

Other states, such as France and many African states, provide that domestic authorities are to comply with treaties upon their publication in the Official Bulletin. In France, the jurisdiction of the International Criminal Court has been acknowledged through the *Journal officiel de la République française* number 157 on 9 July 1999 (p. 10175) and ratified through the *Journal officiel de la République française* number 77 on 31 March 2000 (p. 4950). The government has therefore, acknowledged

the Court's legal personality, independent jurisdiction and its effective loss of national sovereignty.

In states such as Italy and Germany, practice shows frequent resort to automatic ad hoc incorporation. Under this system, international rules become applicable within the state legal system only if and when relevant parliamentary authorities pass specific implementing legislation. The act of parliament may confine itself to enjoying the automatic applicability of the international rule within the national legal system without reformulating that rule ad hoc. This means that state officials and all individuals concerned become duty bound to abide by the international provisions to which the act of parliament makes reference. The enabling legislation simply consists of one or two provisions stating that the treaty at issue must be complied with. Courts, state officials and individuals must infer the various provisions to be applied at the national level by way of interpretation. The respective bodies or individuals must deduce from the treaty text all the various rules to be applied at the national level. In Germany, the enabling legislation has been codified through the *Bundesgesetzblatt Jahrgang 2002 Teil I Nr. 42*, issued in Bonn on 29 June 2002. It delineates the provisions set down in the Rome Statute in an act for the introduction of an international criminal law (*Gesetz zur Einführung des Völkerstrafgesetzbuches*). One exception is made within the act: Germany has established forms of secondary universal jurisdiction. For example, they require that the suspect is present on the territory to start an investigation and prosecution (Art. 153f). The same exception has been made by Canada and the Netherlands.

Italy signed the Rome Statute of the International Criminal Court on 18 July 1998 and ratified it following the adoption of Law No. 232 of 12 July 1999. Law No. 232 includes four articles: the first two contain the authorisation of the president to ratify and the *ordine di esecuzione*, while the third and fourth regulate financial aspects and the entry into force.<sup>42</sup>

Very few countries opt for automatic standing incorporation mechanisms for treaty law. Such incorporation occurs whenever the national constitution or law enjoin that all state officials as well as nationals and other individuals living on the territory of the state are bound to apply certain present or future rules of international law. An internal rule provides in a permanent way for the automatic incorporation into national law of any relevant rule of international law, without there being any need for the passing of an ad hoc national statute. Three states in particular utilise this mechanism: Greece, the Netherlands and Spain, all of which ratified the Rome Statute. In Greece, both customary international rules and treaties override national legislation. In the Netherlands international treaties override the constitution. In Spain a provision is made not only for the primacy of international treaties

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42 In the US, were the president to ratify the Rome Statute after Senate approval, the Statute would become "the supreme Law of the Land" (Art. VI of the Constitution).

over national legislation but also for the obligation of national authorities to construe national legislation on human rights in the light of international instruments.

Furthermore, acknowledging the Rome Statute to also address individuals directly, granting them the right to lodge a complaint with the ICC, these provisions are effective and operative as soon as they emerge, bypassing national legal systems ('international right proper'). These rules intend to reach individuals directly, without the national law of states. The international legislation regarding individuals is effective regardless of what is provided for in the national legal system and even contrary to possible national rules. If they are matched by national rules, their impact on the conduct of individuals becomes even stronger (Cassese 2001: 181).

As the above instances demonstrate, the provisions of the Rome Statute of the International Criminal Court are adopted by states upon ratification of the Statute. Despite different legal means of doing so, national legislation in each case is altered in order to comply with the international treaty. Therefore, the agenda set by states on an international level is being transmitted back to the national level and shapes a behavioural guide for national courts and jurisdiction.

### 5.3.2 *Cooperation with Regional and International Organisations*

In order to account for a transmission of norms from the ICC to international organisations, the cooperation between these institutions is of vital importance. An adoption of ICC norms by international organisations is represented by their cooperation since the ICC as well as other international organisations operate in highly specialised fields that do not allow for an adaptation of behaviour as such. Even an adoption of ICC norms by international organisations will not enable them to participate in international jurisdiction. Therefore, the cooperation between the ICC and international organisations as well as the signified acceptance and support for the norms represented by the ICC indicates the influence of the ICC on their behaviour.

Concurrently, in 2004, the ICC and the UN negotiated an agreement to regulate the support of the UN for the ICC without impinging upon both institutions' independence. The Negotiated Relationship Agreement between the International Criminal Court and the UN regulates the working relationship between the two organisations and establishes the legal foundation for cooperation within their respective mandates. The Relationship Agreement reflects a delicate balance between independence and cooperation, respecting the autonomy and confidentiality of both institutions. The negotiated Agreement provides for a wide range of institutional cooperation. It includes, *inter alia*, issues like the obligation to consult each other on matters of mutual interest (Art. 3), the participation of the ICC, in the capacity of observer, in the UN General Assembly and other exchange of represen-

tatives (Art. 4), exchange of information provisions (Art. 5), administrative cooperation issues (Art. 9), the provision of conference services on a reimbursable basis (Art. 10.1), and financial matters (Art. 13). The global presence and infrastructure of the UN make it potentially the most important partner of the ICC on various levels, such as in programmes, funds and offices. In particular, representatives of agencies, ranging from the UN High Commissioner for Refugees and the High Commissioner for Human Rights to the UN International Children's Fund and the UN Development Program conduct extensive field operations, which may lead them to possess information, which would make them valuable as experts or witnesses at the ICC. The same holds true for representatives of peacekeeping operations, as well as the peacekeepers themselves.

Similarly, Art. 54.3 (c) and (d), and Art. 87.6, of the Rome Statute contemplate the ability of the Court and the Office of the Prosecutor respectively to enter into arrangements or agreements with intergovernmental organisations for assistance or cooperation, which may be agreed by such organisations in compliance with their mandate. On 10 April 2006, the European Union signed the International Criminal Court Cooperation and Assistance Agreement. It is similar to the Negotiated Relationship Agreement signed by the ICC and the UN. The purpose of this agreement is to, *inter alia*, facilitate cooperation, support, assistance, exchange of information, consultations in matters of mutual interest and deal with issues pertaining to immunities of EU personnel and security of EU operations and activities. In May 2005 a draft relationship agreement between the Court and the African Union was finalised. Since then the Court has been pressing for its signature. One of the main purposes of this agreement is to ensure regional participation in and cooperation with ongoing investigations. The Prosecutor highlighted the importance of this agreement in the Second Report to the Security Council on 13 December 2005, when he explained that “[i]t is hoped that rapid progress in this relationship will be achieved in this phase” (Moreno Ocampo 2005: 9).

With a view of defining a cooperation framework, on 22 December 2004, an Agreement was signed between the Office of the Prosecutor and the International Criminal Police Organisation (Interpol). The agreement not only grants the Office of the Prosecutor access to the Interpol telecommunications network and database but will also enable both institutions to exchange police information and criminal analysis, and to cooperate in the search for fugitives and suspects. Additionally, structured through a network of registrars of international jurisdictions, the International Criminal Tribunal for the Former Yugoslavia (ICTY), the International Criminal Tribunal for Rwanda (ICTR), the Special Court for Sierra Leone (SCSL) and the ICC have engaged in inter-tribunal cooperation projects with a view of developing a coherent knowledge base and consistent practice within the system of international criminal justice.

Through this cooperation and attempts to consolidate and refine norms of international criminal justice, the behaviour of international organisations has been altered through the agenda and tasks that the ICC represents. The organisations in question altered their institutional behaviour so as to respect the novel international law as well as actively support the efforts made by the International Criminal Court in their own manner.

### 5.3.3 *A Societal Coalition for an International Criminal Court*

The influence of international societal groups, such as the Coalition for an International Criminal Court, big-membership organisations and churches, on the Statute is so immense that the diffusion of the norm of international jurisdiction is openly observable. The influence of global civil society is evident already during the establishment process of the Court and its commitment becomes even more substantive after states initiated and implemented the idea of an international criminal court after the genocides in Yugoslavia and Rwanda. Through the length of the negotiations process as well as the necessary input of legal experts, global civil society was able to complement the establishment process between 1995 and 1998 and promote the value of international jurisdiction to this day.

After the short-lived attempt to institute an international criminal court after 1945, which fell victim to Cold War politics, the idea of international criminal jurisdiction was still actively pursued by organisations like the International Law Association and the World Federalist Movement as well as by legal scholars. The global civil society groups and individuals who were interested in the ICC included lawyers, human rights activists, women's groups, peace groups and religious groups from all over the world. A number of features of the Statute of the Court were demonstrably influenced or determined by the involvement of global civil society actors and had already assisted in the establishment of the ad hoc tribunals for Yugoslavia and Rwanda in 1993 and 1994. In the years when the state-led negotiations for an ICC were getting serious, the Coalition for an International Criminal Court, founded in 1995 and bringing together organisations and individuals who supported the establishment of a strong and independent ICC, made a considerable effort at the national and sometimes even at the local level to promote the Court in the media. Big-membership organisations like Amnesty International and the World Federalist Movement as well as some of the churches, including the Quakers and Mennonites, disseminated the ideas behind the Court to the millions of members.

The efforts of global civil society went beyond propagandising the Court to a passive audience, however. A great deal of specialist documentation was produced by individuals and organisations involved in the ICC process. This took two main

forms: Firstly, individuals increasingly published journal articles (especially in legal journals) and secondly, NGOs increasingly issued reports on the matter of international criminal justice. Both had the primary aim of informing and influencing a specialist public of non-governmental organisations, academics and state representatives on specific sub-themes, promoting certain alternatives over others with reference to precedent, legal argument or political realities. Civil society groups also organised countless conferences and meetings around the world, contributing substantially to a global specialist debate on the court and international justice. Civil society proposals were frequently more daring than those emerging from national governments and many left a lasting imprint on the court.

For example, the original International Law Commission draft that was the basis for the ICC negotiations beginning in 1995 listed only two ways in which an investigation could be initiated (or ‘triggered’). State parties could lodge a complaint, alleging that a crime had been committed or the UN Security Council could refer a matter to the Court. Unlike in domestic criminal law systems, the Court’s prosecutor could not institute any investigations. The state complaints procedure had already proved to be a failure in various human rights treaties. The UN Security Council route was an even bigger hurdle and would have led to a paralysed or politicised court only able to conduct inquiries sanctioned by the five permanent members. The non-governmental organisations and individuals constituting the Coalition for an ICC were united in insisting on a third trigger, enabling the prosecutor to institute own proceedings. Another focus for members of the Coalition was the position of victims and witnesses in the Court. Three members of the Coalition, the Women’s Caucus, the Children’s Caucus and Victims’ Rights Working Group, worked together with Redress, Human Rights Watch and the European Law Students Association to improve the position of witnesses in the proceedings of the Court. They worked to afford victims better protection, the right to have their own say, instead of being just an instrument of the prosecution, and the right to reparation. One of the more controversial contributions of global civil society concerned the gender aspects of the Statute. The Women’s Caucus for Gender Justice was formed in February 1997 on the initiative of a small group of women’s rights activists, to improve on the original International Law Commission draft, which paid no explicit attention to the gender dimensions of any of the areas of law it covered. It quickly grew to become a coalition with more than 300 member organisations by the time of the Rome conference. Its concerns included the definition of gender, a reference to gender in a general non-discrimination clause, a gender dimension to the definition of slavery, the inclusion of persecution on the basis of gender as a component of crimes against humanity and protection for and gender-sensitive treatment of victims and witnesses. All of these concerns came to be reflected in the final Statute in a way that either completely or partially satisfied the Women’s Caucus. The most contentious of their aims was the adoption of a

subparagraph on ‘gender-specific crimes’ in the Statute’s definition of crimes, which included ‘forced pregnancy’, a practice, which had occurred as part of a programme of ethnic cleansing in the war in Bosnia. An agreement was reached that included forced pregnancy and defined it as,

“(…) the unlawful confinement, of a woman forcibly made pregnant, with the intent of affecting the ethnic composition of any population or carrying out other grave violations of international law. This definition shall not in any way be interpreted as affecting national laws relating to pregnancy” (Art. 7.2 (f) of the Rome Statute).

On a more practical matter, an early paper by the World Federalist Movement summarised state and NGO positions on how the Court might be financed, examined precedents concerning other international courts and made a concrete proposal, stressing that, while it might seem like a minor concern in negotiations, the Court would not be able to function successfully without adequate financing (Mac Sweeney 1996). Its suggestion that means-tested state contributions, in accordance with UN standards, could be topped up by a voluntary fund to which states, individuals, non-governmental organisations and even corporations could make donation, formed the basis for the later, somewhat more complex, provisions on the financing of the Court.

Through the raising of awareness and commitment to an international criminal court, global civil society was able to maintain and indeed push efforts for an establishment of such an institution after the end of the Cold War. The acceptance of respective norms by civil society is demonstrated by its commitment to and devotion for the Court as an independent legal personality that could address important violations of human rights. Their contribution, therefore, not only rests in activism for the court but also in the compilation of expert opinion that influenced the negotiations process considerably. The secondary learning quality of global civil society exceeds awareness by active contribution as soon as an establishment process was initiated by states.

## 5.4 Conclusion

This chapter concentrated on revealing how a learning cycle unfolded with regard to international criminal justice within the scope of increasing global governance. As a first step, the above analysis has demonstrated how the experience of recurring war, the First and Second World Wars, paved the way for state agents to develop the very idea of individual responsibility for international crimes. The notion took a first shape when the German Emperor, Wilhelm II, was supposed to admit complete responsibility for the outbreak of the First World War and the crime of breaching international treaties. Although he was never tried and no independent

institutionalised enforcement procedure for League of Nations organs was established, state actors maintained the notion of individual responsibility and introduced a 'cooling-off' period into international law in order to prevent the recurrence of world-wide armed conflict. During this period states frequently resorted to arbitration, which pronounced on slavery and allowed groups of individuals to lodge complaints. Although the Soviet Revolution and the values represented by the new regime obstructed an universalisation of international law, the UN Charter provided a first step to universalisation after the Second World War and an institutional attempt to make the absence of war the normal state of affairs as well as a decisive step towards states surrendering national sovereignty for the aim of international jurisdiction (and possibly global governance). Additionally, the Nuremberg Tribunal prosecuted and sentenced a number of war criminals in Germany, while supplementary German courts prosecuted lesser war crimes.

After the rapprochement between the two political opponents at the end of the Cold War and a universalisation of international law through the ratification of the UN Charter by (almost) every state world-wide, internal armed conflict in Yugoslavia and Rwanda brought the existence of conflict back onto the international agenda. Similar to the tribunals in Nuremberg and Tokyo, international tribunals were set up in the Hague and Arusha, Tanzania, to prosecute the war crimes committed during the Yugoslavian and Rwandan civil wars. The crime of genocide was institutionalised and prosecuted to its full extent for the first time, while failures of Nuremberg and Tokyo were to be avoided ('victors justice', such as the prosecution by the victorious powers rather than by an independent legal body). These tribunals made it apparent that a permanent international criminal tribunal would be necessary in order to be able to put international criminal law into practice on a permanent basis, and circumvent victors' justice through a governance body with its own legal personality, independent from states. Although there was no external or pressing need to do so, state actors agreed on the contents of the Rome Statute, which enabled the establishment of the International Criminal Court in The Hague in 2002 and factually decreased the national sovereignty of each member-state. The Court surpasses the influences of national interest and turns to discussions about duties, responsibilities and appropriateness on the basis of religious and moral duty. The development of knowledge by states was, thus, institutionalised internationally.

In a secondary learning process that is accompanying the build-up of the International Criminal Court, state actors have not only ratified the Rome Statute but also adopted the necessary provisions into national law. Through various mechanisms, national law was altered to support the terms of the Rome Statute, which now forms a part of the national legislation. The national legal behaviour was altered to accommodate the norms represented by the international institution. Other international institutions altered their behaviour through a negotiated cooperation with the Court. While the adoption of judicial norms by these



eration with the Court. While the adoption of judicial norms by these international institutions is limited due to the highly specialised fields of expertise they represent, the fact that cooperation is taking place reveals that the international judicial norms are accepted and actively supported. Additionally, behaviour is altered in such way as an exchange of information between the institutions is taking place as well as deep cooperation between representatives and personnel of the institutions that may comprise immunity in specific cases. Global civil society committed to a permanent international criminal court especially after the internal conflicts in Yugoslavia and Rwanda. However, since the possible recurrence of armed conflict made ad hoc tribunals insufficient, the commitment of global civil society contributed considerably to the establishment of a permanent international criminal court. The value of international criminal prosecution had entered civil society during the negotiations for the Rome Statute and was able to influence the outcome.

Accordingly, the impetus given by state actors' primary learning process points towards persuasion (through negotiation) as mechanism for the diffusion of the norm of individual responsibility in armed conflict and global governance restricting state sovereignty. The degree of internalisation of the norms by all actors can be judged by the shift in behaviour concurring with the shift in prevalent norms, underlined by the move from mere presentation of exogenously introduced concepts by state actors to individual and original conduct according to internal norms and values (to represent autonomous discovery learning).

Returning to the theoretical conditions, the chapter has demonstrated that

- states, international institutions, non-governmental organisations as well as society (socialiser) acted within a novel and unstable environment. The confrontation with the conceptual connection between individual responsibility and armed conflict led to an internalisation of this concept into the actors' identity;
- the normative shift implied in the internalisation of the concept was not subject to internal or external coercion but rather was subject to persuasion;
- the societal and domestic resonance for the shift was high and did not contradict already internally anchored norms and values.

## 6 Global Civil Society and the Prevention of Armed Conflict

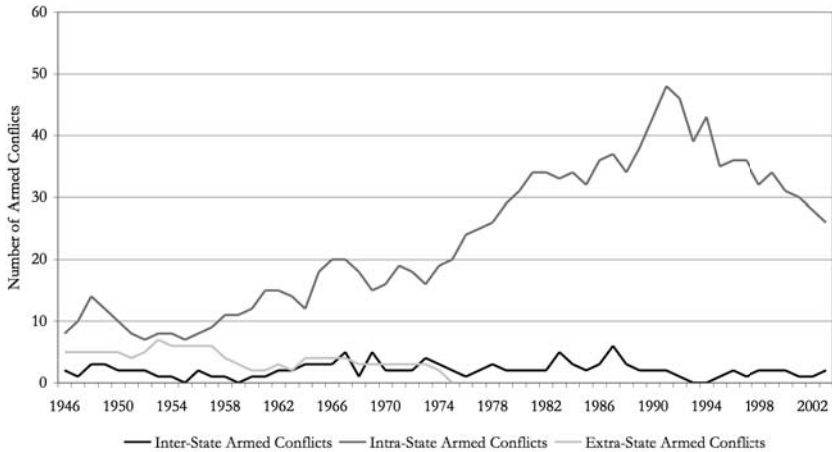
### 6.1.1 *The Changing Face of Warfare*

By the end of the 20<sup>th</sup> century, the world was experiencing the longest period of uninterrupted peace between the traditional ‘great powers’ in hundreds of years. But from the beginning of the Cold War to the early 1990s, the number of armed conflicts in developing countries rose relentlessly. In 1992, the number of conflicts worldwide rose to a post-Second World War high, as a series of short-lived wars flared in the former Soviet Union. However, just as the Western media started to worry about a world-wide epidemic of ethnic violence, the number of armed conflicts began to drop rapidly (Human Security Centre 2005: 22). Today that decline continues. In 1992, more than 50 armed conflicts involving a government were being waged world-wide; by 2003 that number had dropped to 29. In the developing world, the end of the Cold War not only removed a major source of ideological polarisation but it also staunchly the flow of resources to warring parties in the South, allowing the UN to begin to play the global security role that its founders had originally intended. Analysing the trends, Chart 2 reveals the global development in three types of armed conflict: inter-state, intra-state (civil wars) and extra-state (overwhelmingly colonial wars).

Battle deaths have declined even more steeply, though the trend here is uneven and has been going on for a much longer time. The 1990s was the least violent decade since the end of the Second World War, which suggests an overall decrease in conflict intensity (see Chart 3). Responsible for the recent decline in both number and intensity of armed conflict are, in addition to state and international diplomacy, methods of civil conflict prevention. Prevention, or more precisely, preventive diplomacy was prominently defined in Boutros-Ghali’s ‘Agenda for Peace’ as an

“action to prevent disputes from arising between parties, to prevent existing disputes from escalating into conflicts and to limit the spread of the latter when they occur” (Boutros-Ghali 1992: Art. 20).

### Inter-, Intra- and Extra-State Armed Conflict, 1946-2003



Source: Uppsala/PRIO Armed Conflict Dataset (2004).

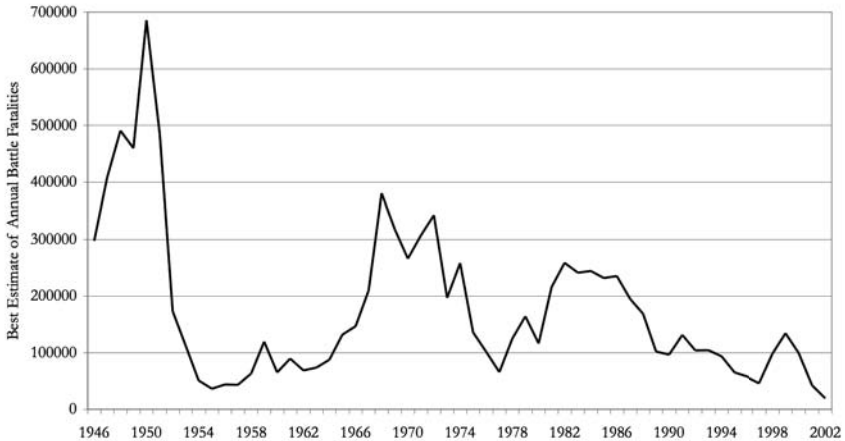
Note: According to the codebook for the Armed Conflict dataset, an “armed conflict is a contested incompatibility that concerns government and/or territory where the use of armed force between two parties, of which at least one is the government of a state, results in at least 25 battle-related deaths”. It refers to incompatibility concerning territory as “incompatibility concerning the status of a territory, e.g. the change of the state in control of a certain territory (interstate conflict), secession, or autonomy (internal conflict)” (Strand, et al. 2005: 3-4).

Chart 2: Inter-, Intra- and Extra-State Armed Conflict, 1946-2003

Modern societies developed numerous different conflict prevention methods, instruments and procedures. Among them are the societal acknowledgement of rules, laws and court sentences, the establishment of a state monopoly of power as well as democratic procedures with freely elected representatives and majority decisions. Other methods concern the safeguarding of minority rights, mediation procedures, third party mediation for the adjustment of interests, as well as interventions and measures for the reduction of social inequality. Multiplex institutions have been set up and established (such as constitutions, courts, police, parliaments, organisations, courts of arbitration as well as unwritten social rules and patterns of behaviour) to support these forms of civil conflict management and warrant the continuity of peaceful conflict settlements (Weller/Kirschner 2005: 10). Since the 1990s there has been increasing evidence that an embryonic global society is evolving that actively supports such involvement (Etzioni 2005, Glasius, et al. 2001: 130). Scores of studies have shown an explosive growth in transnational voluntary associations (Commission On Global Governance 1995: 32). They now number in many thou-

sands and they include organisations as different as Amnesty International (ai), the International Red Cross, Médecins sans Frontières (MSF), International Crisis Group (Crisis Group) and Transparency International. While actively contributing to international politics through their involvement, these organisations, international non-governmental organisations (INGOs) and civil society organisation (CSOs), contribute vastly to information gathering and knowledge-building.

**Number of Battle Deaths in Armed Conflict, 1946-2002**



Source: Lacina and Gleditsch Dataset of Battle Deaths (Lacina/Gleditsch 2005a: 154, 2005b).

Note: “The Lacina and Gleditsch dataset defines battle deaths as deaths resulting directly from violence inflicted through the use of armed force by a party to an armed conflict during contested combat.” (Lacina 2005: 5)

*Chart 3: Number of Battle Deaths in Armed Conflict, 1946-2002*

### 6.1.2 Traditional Global Threats before the End of the Cold War

Prerequisite for the emerging influence of *civil* conflict management was the end of the Cold War (Buro 1993, 1995, Calließ/Merkel 1993, Merkel 1993, Vogt 1995, Weller/Kirschner 2005). Two fixed theoretical and political deliberations were overcome: On the one hand, prior to 1989, the responsibility for international peace was attributed to states. Their armament, system of governance, and interstate conflicts were accepted to have become the greatest threat to international peace. On the other hand, the enormous military potential for violence during the

Cold War drew attention to states, which were consequently rated as potentially and particularly destructive forces. In order to ensure the integrity and survival of the nation-state, the use of economic, military and political power and the exercise of diplomacy, in times of peace and war, were superior to the rights and freedoms of individuals. For almost half a century during the Cold War, major world powers entrusted the security of their nation to a balance of power among states. In this sense, international stability relied on the premise that if state security is maintained, then the security of citizens will necessarily follow.

Practically, traditional security (and with it conflict prevention) relied on the anarchistic balance of power, a military build-up between the major powers, and on the absolute sovereignty of the nation-state. Historically, the notion of a balance of power first gained significance after the Treaty of Utrecht in 1713, where it was specifically mentioned “that the peace herein convened between the two Powers shall be firmly established and the proper balance of forces ever guaranteed and peace thereby ensured” (Art. 2, as quoted in Hargreaves-Mawdsley 1973). No one state, or potentate, should be able absolutely to predominate and prescribe laws to the rest. Since all nation-states were equally interested in this settlement, it was held to be the interest, the right and the duty of every power to interfere, even by force of arms, when any of the conditions of a settlement were infringed upon, or assailed by, any other member of the community. This principle formed the basis for the coalitions against Louis XIV and Napoleon, and the occasion or the excuse for most of the wars that desolated Europe between the Peace of Westphalia and, in part, the First World War. During the Cold War balance of power, a component of the military strategy was the doctrine of mutual assured destruction (MAD), in which a full-scale use of nuclear weapons by one of two opposing sides would result in the destruction of both the attacker and the defender. It was based on the theory of deterrence according to which the deployment of strong weapons is essential to threaten the enemy in order to prevent the use of the very same weapons. The strategy is effectively a form of a Nash equilibrium, in which both sides are attempting to avoid their worst possible outcome.

As a result, conflict prevention in a balance of power displayed a rather violent face. Peace, as opposed to the stability of a balance of power, was not part of the order. Especially the years following the Second World War brought about an era of proxy wars, small wars where the two superpowers competed with each other, for instance in Korea, Vietnam, Afghanistan and other third world countries. For example, Russia gave 3 billion US-\$ worth of military and economic aid to North Vietnam, while the US gave 1.1 billion US-\$ in aid to South Vietnam (Keylor 2003: 119). As Cold War tensions receded, it became clear that the security of citizens was threatened by hardships arising from internal state conflicts as well as external aggressors. Civil wars were increasingly common and compounded existing poverty, disease, hunger, violence and human rights abuses. Traditional security poli-

cies had effectively masked these underlying basic human needs in the face of state security. Through neglect of its constituents, nation states had failed in their primary objective to protect its citizens.

Recently, the traditional state centric notion of security has been challenged by more holistic approaches to security, which seek to acknowledge and address basic threats to *human* security (see Table 3). The foundation was the discernment that today's global threats, such as transnational terrorism, the diffusion of weapons of mass destruction and the failure of states due to hunger, poverty, epidemics, scarcity of resources, economic and political inequity, could no longer be attended to by military measures alone (Calließ 2003). Today, a switch from the traditional conception of security as a state-centred approach to a focus on the individual, has often become the crux of foreign policy. Advocates of human security argue that an international mandate to protect and a strong commitment to multilateralism is the way to keep the world a safe place.

Type of Security	Referent	Responsibility	Threats
Traditional	State	Integrity of the State	Inter-state War, Nuclear proliferation, Revolution, Civil Conflict
Human	Individual	Integrity of the Individual	Disease, Poverty, Natural Disaster, Violence, Landmines, Human Rights Abuse

*Source:* Canada's Human Security Website (2006)

*Table 3:* Traditional and Human Security Concepts

Within the environment of a changed security concern, civil society organisations found themselves in a position to supplement existing security approaches by contributing human perspectives that have traditionally been neglected by states. By defining security as the implementation of human freedoms, a novel point of attack on security threats has been created that allows and indeed necessitates for civil society organisations to play a bigger role.

### 6.1.3 *Civil Conflict Prevention in International Politics*

The source of change from a traditional to a human type of security, arguably, was based solely on the decrease of traditional wars and the increase of 'new wars' after

the end of the Cold War.<sup>43</sup> If this were the case, states as well as international institutions would have recognised the new risks and reacted accordingly. They would have aimed at promoting international security by shifting their disposable efforts to preventing disputes between parties, the prevention of escalation and the limitation of the spread of violence. However, states as well as international institutions failed to do so most prominently before and during the genocide in Rwanda in 1994. Despite intelligence provided before the killing began and international news media coverage reflecting the true scale of violence as the genocide unfolded, most industrialised states declined to intervene. The United States had experienced trouble in Somalia shortly before the genocide, and then US President Bill Clinton decided not to get involved in the 'local' conflict in Rwanda.<sup>44</sup> Similarly, the UN did not authorise the UN Assistance Mission for Rwanda (UNAMIR), originally charged with helping to implement the 1993 Arusha Peace Agreement, to intervene and to use force quickly enough to halt the killings and other atrocities. In the weeks prior to the attacks, the UN did not respond to reports of Hutu militias amassing weapons and rejected plans for a pre-emptive interdiction. Despite numerous pre- and present-conflict warnings, the UN insisted on maintaining its rules of engagement and preventing its peacekeepers on the ground from engaging the militias or discharging their weapons, except in self-defence. In the same way, the UN Protective Force (UNPROFOR) did not intervene in 1995 when Bosnian Serbs set up artillery around Gorazde and began shelling it indiscriminately. The UN also failed to prevent Bosnian Serb troops from capturing the safe areas set up in the city of Srebrenica, which resulted in a massacre within the city borders.<sup>45</sup>

If the shift towards human security had, instead, originated within civil society, sophisticated insights into possible new strategies would have been developed and applied. This assumption is supported by two academic and political debates in the fields of peace theory and development policy. The potential of external civil conflict intervention as well as the prospects and risks of a civil-military cooperation find their basis in these debates and contexts.

The peace theoretical debate contributes in fields concerning the better understanding of the causes of conflict and the prerequisites for peace, as well as the

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43 New wars, arguably, developed after the end of the Cold War (Kaldor 1999, LpBBW 2004, Münkler 2003). The concept refers to the idea that a new model of war has replaced traditional inter-state wars as well as traditional civil wars. Significant in new wars is the privatisation of actors in conflict, an economisation of motives, a brutalisation of strategies and a criminalisation of war economies (Heupel/Zangl 2004).

44 The only state-led relief during the genocide was organised by France and Israel in the area of Lake Kivu, establishing a method of operation, which relied on France's abundant medical supplies and Israel's medical expertise. The Organisation for African Unity (OAU) had sent a Neutral Military Observation Group (GOMN) before the UNAMIR mission.

45 NATO actions in Yugoslavia took place under its Art. 4, referring to the territorial integrity, political independence or security of any of the parties rather than to humanitarian aid.

generalisable conditions for non-violent conflict (Calließ/Weller 2004). This leads back to the assumption that conflict is no social evil but an integral component of social life. Approaches in conflict transformation, thus, concentrate on solutions to conflicts as a means to overcome (power) inequalities and inequities and, therefore, see conflict (not violence) as a positive feature of society (Lederach 1995). The instruments and possibilities of a peaceful treatment of conflict are highly different in different levels of escalation. Increasing escalation decreases the options of parties to the conflict and it is difficult to leave a level of violence once reached (Glasl 2004: 234). However, with a decrease in the level of escalation, possibilities for intervention of 'third parties' increase so that chances for success of civil intervention increase (Glasl 2004: 396). Within development policy, the debates about 'greed and grievance', 'spoilers' and war economies underline the influence parties to the conflict have on the treatment of the conflict. They question the notion that a prevention of violence is in the interest of all conflicting parties. Yet, internal and external conflicting actors often see their power position or economic advantages as being in danger by violent conflict (Calließ 2003, Schneekener 2003). While research reveals a differentiated picture on the conditions of success for civil conflict settlement, the causes of conflict as well as the structural environment pose an important impact on violent conflict. At the same time, it can be designed to counter exactly the rigid structural environment that often accompanies conflict by supplementing where traditional measures fail. While peace theoretical and development debates acknowledge new risks and adapt, the security political debate maintains a traditional conception of security, which utilises force to eliminate a threat ('War on Terror').

Civil society has produced methods distinctly different from that of states and addressing distinctly different fields of concern than traditional prevention strategies. This points to civil society as being the starting point for a change in security policy and the increasing importance of civil conflict prevention. The following analysis will examine civil society's role in this change. The International Crisis Group was selected as an entity for analysis for its role in raising awareness and influence on policy-makers in international politics.

#### *6.1.4 Civil Conflict Prevention as Learning Process*

In order to examine the increasing importance and reliance on civil conflict prevention strategies within the international realm after the end of the Cold War, International Crisis Group presents itself as an appropriate entity for analysis:

- International Crisis Group is an independent, non-profit, non-governmental organisation. Its approach is grounded in field research.



Teams of political analysts and field experts are located within or close by countries at risk of outbreak, escalation or recurrence of violent conflict.

- Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international decision-takers. Its recommendations have important signalling effects to policy-makers.
- Crisis Group publishes ‘CrisisWatch’, a twelve-page monthly bulletin, providing a succinct regular update on the state of play in all the most significant situations of conflict or potential conflict around the world.
- Crisis Group’s reports and briefing papers are distributed widely by email and printed copy to officials in foreign ministries and international organisations and made available simultaneously on their website.

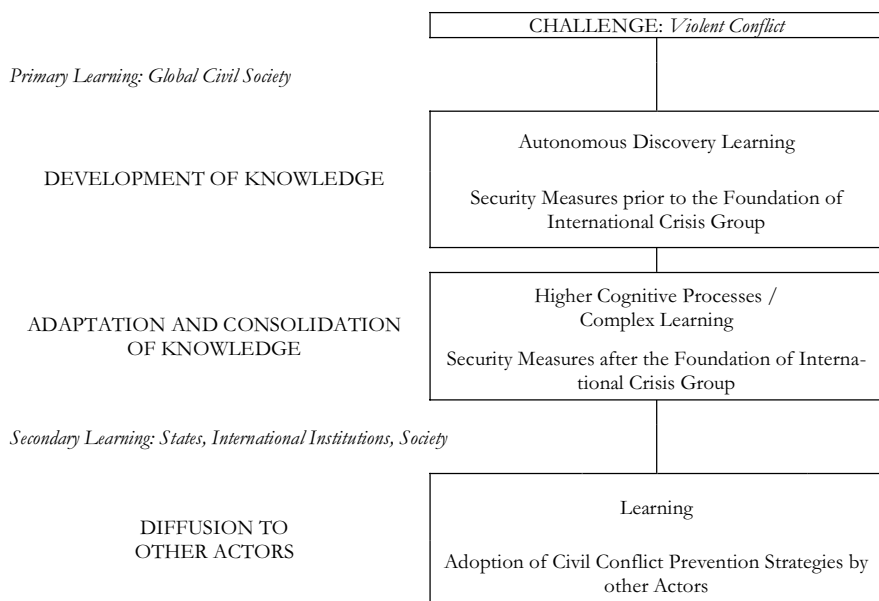
This chapter aims at demonstrating that the source of change occurring within the international community during the 1990s to increasingly rely on civil conflict prevention strategies was a learning process within civil society. The experiences made and accumulated by global society actors (primary learning) were diffused to states, international institutions and other civil society actors (secondary learning) through the mechanism of persuasion, and altered the way civil conflict prevention was perceived. This approach will be able to explain, for example, how the idea of human security as a norm was institutionalised within civil society organisations, states and international organisations without at one point being revoked by national interests. The challenge is to “identify the intervening causal process – the causal chain and causal mechanisms [persuasion] – between an independent variable (or variables) [states, international institutions, society] and the outcome of the dependent variable [degree of norm internalisation]” (Bennett/George 2005: 206-207). Accordingly, genuine internalisation of new norms holds under the following conditions (Checkel 2005a):

- the socialiser (International Crisis Group representing civil society) acts within a novel and unstable environment;
- the process of socialisation takes place within an environment comprising the socialiser’s deliberation and no internal or external coercion;
- the societal and domestic resonance to the respective norms and values (civil conflict prevention) is high or (at least) does not contradict already internally anchored norms and values.

The following analysis will examine the series of intermediate steps between the beginning (independent variable[s]) and the end (outcome of dependent variable) of the focal shift within traditional security policies and actors to comprise the notion of civil conflict prevention. By mapping the processes at work, prior theoretically derived expectations about the workings of persuasion as a mechanism will be explored. This will lead to an analysis of the diffusion of civil conflict prevention as

a norm to other actors by means of persuasion and the internalisation of the norm by means of socialisation.

Accordingly, the following section of this chapter will examine the processes involved in primary learning. It will elaborate on security policies prior to and after the introduction and acknowledgement of civil conflict prevention strategies and demonstrate a clear consolidation of knowledge based on experience and the corresponding alignment of research and behaviour. Then the chapter will continue to reveal how this primary learning process led to secondary learning, representing the basis for a diffusion of norms and their internalisation through socialisation. It will examine how International Crisis Group set agendas, defined tasks and shaped norms and values for other international actors. The conclusion will address how the findings relate to the workings of the mechanism and attempt a deduction whether the outcome would have been different in the absence of persuasion.



## 6.2 Primary Learning: The Evolution of Civil Society Organisations

The fundamental difficulty with asserting humanitarian norms, such as the prevention of conflict for the protection of civilians, in a world dominated by states is that humanitarian values are premised on a worldview not easily accommodated within

the principles and rights associated with state sovereignty (Finnemore 1996: 71). The notion of sovereignty rests on the premise that the state is the principal unit of concern. Within the state, individuals are categorised and acknowledged only in relation to the state as citizens and aliens. In contrast, a humanitarian worldview premises that individuals bear value independent from the state. As such, individuals have rights and value through birth. “[H]umanitarians create a set of normative claims that compete with the claims made by states. They assert that states do not have unlimited rights to pursue and defend their national interests; rather, that pursuit must be tempered by respect for the well-being of individuals.” (Finnemore 1996: 71) Humanitarian organisations, representing humanitarian claims, constrain states in their traditional sovereignty and supplement their lack of humanitarian individualism through civil commitment.

This section will first elaborate on how this civil commitment developed and progressed in representing humanitarian norms in such a way that led from mostly passive civil society with regard to conflict prevention to the establishment of a civil society organisation that specifically emphasises conflict prevention as the height of humanitarian commitment. The section will demonstrate how the perception of the individual within the state changed on the basis of the commitment of civil society organisations. Secondly, the section will demonstrate how knowledge on the status of the individual was developed and adapted within civil society organisations to increase the theoretical foundation for humanitarianism. This will reveal how, through the development of knowledge, International Crisis Group became an international actor that is able to set agendas, define tasks and shape the norms of other actors. This analysis will provide the foundation for the examination of a secondary learning process, which will examine how the Group was able to diffuse its knowledge and the norm of humanitarianism and conflict prevention to other actors.

### 6.2.1 *Civil Society from Service Orientation to Political Involvement*

The theoretical genealogy of a notion of civil society traces back to the notion of a *bürgerliche Gesellschaft* developed by Georg Wilhelm Friedrich Hegel in his 1820 work *Elements of the Philosophy of Right* (Hegel 1820/1986). In this work, civil society is a stage on the dialectical relationship between Hegel’s perceived opposites, the macro-community of the state and the micro-community of the family. On the political left the term became the foundation for Karl Marx’s bourgeois society and the political right utilised it as a description for all non-state aspects of society, expanding out of the economic rigidity of Marxism into culture, society and politics. Today, civil society usually refers to the arena of un-coerced collective action around shared interests, purposes and values. In theory, its institutional forms are

distinct from those of the state, family and market, though in practice, the boundaries between state, civil society, family and market are often complex, blurred and negotiated. Examples of civil society institutions comprise, among other, non-governmental organisations (NGOs), private voluntary organisations (PVOs), trade unions, gender, cultural and religious groups, charities, academia, policy institutions and the media.

Civil society organisations today are very different from their predecessors and each decade their role continues to evolve. The history of civil society organisations working in the humanitarian and conflict fields leads back to 1807 Great Britain, when slave trade was abolished on the basis of civil society campaigning (47 Geo III Sess. 1 c. 36). Appalled by the great plight of trans-Atlantic slaves, Granville Sharp, Thomas Clarkson and other members of the ‘Clapham Sect’ of evangelical reformers, led by William Wilberforce, had spearheaded the anti-slave trade movement in Britain. Clarkson was the group’s researcher who gathered vast amounts of information about the slave trade (Clarkson 1786, 1787a, 1791). A network of local philanthropic abolition groups was established across the country that campaigned through public meetings, petitions and the publication of pamphlets (most prominently Clarkson 1787b). In his first speech in the House of Commons on 12 May 1789, Wilberforce proclaimed that

“[s]o much misery condensed in so little room, is more than the human imagination had ever before conceived. I will not accuse the Liverpool merchants: I will allow them, nay, I will believe them to be men of humanity; and I will therefore believe, if it were not for the enormous magnitude and extent of the evil which distracts their attention from individual cases, and makes them think generally, and therefore less feelingly on the subject, they would never have persisted in the trade” (Wilberforce 1789: para. 4).

The attention the Clapham Sect achieved in their attempt to legally expand the birthright of humanity to African slaves instigated a growth of organised, non-profit based movements whose mission was to address the plight of slaves and the existence of slavery itself. The subsequent 150 years witnessed the foundation of some of the major non-governmental humanitarian players in the world today. Expanding the field of concern, Henri Dunant set up the International Committee of the Red Cross (ICRC) in 1864 after the Battle of Solferino in order to assist the victims of war. After experiencing the terrible aftermath of the battle, where in a single day about 40 000 soldiers on both sides died or were left wounded on the field, the suffering of the wounded soldiers and the near-total lack of medical attendance and basic care Dunant wondered:

“Would it not be possible, in time of peace and quiet, to form relief societies for the purpose of having care given to the wounded in wartime by zealous, devoted and thoroughly qualified volunteers?” (Dunant 1862/1986)

The International Committee of the Red Cross became an international humanitarian movement whose stated mission is to protect human life and health, to ensure respect for the human being and to prevent and alleviate human suffering without any discrimination based on nationality, race, religious beliefs, class or political opinions.<sup>46</sup> It became one of the foremost humanitarian organisations working in the field of conflict.

After the Second World War a second generation of civil society organisations emerged, which tackled problems previously handled by missionary and philanthropic societies (Lissner 1977: 91). In response to the plight of innumerable victims of war, the scope of operations of many of these agencies, such as the Salvation Army, the Young Men's Christian Association (YMCA), the Young Women's Christian Association (YWCA) or the Cooperative for Assistance and Relief Everywhere (CARE), encompassed the globe in dealing with aid, war relief and post-war reconstruction. When CARE was founded in 1945, 'CARE' originally stood for 'Cooperative for American Remittances to Europe' and aimed to provide relief to survivors of the Second World War. Relief came in 'CARE Packages', US Army surplus food parcels. The service let Americans send the packages to friends and families in Europe. Each CARE Package cost 10 US-\$ and was guaranteed to reach its addressee within four months. Today, CARE increased its responsibilities to assistance and relief everywhere and aims at serving individuals and families in the poorest communities in the world, delivering emergency aid to survivors of war and natural disasters, and helping people rebuild their lives.

The majority of these post-war organisations were service-oriented and avoided involvement in the politics of the regions in which they worked. They perceived their work as distinct from the politics of the conflict. Generally, they believed that the maintenance of neutrality on issues of conflict was vital. Engaging in the policy arena was both beyond their mandate and possibly threatening to their very existence.<sup>47</sup> Many of the generation of civil society organisations that were to follow in the 1960s and 1970s took a more radical approach to the problems they were addressing and often chose to deliberately abandon neutrality. Instead, they adopted a more confrontational approach to the occurrence of war. After long and difficult debates, many decided they had to address not only the ravages of famine and war but also their causes through advocacy, campaigning or lobbying. This

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46 The often-heard term International Red Cross is actually a misnomer. The movement consists of several distinct non-governmental organisations that are legally independent from each other but united within the International Red Cross, Red Crescent and Red Crystal Movement through common basic principles, objectives, symbols, statutes and governing organs. The Movement's parts are the International Committee of the Red Cross (ICRC), the International Federation of Red Cross and Red Crescent Societies and the National Red Cross and Red Crescent societies.

47 The ICRC definition of neutrality reads "[i]n order to continue to enjoy the confidence of all, the Red Cross may not take sides in hostilities or engage at any time in controversies of a political, racial, religious or theological nature."

early commitment is best exemplified by the work of Médecins Sans Frontières (MSF) and Amnesty International (ai). During its early years, Amnesty focused on Art. 18 and 19 of the UN Universal Declaration of Human Rights, those dealing with political prisoners or ‘prisoners of conscience’.<sup>48</sup> Soon, however, Amnesty recognised that in order to encompass the problem completely, it was necessary to see beyond and address the systemic source for political prisoners and prisoners of conscience. Consequently, Amnesty was becoming very active in condemning oppressive regimes, which committed murders, disappearances, extrajudicial killings and outright massacres against their own citizens. For instance, the September/October 1988 newsletter’s lead article was an appeal to the UN Security Council to “act immediately to stop the massacre of Kurdish civilians by Iraqi forces” under Saddam Hussein. Today, the organisation has expanded its mission to work to prevent and end grave abuses of human rights, freedom of conscience and expression and freedom from discrimination on behalf of individuals suffering human rights abuses. A similar development has taken place within the MSF, which, since its foundation in 1971, has increased its field of responsibility from carrying out humanitarian assistance to raising awareness of crisis situations. As such, MSF acts as a witness and addresses any violations of basic human rights encountered by field teams and violations perpetrated or sustained by political actors by confronting the responsible actors themselves, by putting pressure on them through mobilisation of the international community and by issuing information publicly.

In no longer avoiding issues of politics, as had the earlier civil society generation, a shift saw civil society organisations becoming active and vocal critics of states’ and multilateral organisations’ positions on war and conflict. Civil society organisations have increased their effectiveness at networking and at learning from and with each other about the useful roles that they can play in conflict prevention and peace building. They have been undertaking the challenging task of ensuring their even greater effectiveness of interventions in the field by involving themselves in processes of evaluation and learning in order to ensure that their work continues to grow in strength, value and impact.

### 6.2.2 *The International Crisis (Alert) Group*

The need for a prevention of violent conflict became explicitly important early after the end of the Cold War. Cases such as the genocide in Rwanda, ethnic wars in Bosnia-Herzegovina and state failure in Somalia pointed out the necessity of finding means to avert conflicts from escalating into war, human disasters and re-

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48 “Prisoners of conscience” are defined as women and men who have been arrested for their convictions, the colour of their skin, their ethnic origin or their faith – provided that they have not themselves used force or exhorted others to resort to violence.

gional instability. The purpose of international private action quickly focussed on dealing with difficult situations in order to curtail the spread of violence and find a solution at an early stage. Causes of conflict should be averted early on if major conflict and violence was to be avoided. Furthermore, it was argued that acting in a full-blown war is the costliest and most dangerous way of intervening and also the one least likely to succeed (Annan 1996: 188, Cahill 1996).

This knowledge did not come likely. To begin with, in July 1994, Fred Cuny, then head of a relief agency that would become an outrider for an International Crisis Alert Group, as it was then called, offered an analysis of what was wrong with contemporary humanitarian aid to former Representative Steve Solarz (Cuny 1994). Cuny argued that too many lives are being lost, too many resources are being wasted and too many people are not being properly helped. For instance, during the operation in Goma, Zaïre, in 1994 the world community knew that people were streaming toward the border but only a few agencies reacted until the press got there. The UN did not take sufficient precautions in Zaïre to prepare for a massive outflow and the system was over-stretched from trying to deal with problems in Tanzania. The military had been forced into the fray although the overall commander on the ground was not an experienced or trained relief specialist. The largest danger during the Goma operation was impure water and a lack of sanitation. However, no relief agencies (neither UN nor non-governmental organisations) had any large-scale water purification systems on hand despite many of them specialising in preventative medicine and public health.

While on the one hand trying to improve the humanitarian relief system, in order to alleviate civilian plight early on, Cuny supported the foundation of an International Crisis Alert Group. It would provide early warning of emergencies, promote early response, collect, analyse and disseminate critical information needed for program planning and operational decision-making, develop and promote strategic and comprehensive operational plans and work to expand the funding base of all the agencies in the field. On the basis of his aid experience, Cuny suggested that an International Crisis Alert Group in Zaïre would have

- “monitored the flow of events and predicted a large outflow of refugees into Zaïre;
- urged the international community to start shifting resources into the border zone;
- urged the French to move security forces into the area to try to create a sense of security there, which would undercut the pressures on people to leave;
- pushed the military establishments of the West to have water purification equipment on standby for immediate deployment in case the people did come out; and

- would have recommended a strategy to undercut the population flow as soon as it was evident that the people were going to move.

We also could have given some money, via the catalytic grants, to encourage the agencies to preposition equipment and supplies” (Cuny 1994).

Cuny also demonstrated on numerous examples how insufficient coordination of complex emergencies, too many delays and poor planning were hindering situations to be brought under control (for example in Somalia 1989-1992, Southern Sudan 1985-1988; during the Darfur War 1989-1991, in Burundi 1992-1993, and Ethiopia 1983-1985). Within operations management, Cuny criticised, among other, the lack of expertise and technical knowledge that hindered operations’ success from the start. Additionally, he addressed the lack of corrective mechanisms and novel approaches within UN-sponsored agencies. The only pressures on the UN to change course came from donors after a situation had deteriorated considerably. Cuny suggested that the International Crisis Alert Group could act as ‘Relief Watch’ or operational inspector within the system (Cuny 1994). As such, the International Crisis Alert Group could assess the quality and accuracy of information coming from irregular sources and even meet with rebel groups involved to acquire information.<sup>49</sup>

When International Crisis Group was founded in 1995 (after Cuny’s death), his aims were slightly altered but chiefly maintained. The experiences in the field made by Cuny and like-minded colleagues sparked major support for an undertaking that would, firstly, increase the over-all quality of state as well as non-state humanitarian intervention and, secondly, monitor critical situations in order to be able to intervene before violence broke out and provide relief as soon as it was needed, respectively. The Group would bring experienced field workers, experts and influential persons of world stature together in one organisation to stimulate more effective and more rapid responses to crises. In many respects the new Group was unique for what it was not: it was not designed to deliver humanitarian assistance and it was not a mediating body. It was not a human rights organisation and it was not averse to recommending international military intervention to end conflicts (International Crisis Group 2005a: 4). Accordingly, the International Crisis Group today relies on a four-step approach to international crises. It

- identifies countries that are on the road to crisis;
- engages with all the relevant players in those countries, including government and military leaders, opposition groups, business and relief NGOs;

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49 State-related actors can rarely meet with non-state armed groups without the host government’s permission. For further information see Hofmann (2006).



- develops strategic, integrated policy proposals aimed at strengthening stability and avoiding the development of crisis; and
- alerts the international community to the risk of crisis and bringing pressure to bear on governments, international organisations and relevant sections of the business community to take preventive remedial action (International Crisis Group 2006a).

As such, Crisis Group has developed a concept of disaster relief and conflict prevention that supplemented state-based approaches, which were either too self-interested or possessed of instruments that are often too blunt for the sensitivities of conflict. The Group utilised knowledge based on the experience of aid and relief related individuals, organisations and missions to build and improve a toolkit that allows for the application of appropriate measures of all participating actors in a conflict situation at an early stage. While the Group at this stage had already recognised the influence of a deteriorating humanitarian environment on violence, the extent of influence is reflected in Crisis Group's later research. Despite acknowledging a dire humanitarian situation as a cause of violent conflict, the factors accepted to contributing to an outbreak of violence increased over the years. The following section will demonstrate how Crisis Group has expanded its research in order to reach beyond the original challenge and improve indicators necessary for early warning.

### 6.2.3 *Expanding the Focus: Crisis Watch and Early Warning*

While a main focus of Crisis Group's attention at an early stage was directed at effective relief and the prevention of conflict situations through timely relief, the Group's research scope soon expanded. It began analysing international trends that could increase the likelihood of violent conflict or assist in the prevention of crises as such. Today, International Crisis Group examines the specific role of international institutions within conflict prevention and management, for instance EU institutions and processes. In two papers on the EU's crisis response capability, Crisis Group provided a snapshot of the rapidly changing EU institutions and processes, and examined the specific role of the European Community Humanitarian Office (ECHO) (International Crisis Group 2001a, 2001b). A subsequent briefing paper provided an update on developments in EU foreign policy and related structures in light of the threat of terrorism in a post-11 September context. In a 2005 paper Crisis Group reviewed and evaluated the EU's current crisis response capabilities and its foreign policy structures and issues, including a brief review of some recent EU operations (International Crisis Group 2002, 2005c).

Crisis Group is promoting an epidemiological approach to relief operations and conflict prevention by considering the dynamics of emergencies. It has

launched an international terrorism project following the September 11<sup>th</sup> attacks on the US, which brought increased international attention to the global impact of terrorism. Crisis Group, thus, increased awareness about the connection between failed states, unresolved grievances and the interests of modern nations. It expanded its field research to finding answers for the sources of extremism and conflict in Arab countries, and built up more complete knowledge on the varieties of both Sunni and Shiite Islamic activism and the policy implications of the West failing to understand this diversity (International Crisis Group 2005e). In advance of the UN General Assembly Special Session on HIV/AIDS on 25 June 2001, Crisis Group published a special report on HIV/AIDS as a security issue, which argued that HIV/AIDS affects the personal security of individuals, undercuts family and national economies, weakens police and military forces and increasingly raises international security questions (International Crisis Group 2001c).<sup>50</sup> Crisis Group's 'priority advocacy pages' pull together Crisis Group's publications on specific conflicts, highlight those conflicts, which qualify for particular advocacy attention, and outline what action Crisis Group is seeking. They also provide links to maps, key statistics and documents, Crisis Group reports and op-eds, and reports and reporting by other organisations in order to distribute expert knowledge quickly to aid and relief agencies and the press as well as outline appropriate action for relevant players. It does so by providing on-site information, analysis, advice, and technical assistance in planning and operations management, by working in the major capitals to lobby for effective intervention, adequate funding support and commitment of resources, and by monitoring and reporting on the situation and the effectiveness of the operation as well as the various strategies and projects being carried out.

In this manner, knowledge about the influence of human security on international peace had widespread implications. It led to the establishment of a civil society organisation to supplement states' failure to alleviate suffering by preventing the outbreak or deepening of conflict, such as in Rwanda, Yugoslavia or Somalia. Research within International Crisis Group has allowed for the development of new insights on the dynamic of crises, the relevant players and the tools that can be applied to achieve certain aims. The long-term analyses have led to knowledge on identifying ways to increase the capacity and will of governments to cooperate on issues such as

- internal and international security in the Middle East and North Africa,
- on reform, instability and conflict issues in Latin America and the Caribbean,

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50 The General Assembly acknowledged this problem in Art. 8 of the Declaration of Commitment on HIV/AIDS, noting that "HIV/AIDS is considered as a state of emergency, which threatens development, social cohesion, political stability, food security and life expectancy and imposes a devastating economic burden [on the African continent in particular]" (UNGA 2001).

- on security challenges in Central Asia (border and resource disputes, drugs, corruption and economic problems, extremism and heavy-handed repression of opponents),
- and on multilateral efforts, regional integration and economic development in North East Asia.

Within ten years, Crisis Group extended its field of expertise to comprise security and stability issues and political transition in Afghanistan, prospects for stability in Pakistan, and factors that foster extremism across South Asia. It is seen as an independent voice and source of influential new policy ideas in the Balkans. Crisis Group monitors the fragile peace processes in the Democratic Republic of Congo and Burundi, the reconciliation process in Rwanda, and internal and external threats to peace in the African Great Lakes and surrounding region. It suggests strategies for peace in the Horn of Africa, attempting to overcome ethnic and religious divisions, multiple conflicts and political collapse. Crisis Group also analyses peacekeeping efforts within the framework of the Southern African Development Community (SADC), the New Partnership for Africa's Development (NEPAD), the African Union (AU) and the UN (International Crisis Group 2006a). Overall, it has developed a considerable apparatus to influence and enrich political involvement in crisis situations.

In order to increase its reach and to be able to warn governments, international organisations and the world community at large about impending deadly conflict and help them prevent or at least contain it, early warning has become a critical part of Crisis Groups' conflict prevention and management. Among its efforts in producing regular analytical reports containing practical recommendations targeted at key international decision-makers, Crisis Group since September 2003 publishes *Crisis Watch*, which aims at providing a succinct update on the state of all the most significant situations of potential conflict around the world. An interdisciplinary team of experts compiles the bulletin, which maintains watch over specific regions and utilises existing early warning systems to identify situations that are potentially explosive.<sup>51</sup> It summarises briefly developments during the previous month in some 70 situations of current or potential conflict, providing references to more detailed information sources, assesses whether the overall situation in each case has, during the previous month, significantly deteriorated, significantly improved, or on balance remained more or less unchanged, and alerts readers to situations where, in the coming month, there is a particular risk of new or significantly escalated conflict or a particular conflict resolution opportunity (noting that in some instances there may in fact be both). By maintaining a detailed record of the development of (potential) conflict situations, Crisis Groups allows for deci-

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51 For a detailed discussion of early warning see Jentleson (2000a, 2000b), George and Holl (2000) and Ryan (Carment/James 1998, Ryan 1998).

sion-makers to increase their knowledge on the particulars of situations and decide on this basis what measures to take.

Although Cuny envisaged a much more active role for his International Crisis Alert Group, the organisation existing today has taken up many of his proposals and is increasing its role over time. The impact of Crisis Group reports and information gathering has influenced donors and relief workers alike. It was the adaptation and consolidation of knowledge, regionally as well as topically, through which Crisis Group strengthened the accuracy and impact of their reporting. Innovative research and long-term analyses combined with effective advocacy and a reputation of fast and accurate information and recommendations have increased Crisis Group's impact on conflict and state policy towards the prevention of atrocities. The institutional setting has increased accordingly, comprising more than 110 full-time staff from over 40 different nationalities working across five continents in over 50 areas of actual or potential conflict and from five major advocacy centres. It achieved a budget of over 10 million US-\$ in 2005. The following chapter will demonstrate how International Crisis Group's analyses have been able to diffuse the Group's focus on conflict prevention and the prevention of atrocities to other actors such as states, international organisations and non-governmental organisations. It will elaborate on how actors adapted to Crisis Group's recommendations and the importance of human security.

### **6.3 Secondary Learning: Accepting New Security Threats**

The end of the Cold War inaugurated the beginning of a new era where the clear and present danger of nuclear annihilation was replaced by a multitude of uncertain and future dangers. These new dangers and challenges required a paradigmatic shift in security policy and conflict management. Not the deference of threats and traditional international security policy is at issue but the prevention of crises and international risk policy. Some of these new risks stem from the transformation of the old bipolar international system, especially with regard to latent conflicts in Middle and Eastern Europe. The growing interconnectedness of states and communities within today's world leaves national economies unprotected against speculations and growing industrialisation, and unchecked pollution undermines environmental policies, which in turn destroys resources and livelihoods. The collapse of states, the rise of transnational terrorism and the growing problem of migration are also often affected by these processes. Politicians and political scientists have long tried to address those new dangers with an expanded concept of security, which has led to a restatement of traditional security and human security concepts. The extension of the security concept was able to point to the fact that many of today's dangers are, in fact, non-military and require respective non-military means in order to ad-

dress them effectively. While states were reluctant to deviate from the traditional concept of security, civil society organisations found themselves in a quite different situation. Those organisations, which had previously engaged in development aid and relief work, called attention to the shortcomings of state-sponsored organisations and institutions in the field as well as on previously neglected causes for conflict. Planning and cooperation was poor, foresightedness lacked and many operations were still led by military commanders instead of experienced field workers. To counter this trend, the 1990s saw several significant evolutionary steps in global civil society organisations. As indigenous and international civil society organisations began to multiply, a new kind of professional engagement began to emerge between them and states, international institutions and business. Partnerships that were previously viewed with suspicion and derision began to be recognised as potentially beneficial. Some civil society organisations gradually began to develop tentative working relationships with such organisations leading them to become increasingly integrated into the more formal policy making structures. More importantly, the experience of aid and relief organisations could become incorporated into decision-making processes after civil society organisations assumed a more active and involving role in politics.

The mechanism, however, for transferring knowledge between state governments and civil society organisations is subtle. Official negotiations as such do seldom take place and consultations with field workers remain scarce. Instead, monitoring and research is conducted by organisations such as International Crisis Group, which includes current thematic or situational information as well as recommendations directed at political decision-makers, published in print and/or online and distributed freely among public decision-makers. Research and fieldwork is often financed through monetary contributions by governments or governmental organisations, while the resulting reports do not always find their way into governmental offices. However, over time, the utilisation of civil society organisations as a source for information and experience has increased. Overall, cooperation processes between civil society, states and international institutions appear to be deepening and solidifying as the new millennium unfolds, and such partnerships are becoming increasingly important whether in the delivery of aid, working on conflict issues or preventive measures. With more and more bilateral governmental aid being channelled through non-governmental organisations, the number of emerging and long established organisations, who are increasingly eager to accept state contracts, and indeed to actively seek such, has increased significantly. Many civil society organisations also began to form strategic alliances with businesses. CARE, for instance, established an alliance with Cable and Wireless to produce emergency communication kits and the American Red Cross partnered with IBM and CNN on a website about disasters (West 2001: 33). For some, this shift was an obvious evolution, as noted by Sadako Ogata, former UN High Commissioner for

Refugees, who explained, “businesses and humanitarians are destined to become partners in helping those in need” (Fitzduff 2004, Ogata 2000: 170).

The following chapter will examine how civil society organisations, such as International Crisis Group, transfer their knowledge and experience in preventive conflict measures to states, international organisations and other civil society actors. It will investigate how a secondary learning process occurred within these actors, and how the presentation of exogenously introduced concepts and strategies led to a reshaping of norms within the respective actors to such an extent that influences institutional settings as well as the behaviour of the respective actors. The genuineness of the learning process will be specified by the development of autonomous discovery mechanisms, such as scientific research in the field or the funding of such research, which will illustrate the merging of the norm into the actors’ identity. Firstly, the behaviour of state actors will be examined.

### 6.3.1 *Utilisation of International Crisis Group Information by States*

In March 1998, then US President Bill Clinton issued an apology for the failure to prevent the genocide in Rwanda in 1994. He said:

“We come here today partly in recognition of the fact that we in the United States and the World Community did not do as much as we could have and should have done to try to limit what occurred in Rwanda.” (as quoted in Power 2001)

On behalf of the world community, the UN Secretary-General apologised:

“I express my deep remorse that more wasn’t done to stop the genocide. Of all my aims, there is none to which I feel more deeply committed than that of enabling the United Nations never again to fail in protecting a civilian population from genocide and mass slaughter.” (as quoted in United Nations High Commissioner for Refugees 2000: 24)

If there were any doubts that conflict prevention was necessary, the Rwandan genocide had eluded them. Although the renunciation of violence has become an international imperative through its codification in Art. 4.2 of the UN Charter, practical implications for states with regard to conflict prevention had prevailed over its full implementation.<sup>52</sup> Civil conflict prevention and management aims at countering these rigid deliberations (Calließ 1995, 1996, Jäger 1996, Reimann

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52 Practical implications, classically, include the following deliberations: Although it is cheaper to prevent a wage than to wage one, to avoid one war the prevention of numerous conflicts might be necessary. In the aftermath of a failed prevention, states, which engaged in the prevention, might be held responsible and be forced to intervene militarily. With regard to early warning, information tends to be unreliable and mechanisms defective, while states and international organisations are often not prepared to take early action.

1998). As such, International Crisis Group has contributed immensely and, according to Adam Daniel Rotfield, Secretary of State of the Ministry of Foreign Affairs of the Republic of Poland, has become “an important player that not only inspires debates on most important international issues but also shapes actions undertaken by many states” (International Crisis Group 2005b). In addition to the sheer number of influential politicians appreciating the work of International Crisis Group, which includes US Secretary of State Condoleezza Rice, former US Secretary of State Colin L. Powell, Mohamed El Baradei, Director General of the International Atomic Energy Agency (IAEA), former German Federal Minister for Foreign Affairs Joschka Fischer, French Foreign Minister Dominique de Villepin and many more, their pronouncements make the extent of influence of Crisis Group reports on policy-making evident:

“At a working level, the Commission’s desk officers, staff in EC Delegations and those working on areas related to conflict prevention also benefit greatly from your work. Your country and regional reports and the monthly Crisis Watch have become documents of reference.” (José Manuel Barroso, President of the European Commission, 9 June 2005)

“You have made several valuable recommendations [on Nepal], some of which are already being implemented by the Government of India.” (Shyam Saran, Indian Foreign Secretary, on behalf of Prime Minister Dr. Manmohan Singh, 27 February 2005)

“Your well researched and carefully argued reports have greatly helped us in understanding the origins and complexities of the conflict in which we become involved – often at short notice.” (Kofi Annan, United Nations Secretary-General, 5 October 2002) (International Crisis Group 2005b)

Although it is difficult to trace an immediate impact of International Crisis Group recommendations on states’ policy-making, the reliance on International Crisis Group’s knowledge base for policy-making is manifest at numerous occasions. As such, Karim Sadjadpour, an analyst at Crisis Group, was invited to give a prepared testimony on Iran’s Political and Nuclear Ambitions and US Policy Options, based on Crisis Group’s report, to the US Senate Foreign Relations Committee on 18 May 2006 (Sadjadpour 2006). Equally, Gareth Evans, President of International Crisis Group, has given testimony to the House Subcommittee on Africa on Supporting Peace in the Democratic Republic of the Congo on 22 July 2004 in Washington, based on Crisis Group’s previous reporting (Evans 2004). Mark Schneider, Senior Vice President of Crisis Group, has given testimony to the US Senate Foreign Relations Committee on the continuing challenges in Afghanistan on 12 May 2004, as well as to the US House of Representatives International Relations Committee on 19 November 2003 (Schneider 2003, 2004). With regard to the implementation of recommendations, for instance, the Quartet closely followed the recommendations made by International Crisis Group in their 2006 Middle East Re-

port on the election success of Hamas in the Palestinian territories.<sup>53</sup> The Quartet reacted by enforcing “an effect on direct assistance to that government and its ministries” (effectively holding assistance) after noting “with grave concern that the new government has not committed to the principles spelled out on 30 January”, such as the commitment to non-violence, the recognition of Israel and the acceptance of previous agreements and obligations, including the Roadmap (Ferrero-Waldner 2006, International Crisis Group 2006c, McCormack 2006, United Nations 2006). These actions signify a shift in state security policies, acknowledging the global scope of concern as well as non-traditional possibilities for early intervention. Generally, about 30 to 40 percent of Crisis Group’s recommendations are being achieved, in whole or in part, within a year (International Crisis Group 2006b: 35).<sup>54</sup>

More practically, the establishment of East Timorese independence from Indonesia in 2002 can be partially credited to a successful international humanitarian effort and the influence of a human security concept. After the resignation of President Suharto and an East Timorese referendum for independence, the UN and the international community responded to growing post-referendum violence. UN peacekeeping missions eventually safeguarded and moved the country into full independence. The UN also created the United Nations Transitional Administration in East Timor (UNTAET) peacekeeping force that were present not simply to address the military and traditional security priorities, but also that helped to manage nation-building projects, coordinated humanitarian, rehabilitation and development assistance and organised civil services for the country (Thomas/Tow 2002). Security was moved beyond just military concerns to encompass health, education and development – all crucial to the security of the individual and traditionally neglected by state-centric security analysis.

As aggregation, groundbreaking steps towards a state initiated conflict prevention and early action are represented by the 2005 Report of the UN Secretary-General High-level Panel on Threats, Challenges and Change, of which Gareth Evans was a member, and the 2001 DAC Guidelines ‘Helping Prevent Violent Conflict’ (Nuscheler 2000). Both documents demonstrate a step away from traditional security concepts in order to account for new threats and the need for conflict prevention in foreign policy. The High-level Panel reiterates the commitment of states made in the Millennium Development Goals and other UN-sponsored agreements (Art. 59-73) as a means of meeting the challenges of conflict preven-

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53 The Quartet consists of representatives of the United States, the Russian Federation, the European Union and the United Nations.

54 Naturally, reservations have to be made, as causality remains a matter of judgement. Crisis Group’s voice is often only one of many and recommendations may be overtaken by events but yet play a role in stimulating rethinking of an important issue. Therefore, Crisis Group relies heavily on individual feedback from policy-makers (International Crisis Group 2006b: 35).



tion. It explains that although the emphasis on international security in a traditional sense is maintained with regard to the inviolability of the state, threats must not become imminent or destructive, and the indivisibility of security, economic development and human freedom becomes a framework to do so. Consequently, within the Report of the High-level Panel, conflict prevention is seen as helping to

“combat the poverty, infectious disease and environmental degradation that kill millions and threaten human security. It is vital in helping States prevent or reverse the erosion of State capacity, which is crucial for meeting almost every class of threat. And it is part of a long-term strategy for preventing civil war and for addressing the environments in which both terrorism and organized crime flourish” (Foreign and Commonwealth Office 2005).

A supplement to the guidelines on ‘Conflict, Peace and Development Co-operation on the Threshold of the 21<sup>st</sup> Century’, *Helping Prevent Violent Conflict* addresses new challenges and changes in certain areas (OECD/DAC 1997, 2001). It includes information on how to mainstream conflict prevention in policy formulation, take into account the relationship between security and development, strengthen peace processes and build partnerships with state and civil society actors, work with business to promote growth and avoid fuelling violence, and enhance donor co-ordination and policy coherence. In order to do so, many states have built partnerships with International Crisis Group by financially and morally supporting its work. As such, many governmental departments and agencies, among others, currently provide funding to Crisis Group.<sup>55</sup>

It has been confirmed that states, over time, incorporated Crisis Groups contributions to human security and conflict prevention and shifted their engagement policies to become more pro-active. Building on knowledge transmitted by International Crisis Group, their behaviour reflects this incorporation through the consultation of Crisis Group experts as well as reaction to Crisis Group reports, signified in a shift of position and behaviour. Moreover, states are substituting their own research portfolios by financially sponsoring Crisis Group efforts and utilising their distinct independent character. In his 1999 report, UN Secretary-General Annan recognised this positive role global civil society can assume and explained that

“national and international civil society organizations have played an increasingly active role in conflict prevention, management and resolution. (...) In addressing volatile situations that

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55 Among those state agencies financially contribution to Crisis Group are the Canadian Department of Foreign Affairs and International Trade, the Canadian International Development Agency, the European Union (the European Commission), the Finnish Ministry of Foreign Affairs, the French Ministry of Foreign Affairs, the German Foreign Office, the Japanese International Cooperation Agency, the Republic of China (Taiwan) Ministry of Foreign Affairs, the Swiss Federal Department of Foreign Affairs, the United Kingdom Foreign and Commonwealth Office, the United Kingdom Department for International Development, the US Agency for International Development and many more.

could lead to violent confrontation, Governments are increasingly working in partnership with civil society organizations to defuse tensions and seek creative resolutions to what are often deep-seated problems.” (Annan 1999: Art. 39-40)<sup>56</sup>

Therefore, while an immediate impact of Crisis Group recommendations on international policy-making in the sense of direct causation is impossible to trace, for political and temporal reasons, the impact of the norms represented by Crisis Group on international policy-making by states and groups of states is evident through the acknowledgement of Crisis Group knowledge, the utilisation of such knowledge and the sponsoring of further research through state resolutions and donations to International Crisis Group made by states.

### 6.3.2 *International Organisations and Global Civil Society Partnerships*

Even more so than states, international organisations have accepted the new challenges and human security as means of confronting them. International organisations have participated in respective innovative programmes and increased dialogue with numerous expert civil society organisations to benefit from their knowledge and successful measures to guarantee human security. Accordingly, adopting a people-centred model with its emphasis on prevention, individual empowerment and treatment strategies delivered by an array of global actors is a pioneering approach of international organisations to deal with the increasing diversity of contagious diseases, for instance (Commission on Human Security 2003). It is shifting down from the national level to individuals, communities and civil organisations, and upward to international institutions. Modernising international health rules and regulations, fostering partnerships between public and private sectors as well as enhancing communication and cooperation among nations are, therefore, becoming more important.

The Sonagachi Project, initiated in Calcutta, India, and cited by the Joint United Nations Programme on HIV/AIDS (UNAIDS) as a ‘best-practice’ model of working with women and men in prostitution, demonstrates the collective power of different international institutions, state governments and civil society organisations (Joint United Nations Programme on HIV/AIDS 2000). Sonagachi’s

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56 Annan elaborates that “citizen diplomacy” may pave the way for subsequent official agreements. As examples he enumerates former US President Jimmy Carter’s visit to Pyongyang in June 1994, which helped to resolve a crisis over the nuclear weapons programme of the Democratic People’s Republic of Korea and set in motion a process that led directly to an agreement in October 1994. In the Middle East peace process, it was a Norwegian research institute that played the critical initial role in paving the way for the 1993 Oslo Agreement. In Fiji, collaboration between non-governmental organisations and government officials resulted in the promulgation of a new constitution and forestalled what many observers believed was a possibility of violent conflict.

instructors help to stop the spread of HIV/AIDS among women and men in prostitution through strategies intended to earn their trust, reduce their social isolation, increase their social participation and confront stigma and discrimination. It was initiated by the All India Institute of Hygiene and Public Health in 1992, in consultation with the National AIDS Control Organisation (NACO) of India, the Ministry of Health, the Family Welfare of West Bengal and the World Health Organisation (WHO). It includes two non-governmental organisations as partners, the Health and Eco-Defence Society and the Human Development and Research Institute. Later donors included the Norwegian Agency for Development Cooperation (NORAD), UK's Department for International Development (DfID) and the US Agency for International Development (USAID). In comparison, traditional security approaches utilise different health policies, which include management of hospitals, legislation on regulation and provision of different drugs, mechanisms dealing with the spreading of pandemics (such as quarantines), the launching of different vaccination policies within the place itself, education and propaganda. Additionally, a traditional security approach in health aspects mainly involves the implementation of policies by the national government and corresponding medical services providers. Instead, the Sonagachi Project acknowledges HIV/AIDS and other infection diseases as a threat to human security and attempts to alleviate the threat through addressing individuals and their plight.

Similar partnerships have been established in order to confront the global scope of new security challenges with the distinct humanitarian expertise of civil society organisations. Partnerships between international organisations and global civil society organisations, such as International Crisis Group, have become increasingly formalised and significant. Multilaterals and intergovernmental agencies, such as the UN, have increasingly encouraged joint projects in acknowledgement of the expertise global civil society organisations can contribute. In 1995, the establishment of the NGO Working Group on the Security Council demonstrated how far the influence of civil society organisations had developed. The working group was instituted as a mechanism for off-the-record dialogue between expert civil society organisations and council members to share perspectives on issues of conflict around the world (NGO Working Group on the Security Council 2004). Today, briefings take place almost every week by organisations such as Amnesty International, Médecins sans Frontières, Human Rights Watch and Crisis Group (for example on 24 May 2004, on the situation in Darfur) in order to increase the conflict-sensitive individual focus of Security Council policies (International Crisis Group 2004).

Similarly, since the 1980s, civil society organisations have mounted sustained advocacy campaigns to hold the World Bank accountable for the negative environmental and social impacts of its operations. The campaigns have been successful in forcing the Bank to consider the negative impacts of its lending operations

and to adopt 'safeguard policies' on sensitive issues such as environmental impacts, involuntary resettlement and indigenous peoples. As a result, the Bank has revised several of its most important environmental and social safeguard policies and has conducted strategic reviews of its most controversial lending practices on the basis of significant public consultation (Herz/Ebrahim 2005: 28). This dialogue was formalised and decentralised in 1995 as regional and national NGO-WB Committees were established to consolidate and extend dialogue.

In general, global civil society created a development in which it can and does influence the international political process. In this process, civil society organisations act as catalysts of public opinion and of international policies. As such, the mere interaction in more or less formalised frameworks for consultation with public authorities is increasing society's ability to act as a relay of information and opinion between the citizens and the authorities, first and foremost information-creating organisations such as International Crisis Group. As the decade progresses, civil society organisations are fast becoming a vital component of the international response to conflicts and threats to human security – going well beyond traditional roles as service providers or distributors of food. Many believe that in the last few decades, they have also begun to change the world system through their increasingly powerful networks connecting the globe (Kaldor 1999: 4). Many agree that such networks are enhancing their ability to influence decisions and policy-making processes even at the global level (Florini/Simmons 2000: 3).

### 6.3.3 *Global Civil Conflict Prevention*

Towards the end of the 1980s, a growing interest among civil society organisations emerged to form partnerships especially between northern and southern non-governmental organisations in order to promote 'institutional development' (Postma 1994: 448). It was felt that a partnership would enhance the importance both sides were giving to mutual accountability, transparency and equality in the relationship. In the following years, greater recognition was given to global interdependencies and the need for solidarity among people. This has contributed to the prevention of conflict in two ways. Firstly, the increasing cooperation between representatives of North and South has invoked a mutual exchange in the sense of positive interaction in favour of a blurring of national and regional boundaries. It is argued that functional cooperation may 'spill over' into areas where force is more commonly used, such as in the area of 'high politics' (Skjelsbaek 1971: 439). Secondly, the cooperation of global civil society actors from the early years of development aid furthered the cooperative and complementing framework of a development network. As such, highly specialised agencies developed that built up distinct knowledge bases founded on unique experiences, which are shared in global

partnerships so as to increase and coordinate the efforts for development and conflict prevention. The role of International Crisis Group, although being only one of many, is that of an outrider in both its field of expertise as well as with regard to cooperation with other civil society and state actors.

In order to increase the influence of analysis, expertise and practical policy recommendations that International Crisis Group can provide, it has opened a partnership with other civil society organisations, which, through publication and discussion of a series of studies drawn primarily from its own field research, aims to facilitate better informed and more evidence-based decision-making as well as greater dialogue between EU, national policy-makers and civil society (Conflict Prevention Partnership 2006). The Conflict Prevention Partnership is a cooperative effort between International Crisis Group, International Alert, the European Policy Centre (EPC) and the European Peacebuilding Liaison Office (EPLO), which aims to strengthen the capacities of the European Union as the world's largest trading block and largest donor of development and humanitarian assistance in conflict prevention, crisis management and peace building. The Partnership is based on the recognition that policy-makers require high-quality field-based analysis of conflict-affected regions in order to pursue a coherent and holistic approach to strategic planning and policy implementation.

International Crisis Group is also a member of the Global Partnership for the Prevention of Armed Conflict (GPPAC), which was formed to build a new international consensus on the prevention of violent conflict and peace building. The Partnership aims at supporting a shift from reaction to prevention through the creation of a sustainable network of individuals and groups committed to prevention and peace building at global, regional and national levels. The network brings together state governments, regional organisation and the UN to create and improve mechanisms for interaction between state actors and civil society. Within this network, the implementation of a policy change agenda that can strengthen the effectiveness of conflict prevention and peace building as well as the mobilisation of diverse public constituencies around the world is promoted through global and regional initiatives. On 19 July 2005, these initiatives culminated in the drafting of a Global Action Agenda, which has been endorsed by over 500 organisations, among which are the Berghof Research Centre for Conflict Management, Conciliation Resources, International Alert, Saferworld and International Crisis Group. Additionally, frequent ad hoc cooperation between International Crisis Group and other civil society actors has assisted in promoting norms of early action and conflict prevention. As such, Crisis Group has cooperated with over 500 civil society organisations, among which are CARE, International Rescue Committee, the Mercy Corps and Oxfam, in an attempt to devote greater attention and resources to help Afghanistan address the country's growing drug trade (International Crisis Group 2005d). Similar cooperation has taken place with regard to targeted sanctions on

Uzbekistan, the investigation of the Andijan Massacre and the expansion of the International Security Assistance Force (ISAF) in Afghanistan (International Crisis Group, et al. 2003, International Crisis Group, et al. 2005a, International Crisis Group, et al. 2005b).

In addition, many civil society organisations have included a human security approach and a view to conflict prevention into their portfolio, independent from their emphasis and expanding their programmes to acknowledge the broader implications of aid and relief. Médecins sans Frontières, for instance, specialising in medical assistance, acknowledges the importance of public health as a security issue. Amnesty International broadened their campaigns to not only comprise political prisoners and prisoners of conscience, but also arms control, refugees and migrants, international justice and child soldiers. Similarly, CARE, fighting global poverty, supports programmes regarding education and HIV/AIDS, acknowledging the impact and interconnectedness of diverse crises on (human) security. The International Red Cross, while working for the protection of civilians in armed conflict, addresses the broader issues of conflict and human security through assistance, mine action, as well as humanitarian diplomacy.

Through these networks of global civil society actors, International Crisis Group is able to diffuse its knowledge about conflict and human security and the opportunities for prevention to other civil society organisations and in many cases complement their approach and specific expert knowledge in order to increase effectiveness within the relief effort. The acceptance of conflict prevention norms and opportunities has led to an increased awareness about the causes of conflict and the consequences of action, so that big membership networks, such as the Global Partnership for the Prevention of Armed Conflict, have become possible and politically influential.

## **6.4 Conclusion**

This chapter concentrated on revealing how a learning cycle unfolded with regard to human security and civil conflict prevention. As a first step, the above analysis has demonstrated how the experience made by humanitarian relief and development aid workers especially in the years following the end of the Cold War paved the way for the increasing influence of knowledge on the causes and consequences of conflict on policy making. The experiences of the failure of development aid especially in Sub-Saharan Africa, the failure to prevent the genocide in Rwanda as well as the failure of the political interventions in Srebrenica and Somalia revealed to state actors and international organisations alike that traditional security concepts had become obsolete. With the development of a new world order, dominated by only one superpower, new challenges had entered the world stage, which

had previously been masked by bipolarity and rendered the security of national borders inconsequential. The novel concept of human security much more comprised an approach that effectively addressed the challenges of peace and development in an interconnected and global world. International Crisis Group assisted in establishing this knowledge by beginning in-depth and long-term research and monitoring on conflict. It attempts through the increase of knowledge about specific situations to improve assistance for aggrieved populations. Moreover, it aims at preventing conflict by monitoring conflict situations and unfolding entry-points for political intervention before violence occurs. At the same time, Crisis Group surpasses the sole provision of information by attempting to influence decision-makers to increase their own efforts in early action and conflict prevention.

Over time, Crisis Group has developed into a respected and influential organisation that draws the attention of policy-makers in state governments, international institutions and other global civil society actors alike. Crisis Group analysts frequently act as advisors to state agencies, and influence state behaviour so as to address human security and conflict through civil means rather than solely relying on military intervention. This approach was most prominently successful in the prevention of an escalation of violence in East Timor. International partnerships between states, international organisations and specialised non-governmental organisations commonly arise in order to coalesce the capacity of state actors and international institutions with the experience and understanding of civil society organisations. Many civil society organisations have developed a substantial knowledge base within their respective fields of expertise, which achieves increasing influence on policy-making. As such, joint programmes within the realm of human security on various levels and issues increase in number and size. Moreover, civil society organisations increase their sphere of influence joining together their specialised experiences and increasing their knowledge on human security and causes of conflict. Partnerships between state and civil society organisations increase the quality of relief, conflict prevention and early warning through the merging of experience and knowledge as well as interaction in different projects.

The above analysis has demonstrated how specific knowledge matured within the development community that led to the foundation of International Crisis Group as one of the first and most experienced organisations in the field of conflict prevention. The chapter has analysed how the knowledge developed further by Crisis Group increased its influence on policy-making through persistent information gathering and information dispensation to individuals, who bear the capacity to alter traditional measures and strategies. Through their consistent efforts and increasing relations with states and international organisations, International Crisis Group knowledge could be diffused to state governments, international organisations and other civil society organisations.

Accordingly the impetus given by International Crisis Group's primary learning process points towards persuasion as the mechanism for diffusion. The degree of internalisation of the norms by all actors can be judged by the shift in behaviour concurring with the shift in prevalent norms. This is underlined by the move from a mere presentation of exogenously introduced concepts by International Crisis Group to individual and original scientific research or financial support of Crisis Group's original scientific research by national development departments, research institutes or non-governmental organisations (autonomous discovery learning).

Returning to the theoretical conditions, the chapter has demonstrated that

- states, international institutions, global civil society organisations, as well as non-governmental organisations specifically (socialiser) acted within a novel and unstable environment. The confrontation with the conceptual connection between human security and conflict prevention led to an internalisation of this concept into the actors' identity;
- the normative shift implied in the internalisation of the concept was not subject to internal or external coercion but rather was subject to persuasion;
- the societal and domestic resonance for the shift was high and did not contradict already internally anchored norms and values.



## 7 Findings: Changing and Adapting International Norms and Values

Political actors learn from experience as well as from other political actors. They react to experiences by adapting individual norms and values in order to avoid re-experiencing the same challenge. They consolidate their knowledge through independent research in order to apply the adapted norms and values to novel challenges and circumstances. Political actors acknowledge novel international norms and values and actively, though not consciously, incorporate them into their own normative system even without having to experience the original challenge.

But what does it mean for international political actors to learn, and for norms and values to change and adapt? It does not mean that the world is gradually moving towards a utopian community and that all past errors are being revoked. It means in its simplest way that the international political world is adapting to new challenges and researching new courses of action. While the cases presented in the previous chapters may seem to have improved the current international system by striving to alleviate poverty in developing countries, bringing justice to 'high politics' and working to prevent violent conflict, the same social mechanisms may operate for 'good' as well as 'ill'. They may promote slavery, racism and ethnic cleansing in the same way as they promote aid and a sense of collectivity. What the cases have in common is the type or class of phenomenon that is responsible for more than a mere adaptation of behaviour and a shift in the normative foundation that influences international actor behaviour. By dividing the process of learning into separate sequential stages, focussing on particular social dynamics, the concatenated theories of primary and secondary learning have been identified as sub-types of learning, which occurs repeatedly throughout history and can be grouped together as a class of similar events (Bennett/George 1997b). Each sub-type explains the case that gave rise to it as well as the causal mechanism responsible for it. As such, primary learning refers to the original challenge and the experiences actors draw from the unique crisis. It bears on individual research on the basis of experience in order to process information, apply knowledge and change characteristics of the normative system for current as well as future challenges. Primary learning implicates actors' capacities of abstraction, generalisation and concretisation. Through persuasion and without external need to comply, secondary learning refers to the diffusion of the normative shift to other international actors. Through the reliance on appeal rather than force, other actors are persuaded to comply with

novel international norms by means of a social international structure. As such, the unique historical event must be considered as one of a class of events even if it happened only once (King, et al. 1994).

The explored normative effects of primary and secondary learning involve re-configurations of interests and actors' behaviour. But norms and actors are mutually constitutive in the sense that they create, adapt, develop and form each other; norms and values influence actor behaviour, while actors shape norms and values through experience. Human agency as such is significantly free or undetermined. It entails the uncontroversial claim that humans make decisions and enact them on the world. The diffusion between structure and agency is subject to persuasion within an international social system. This system harbours definite relations between units or groups as well as relatively enduring patterns of behaviour. Instances of communication within the international social system comprise acts that declare knowledge and experience, give advice and command and ask questions. While these acts may take many forms, including gestures, writing, or verbal speaking, in international relations they manifest in public or private interaction between decision-makers of various (macro-)levels, such as state, international institutions, society and business. As each of these decision-makers may be influenced by a unique experience (primary learning), the norms and values they represent may induce a secondary learning process for other actors. Persuasion may cause a change of behaviour that is persistent, measurable and specified, allowing a unit to formulate a new mental construct or revise a prior mental construct (conceptual knowledge such as attitudes or values). Accordingly, social norms and values as structure bear the same capacity of influencing actor behaviour through causal and constitutive force by social mechanism as human agency bears on influencing norms and values.

This interconnectedness raises the problem of where to draw the line in developing ever more finely grained types and sub-types. As more variables, such as colonialism, victory or guilt, re-enter the analysis in form of structure or human agency, the case becomes more 'unique' and configurative as a whole (King, et al. 1994). Since cases are few in number and to avoid explanations tailored to each case, the following section will formulate the idiosyncratic aspects of the explanation for each of the presented cases in terms of general variables. In this way, the 'uniqueness' of the explanation is recognised but it is described in more general terms, namely as a particular value of a general variable that is part of a theoretical framework of independent, intervening and dependent variables (Bennett/George 1997b).

### 7.1.1 *From Idiosyncrasies to Generalisations*

Political actors react to challenges but they may react uniquely. A structural or behavioural characteristic may remain unique to one unit. What may induce one actor to alter norms and values may leave another inactive. In order to account for these idiosyncrasies, general variables need to be deduced from the presented cases. While King, Keohane and Verba agree that “theory should be just as complicated as all our evidence suggests”, a generalisation of intervening variables will assist in carving out the distinct influence of learning on international politics (King, et al. 1994: 20).

The first case presenting learning within the World Bank Group indicates several idiosyncratic elements to the delineated processes. As such, the very instances that sparked international learning, the Great Depression and the Second World War, are idiosyncratic. They represent a systemic failure among industrialised countries that led many individuals into poverty and states to re-build the system based on a shared belief in capitalism. The challenge tested the concerned states’ ability to provide a prosperous national and international environment and created the need to change accordingly. The demands on the existing international financial system had exceeded its load-carrying capacity and resulted in a complete breakdown and poverty. These events and particulars as such are unique as they shook the international system as not many other single incidents had done before and produced many unique and novel international characteristics. For the first time a fully negotiated monetary order intended to govern monetary relations among independent states was established. Simultaneously, the influential process of decolonisation taking place particularly between 1945 and 1960 might have induced industrialised states to act and reconsider development policies with regard to their responsibilities as former colonial powers. However, resources for World Bank lending became scarce between 1963 and 1968, when financial aid was particularly required, and today this motivation has eroded completely as economic mismanagement, autocracy and other internal policy failures mould the current demise of former colonies. Conversely, the influence of Robert McNamara in re-shaping the Bank’s focus may lead to the deduction that an individual rather than the international institution was responsible for the learning process. If this was the case it had only demonstrated that individuals bear the capacity to learn. However, a number of changes in Bank policy and organisation had set the stage for Robert McNamara that both allowed and steered him to shift the Bank’s focus (Finnemore 1996: 103). These earlier changes included the extension of grace periods, the utilisation of funds to support ICA loans, the expansion of Bank lending to education and agriculture and increasing the proportion of non-US citizen staff in order to create more sympathy among staff for LDC projects. These early advances into lending for social and agricultural projects assisted in preparing the Bank Group for its later

poverty alleviation projects and enabled a continuing primary learning process in order to meet the set challenge. While Robert McNamara was an outspoken advocate of poverty alleviation, general changes within Bank administration allowed the shift in focus. Accordingly, systemic failure and the resulting challenge of poverty led political actors to re-think not only their own economic model but also that, which was applied onto other actors through the World Bank Group. While the particulars of the case remain idiosyncratic, a generalisation emphasises systemic failure as challenge and persuasion as social mechanism leading actors to reconsider norms and values producing structure, behaviour and system.

The second case presenting learning within the community of states establishing an International Criminal Court equally indicates several idiosyncratic elements. Similar to the World Bank case, state actors had experienced major systemic failure and challenge in the decades leading up to the Rome Statute. The Thirty Years War as well as the First and Second World Wars presented states with the realisation that the existing international legal structure did not have a standing body with the means or jurisdiction to prosecute crimes committed against humanity. The ability of international institutions to provide juridical justice was tested. Beginning with the goal of holding the head of state responsible for international warfare (a war of aggression), the First and Second World Wars resulted in the first instances of international jurisdiction and holding individuals responsible for the atrocities of war. But what became a unique characteristic after the First and Second World Wars has often been identified as 'victors' justice' and rested on the principle of retributive justice and reciprocity. Justice in international relations represents a system of consequences, which naturally derives from any action or choice. To hold individuals, especially heads of state in representation of the state, responsible for warfare and the losses to all sides, therefore, appears to be a rational reaction. The continuation of the international community to hold individuals responsible for their actions during warfare in cases where the international community was impartial, however, appears irrational according to the principle of reciprocity, as reciprocity implicates a direct relationship between the parties. Instead, the unique circumstances represent an effort to respond to the general challenge of international jurisdiction based on past experience. The idiosyncratic nature leading to the trials in Nuremberg, Tokyo, Yugoslavia, Rwanda and Sierra Leone are subordinated to that general challenge. Accordingly, the systemic failure and the lack of an international juridical system to respond appropriately to crimes committed against humanity resulted in the development of appropriate organs with the means and jurisdiction to prosecute these crimes. As such, the international community of states created a load-carrying capacity through the International Criminal Court and led actors to acknowledge novel norms and values stemming from the experience of systemic failure and persuasion as social mechanism.

The third case presenting learning among civil society actors working in civil conflict prevention and human security concurrently indicates several idiosyncratic elements. As variables inducing the learning process it refers to the end of the Cold War and the emergence of a new world order. This world order revealed the inability of states to protect their citizens in the light of ideological political conflict. The end of this conflict not only unmasked the devastating state of human security in many Eastern European and Southern states but it also furthered the demise by ending support for many political actors and tested global societies' ability to compensate for states' inability to address novel threats. The end of the Cold War order had left a vacuum behind that concerned power politics as well as living conditions for citizens of former bloc states. Additionally, the power vacuum stirred conflict that had both been masked as well as provoked during the previous bloc politics through intervention and strategic support. These influences created many different situations for international actors: While the Western bloc states remained mostly unharmed by the end of the Cold War, the Eastern European bloc and Southern states bore the consequences of ruined economies, national power vacuum, ceased financial and material support and a loss of national identity, to name only a few. The fall of the iron curtain, thus, not only ended the division of the world; it also revealed the human suffering that had been subordinated to Cold War politics. While human suffering took many shapes, causes and consequences that form highly distinct pictures for each conflict and crisis, every incident represents the failure of traditional security concepts and the connectedness of many contemporary problems, comprising environmental degradation, education, economic mismanagement, state failure, gender issues, religion and many more. The end of the Cold War had unveiled the challenge and represented a systemic failure to the degree of a complete fracture of the system. Again, while the particulars of the case remain highly idiosyncratic, a generalisation emphasises systemic failure as challenge and persuasion as social mechanism leading actors to develop norms and values producing structure, behaviour and a system supporting human security concepts.

As such, each case is subject to very distinct actor experiences that led to very distinct knowledge developed from experience. At the same time each case bears certain generalities that allow for a classification and a certain amount of generalisation with regard to social mechanisms and international learning. The idiosyncrasies inherent within actors as well as circumstances make the character of the unit as well as the situation unique. They also make actors' reaction to the challenge unique in the way that, while each actor undergoes a learning process, the manifestation of learning within the actors is unique. At the same time, the challenge that is posed to the units remains a general one. The units remain as within one class of actors and stand for a class or group of equally ranked actors. The type of phenomenon observed remains subject to a social mechanism and a learning process.

In this way, the influence of idiosyncrasies on the theory of learning remains nominal, as the challenge the actors are reacting to remains general: a systemic failure that requires a revision of norms and values in order to meet and address the challenge.

### 7.1.2 *Tensions, Contradictions and Obstructions*

While certain particulars enable a certain amount of generalisation with regard to the workings of social mechanisms and international learning processes, these processes remain subjected to unique reactions to challenges as well as the unique character of actors. Tensions and contradictions among normative principles in international politics implicate that there is no stable set of international norms and values. Instead competition between normative principles is moulding the international sphere. This process is inherently political and views about what is good or appropriate politically as well as collectively differ. “The compromises arrived at may be contingent on local circumstances and personalities and are likely to reflect the local norms and customs with which international norms have had to compromise” (Finnemore 1996: 136). The embodiment of international norms and values is subject to diverse origins. Numerous influences from diverse political, institutional and cultural traditions become part in the forming process, exemplifying the dynamics of norms. International norms are subjected to various traditions and, thus, subject to ongoing revision. For the same reasons, equifinality, referring to the belief in a given end state, and a growing uniformity in the world, are not an implication. Accordingly, functional and interest-maximising explanations have proven insufficient in expecting dissimilar behaviour from actors with dissimilar utility functions. The previous chapters have revealed how norms are able to represent similar claims on dissimilar actors. The cases have also demonstrated how this is so. The presentation of a challenge may lead actors to react in accordance to their knowledge based on past experience. The knowledge developed from such experience is the result of a cognitive learning process within the actor, which enables the procession of information, the application of knowledge and the changing of preferences without the external need to do so. Moreover, the same cognitive learning process may take place without the original experience if a socialising agent is willing to persuade, to set agendas and to define tasks in order to shape norms and values.

However, learning in international politics and the revision of international norms and values is as fragile as it is dynamic. The interrelationship of various parts of the systems and the personality or ‘psyche’ of international actors brings complexity and density into the process. As such, several ‘biases’ may become threshold

or obstruction to a learning process (Frensch/Funke 1995, Schmid 2005, Solso, et al. 2004, Sternberg/Frensch 1991, Voss, et al. 1991):

- Incomplete information, selective perception or logical fallacy. Actors may, for many reasons, not dispose of complete information on the challenge and their environment. They may actively screen-out salient information or accept the first alternative evidence. Logical fallacy may lead them to deduce different arguments subject to the information at their conscious disposal. A combination of these different aspects may have led to the negligence of lines of conflict, outside bipolarity, during the Cold War.
- Conservatism and inertia. Unwillingness to change patterns of behaviour in the face of a challenge may prevent actors to learn as the social mechanisms of persuasion fails. This may be ascribed to actors' rejection of the unfamiliar. For instance, this aspect may be responsible for actors not to incorporate civil conflict prevention strategies into their national security policies for the benefit of traditional security concepts.
- Choice-supportive bias. Actors may distort their memories of chosen and rejected options to make the chosen option seem relatively more attractive. This bias would have been a justification to not change behaviour in the aftermath of Yugoslavia and Rwanda, for example.
- Repetition bias, anchoring and adjustment. Actors may be more willing to be persuaded by a socialising agent the greater their number and the more different the sources. Accordingly, decisions are unduly influenced by initial information, shaping subsequent information. While this bias may bear influence for any actor, weaker actors or actors smaller in size may be more perceptible to it. While in international politics many actors develop a certain amount of credibility among their peers during their ascendancy, such bias may become influential with regard to members of the UN Security Council or Security Council decisions, for instance, which are usually heavily weighted in international politics.
- Source credibility bias. Actors may reject information if a bias against the socialising agent exists. They are inclined to submit to persuasion by a more sympathetic actor. This bias may explain the influence and signalling effect US behaviour has on international actors with regard to the ratification of international agreements, such as the Rome Statute.
- Inconsistency. Actors may be unwilling to apply the same norm in similar situations if the situation in question would be unfavourable to them. This bias may be ascribed, for example, to actors not having ratified the Rome Statute. While international jurisdiction may be in their interest, the subordination of national law may operate as deterrence to agreement.

- Ascription of causality. Actors may ascribe causation even if evidence only suggests correlation. This may lead to faulty evidence and imperfect deduction. This has often influenced the learning process in international politics with regard to the interconnectedness of different factors. For example, the connection between poverty and peace or between human and traditional security was preceded by numerous instances of imperfect deductions as to causality.

While there are numerous possible biases and influences on the behaviour of international actors, the macro-level analysis has minimised these so as to concentrate on the social mechanism that may result in primary and secondary learning processes. The influences on individual micro-decision makers have been blinded out from analysis through the examination of aggregate macro-level actors. Therefore, while in international politics a learning process may be truncated at any stage, the social mechanism at work and the effects of persuasion remain valid. To demonstrate, the following section will elaborate on how the international system is moulded by social structure despite possible intervening influences as well as on the importance of norms and values as social structure.

### *7.1.3 Norms and Values in International Society*

Poverty alleviation, international jurisdiction and conflict prevention – the three normative issues under discussion in the cases help forming the face of contemporary international society. Poverty alleviation has considerably increased its normative significance in the light of Western affluence, ethnic or material grievance, terrorism and many poverty-related ills such as disease, migration and gender rights. At the latest after agreeing on the Millennium Development Goals in September 2000 as part of the UN Millennium Project, which states the eradication of extreme poverty as ‘Goal 1’, global poverty alleviation has moved to the forefront of international politics (United Nations 2005). Political changes necessary to achieve the goal of halving the proportion of people living on less than 1 US-\$ a day by 2015 are occurring slowly but unquestioningly. Most developing countries have produced Poverty Reduction Strategy Papers (PRSPs), describing the country’s macroeconomic, structural and social policies and programmes over a three-year or longer horizon to promote broad-based growth and reduce poverty, as well as associated external financing needs and major sources of financing. National governments are sending direct aid and material assistance. Social support for poverty alleviation projects is immense, as well as the political pressure they create. International organisations are dedicated to economic growth, direct aid and improving the social environment and abilities of the poor. Global society is adopting



a role similar to that of the welfare state, which differed from previous schemes of poverty relief with regard to its relatively universal coverage.

International jurisdiction has moved another step ahead through the establishment of the International Criminal Court (ICC) in 2002, which bears the capacity to prosecute individuals for genocide, crimes against humanity and war crimes, as defined by several international agreements, most prominently the Rome Statute of the International Criminal Court (1998). The Court can exercise its jurisdiction if national courts are unwilling or unable to investigate or prosecute such crimes, thus making it the final instance. So far, the Chief Prosecutor of the Court, Luis Moreno-Ocampo, has opened an investigation into three matters: On 6 October 2005 the court issued its first public arrest warrants for the Lord's Resistance Army (LRA) leader Joseph Kony, his deputy Vincent Otti and LRA commanders Raska Lukwiya, Okot Odiambo and Dominic Ongwen. The case was referred to the court in 2004 by the Republic of Uganda. On 17 March 2006 Thomas Lubanga Dyilo, former leader of the Union of Congolese Patriots militia in Ituri, became the first person to be arrested under a warrant issued by the court. The Democratic Republic of Congo referred the situation in Ituri to the Court in 2004. The UN Security Council referred the situation in Darfur, Sudan, to the Court in February 2005. Additionally, the Central African Republic, referred itself to the Court in January 2005, but the Chief Prosecutor has not yet decided whether to open an investigation into this matter. In a special case, former Liberian President Charles Taylor was transferred to the buildings of the ICC in June 2006 for a trial under the mandate and auspices of the Special Court for Sierra Leone. This was due to political and security concerns about holding the trial in Freetown, Sierra Leone.<sup>57</sup> Ever since its first effective realisation in 1945, international jurisdiction has acquired meaning beyond that of 'victors' justice' and encompasses a system of consequences, which naturally derives from any action or choice similar to that within nation-states or other forms of human organisation.

Conflict prevention as a form of risk management has recently increased its worldwide influence on foreign and security policy. Introducing the concept of human security and attempting to understand global vulnerabilities, a more comprehensive notion of security combines the traditionally separate fields of development studies and national security, and connects the traditionally opposing principles of human rights and sovereignty. Human security challenges the traditional notion of national security by arguing that the proper referent for security should be the individual rather than the state. As such, the UN Development Programme's Human Security Report states that human security consists of two basic pillars, the freedom from want and the freedom from fear. This refers to the ab-

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57 In the meantime the Special Court for Sierra Leone has provided juridical precedent itself with its decision of 20 June 2007, being the first international court ruling on the charge of recruitment of child soldiers into an armed force and on the crime of forced marriage in an armed conflict.

sence of hunger and illness as well as of violence and war (United Nations Development Programme 2005). While disagreements exist over how to most effectively operationalise this concept, the broad array of global actors, both state and non-state, have lent increasing credibility to this concept. The end of the Cold War is often seen as the moment where human security gained genuine recognition because of the belief that with the relaxation of ideological hostilities between the US and the Soviet Union, progress could be made to address the root causes of global insecurity.

These instances demonstrate how past experiences bear influence on contemporary political structure. In some ways, these instances further reinforce and support each other through their topical interconnectedness. Arguably, while original challenges leading to primary learning might reach back in history, the secondary learning instances specifically gained momentum after the end of the Cold War. The end to bipolarity and to the suppression of ethnical and national identities enabled learning processes for international actors as international organisations began to fulfil their role, states were freed from bloc allegiance and global civil society flourished in a post-Cold War world order characterised by neoliberalism, globalisation, a third-wave of democratisation, economic and political integration and the rapid development of technology, especially communications. This, again, is not to imply a sense of equifinality in international learning, but instead demonstrates the reliance of learning processes in international politics on a societal environment and interaction. An international structure providing agents with room for persuasion enables genuine international learning processes. The content of the norm or value learned remains secondary; the textual form of the international structure is secondary as long as it allows for genuine persuasion processes to occur. At the same time, the foundation of learning processes in challenge and experience is decisive. As such, international learning always represents a method of problem solving. Presented with a certain challenge, international actors attempt to develop solutions. Moreover, international actors attempt to diffuse their knowledge on the challenge to other international actors. The following section will demonstrate how international learning processes contribute to the problem solving abilities of international actors and elaborate on how the combination of primary and secondary learning exceeds the scope of conventional problem solving.

## **7.2 Cognitive Problem Solving through Learning**

Problem solving forms part of any thinking process and represents the most complex of all intellectual functions (higher cognitive processes). Problem solving, whether with regard to individuals or macro-level actors, requires the modulation and control of more routine or fundamental skills. For macro-level actors this is a

natural given, relying on the assumption of governmental control over a state, member control over an institution and societal self-regulation. Generally speaking, an actor needs to have command over its internal behavioural processes. Problem solving occurs if an actor does not know how to proceed from a given state to a desired goal state and forms part of the larger problem process that also includes problem finding and problem shaping. Within that process, problem finding refers to problem discovery, which requires intellectual vision and insight into what is missing, while problem shaping defines revising a question so that the solution process can begin or continue. Learning represents a means to complete a problem process and contribute to problem shaping as well as problem solving. However, the depth of knowledge as well as the depth of the incorporation of knowledge divides learning into numerous degrees of role learning and meaningful learning (Ausubel, et al. 1968: 28). In comparison, problem solving comprises an array of techniques that are also employed in learning processes, which lead to varying degrees of depth of the knowledge developed (Frensch/Funke 1995, Laudan 1981, Voss, et al. 1991). As such, trial and error techniques represent simple problem solving and role learning, while brainstorming and lateral thinking represent more creative problem solving techniques and research or intellectual production in the sense of more meaningful learning processes. Genuine meaningful learning exceeds the original challenge in that it implicates the development of knowledge as well as the incorporation of knowledge into the agent's structure in order to allow for the request of this knowledge in new situations. It, thus, exceeds problem solving techniques in that it develops knowledge for more generalised challenges.

Both learning and problem solving, to a certain extent, rely on trial and error techniques in order to obtain propositional knowledge and intellectual expertise. Trial and error techniques, however, remain solution-oriented, problem-specific and non-optimal, developing solutions that allow for no deeper insights into the mechanism at work, generalisations or optimisation of the proposed solution. Learning can be regarded as containing an element of trial and error in its formulation and testing of hypotheses. At the same time trial and error only allows for role learning (while relying on autonomous discovery learning), in which an actor explores its perceived current state in the environment and takes action. Through positive or negative rewards over the course of a problem, the actor develops a policy for maximising cumulative rewards. What distinguishes role learning from genuine learning is the independence of actors' learning processes from societal roles. Instead of learning a certain role, genuine learning refers to an autonomous identity developed by the actor (socialising agent and socialiser). Similarly, brainstorming represents a problem solving technique that is also applied in learning processes. The creative technique of generating ideas addresses issues, root causes, alternative solutions, impact analysis and evaluation and, thus, comprises the problem more completely than trial and error. Within learning processes, brainstorming

as well as lateral thinking, referring to reasoning that is not fundamentally obvious and ideas that may not be obtainable by using only traditional step-by-step logic, form part of the scientific research employed in meaningful, autonomous discovery learning. In this sense, primary learning and problem solving through brainstorming and lateral thinking comprise similar aims, namely the formulation of solutions addressing a specific challenge. Yet, learning processes as higher cognitive processes exceed brainstorming techniques in incorporating the particular solution into the system of norms and values, which henceforth forms part of the actor's knowledge and may be recalled and utilised in prospective novel challenges.

Additionally, secondary learning utilises analogy to solve particular problems. As such, information is transferred from a particular subject (analogue or source) to another particular subject (target). Analogy utilises inference to map from what is typically area of experience (source) to what is typically the more problematic area of experience (target). As analogy allows for the transfer of knowledge to new situations, secondary learning further allows for developing knowledge and incorporating it into the structure without experiencing the original challenge. It does so by transferring information from a particular actor (socialising agent) to another particular actor (socialiser). In this way, the concatenated theories of learning, primary and secondary learning, present a method of advanced problem solving (exceeding trial and error and more creative techniques), which bears the capacity of addressing a present challenge but also allows for a transfer of knowledge to situations that lack a pressing challenge.

The role of norms and values remains decisive in this context. The developed knowledge concerns norms and values in that their content may be altered, and at the same time is reflected within norms and values working as societal structure reinforcing knowledge in guiding actor behaviour. In this, learning concurs with problem solving in requiring the modulation and control of more routine or fundamental skills. The cases have demonstrated such alterations with regard to selected norms (poverty alleviation, international jurisdiction and conflict prevention and human security) and on three levels (international organisation, state and society). International institutions have demonstrated learning as well as teaching capacities with regard to global poverty alleviation. Confronted with this challenge international institutions developed knowledge on poverty alleviation and economic security with regard to national cooperation, which was later transferred to the global scope of poverty. In problem solving terms, international institutions were confronted with a given state, increasing poverty nationally as well as internationally, and proceeded to a desired goal, namely on the one hand the development of poverty alleviation strategies within the Bretton Woods system and on the other hand the alignment of the World Bank as part of the Bretton Woods system to address poverty internationally. Similarly, states have demonstrated both learning as well as teaching capacities with regard to international jurisdiction. Confronted

with the challenge of individual responsibility for international crimes states developed knowledge on criminal tribunals in specific cases and directed against the losing parties of war, which was later transferred to international political incidences such as internal violence in Uganda, Congo and Sudan. Again, spoken in problem solving terms, actors were confronted with a given state, the lack of justice for atrocities during warfare, and proceeded to a desired goal, namely on the one hand the development of strategies to hold war criminals responsible in individual cases, and on the other hand the development of a strategy to hold individuals responsible for war crimes and crimes against humanity within the scope of the International Criminal Court. Finally, global civil society has demonstrated learning as well as teaching capacities with regard to human security and the values of civil conflict prevention. Confronted with the challenge of recurring warfare, global civil society developed knowledge on the importance of human security in coherence with conflict prevention, which was later transferred to state and international institutions in order to increase impact and effectiveness. In problem solving terms, global civil society was confronted with a given state, the recurrence of violent warfare and the suffering of civilians as victims of war, and proceeded to a desired goal, namely on the one hand the establishment of an institution that produces in-depth knowledge of contemporary violence and conflict, and on the other hand the incorporation of this knowledge into states', international institutions' and global society's efforts to decrease the occurrence of violent warfare and increase the protection of civilians.

In this way, international learning represents a means of international problem solving. It utilises problem solving techniques in order to develop a solution to a problem and incorporates the solution into its structure through the alteration or development of norms and values to an extent that allows for requesting this knowledge if a similar challenge arises. Learning exceeds mere problem solving in that it incorporates novel knowledge into its identity and transfers this knowledge to actors not subjected to the original challenge.

### **7.3 Learning in International Relations**

Conventional theories of international relations could not address an unselfish change or alteration of norms and values on the basis of persuasion as a social mechanism. The consequentialist and utility-maximising notions of neorealism and neoliberalism leave no room for changing what actors value or think appropriate but only for new information influencing strategic choice. Learning in international politics has been subjected to the same restrictions. Persuasion, however, indicates the degree to which actors' structural background is malleable and how actors may manipulate norms and values or are driven by them. By explaining why and how

actors' behaviour is governed by norms and values, social constructivism developed a means to deal with issues that are micro-foundational for international politics. Since the 1980s scholars of international politics drew on notions of encompassing learning as developed in psychology, the diffusion of ideas in comparative politics and research as regards organisational learning. Especially the decline of the Cold War and the emergence of 'new thinking' in the Soviet Union increased interest in learning research. However, articles were largely speculative and did not attempt to document a learning process as such (Knopf 2003: 187, Nye 1987). Instead, these analyses represented a move toward asking whether two states had learning in common. More detailed empirical research was divided into approaches examining either the US or the Soviet Union (Breslauer/Tetlock 1991). Later studies examined the necessity for a common learning process among adversarial parties in order to end conflict, while the actors do not actually share the same learning (Gross Stein 1994, 1996). Moreover, these examinations often did not express equal interest in all possible lessons that states might learn but focussed on issues related to peace or cooperation (Gross Stein 1996, Nye 1987). Concurrently, Ernst Haas refers specifically to 'managed interdependence' (Haas 1990). Finally, in a 1994 review Jack Levy recommended scaling back the problematic research programme in order to concentrate on how individuals learn from experience (Levy 1994).

The analysis presented here has avoided the restrictions made by these first-wave learning scholars. Firstly, it has accepted the undefined direction of learning processes. While the cases may present the incorporation of liberal norms and values, the content of these norms remains secondary. The decisive factor for successful learning remains the functionality of the social mechanism. Secondly, the analysis demonstrated a connectivity and collectivity of learning processes among different actors. It elaborated on primary learning of one macro-level actor based on experience as well as on a diffusion of norms and values within the scope of secondary learning. Thirdly, the analysis has departed from neorealist assumptions that states are the key actors in international relations and stayed closer to a liberal philosophical mode of analysis acknowledging that states are rooted in and derive from civil society. "Foreign policy, therefore, cannot be derived simply or automatically from external positional calculations about the balance of power in the system" (Finnemore 1996: 143). The analysis instead agreed with the liberal claim that states are embedded in a larger social context. Additionally, the analysis has acknowledged a variety of international and global non-state actors and has, thus, departed from the state-centrist assumptions that, for instance, Alexander Wendt made in his social constructivist analyses (Wendt 1987, 1992, 1999). Nothing within the theoretical assumptions of social constructivism in general or Alexander Wendt in particular necessitates such state-centred restrictions. Instead, the cases have demonstrated the importance of non-state actors and non-state social struc-

tures in international learning processes and the global construction of norms and values.

By offering a social structure and a definite normative content, which guides the behaviour of all actors encompassed by this social structure, the unclear definitions of liberalism as to which actors matter have been specified. Generally, settling the analysis of norms and values on the macro-level has enabled a concentration on global cultural understandings and on the dynamics of change. It avoided aggregation of multi-level norms and values and individual processes of norm formation (methodological individualism) and, thus, enabled the examination of changes in collectively shared social values or definitions on what is good and appropriate.<sup>58</sup> This provides for the accommodation of constitutive social forces that create and shape actors as well as for the normative changes that bear the capacity to alter social goals and values. Such a holistic approach also accounts for socialisation and persuasion processes and, thus, for the similarity in behaviour across different actors with regard to a defined set of internationally held norms and values. Differing from liberal analysis, therefore, social constructivism views normative content as constitutive, not merely regulative and creating pareto-improving, instrumental norms. Norms in social constructivism are causal, not intervening. They reconfigure properties of actors; they bear prior ontological status. Thus, “[i]nvestigating the most basic political questions about social purpose and political values requires a constructivist approach” (Finnemore 1996: 148). In utilising a social constructivist approach, which has not centred on states as decisive actors, the analysis supplemented the existing approaches to international learning and was able to fill gaps of previous analyses.

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This analysis set out to answer two questions: 1) Through which mechanisms are international actors able to learn from past experience and diffuse their knowledge to other international actors? 2) How is this knowledge utilised in problem solving processes? Numerous implications accompanied these questions, beginning with the definition of modern international society, the denomination of the actors involved, the question of progress in international relations and of how to circumvent idiosyncrasies for the benefit of generalisations. What it found where three examples of macro-level international learning; three examples of how international actors drew lessons from past experience and incorporated these into their respective systems of norms and values, guiding their behaviour. Moreover, these three

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58 Liberal analysis, relying on aggregation, has naturally contributed considerably to political theory. It provides insights about principal-agent relationships, bounded rationality, transaction costs and limited information in order to explain convoluted and counterintuitive policies emerging from interstate bargaining.

examples demonstrate how other international actors incorporated the same lessons into their system of norms and values without having had to experience the original challenges in the first place. The mechanism that was identified as source for possible learning processes was persuasion, which may lead to a genuine incorporation of novel knowledge into an actor's system of norms and values, through which it is able to diffuse knowledge to other international actors. Such knowledge may be utilised in problem solving processes through international structure guiding international political behaviour. A challenge of systemic failure may lead actors to actively produce knowledge, diffuse it to other international actors through a social and interactive international system and incorporate the knowledge to an extent that enables a recall in novel situations.

Crucial to these findings were the assumptions made in the examination. It presupposes that international actors exist in a social environment where fellow international actors influence them. Putting this scenario another of Wolfers' billiard balls aside, the study explicates that norms and values also influence actor behaviour. In addition, the study postulates that international actors, at the same time, bear the capacity to influence, change, adapt or develop their system of norms and values through the development of knowledge. Norms and values move from being intervening variables to being causal and constitutive as well. The study further assumes that social mechanisms, such as persuasion, are one means to precipitate an alteration of the international normative system. Ontologically speaking, social mechanisms refer to recurrent processes linking initial conditions to a specific outcome, thus elucidating the intangible processes leading from challenge to experience, to the incorporation of knowledge, to the diffusion of norms and values and their role in problem solving. Through these assumptions the study is able to explain certain social phenomena, namely when actors' behaviour differed from the consequentialist and utility-maximising character ascribed by traditional approaches on behaviour and change. By identifying the process through which this behaviour is generated, international learning, causal reconstruction and process tracing lead to a (more or less complex) historical narrative that allows for the deduction of generalisations involving processes. The study is able to suggest an explanation for certain actor behaviour and develop an operationalisation of international learning processes, concatenated through primary and secondary learning. As such, it is able to complement previous approaches regarding learning in international relations by moving beyond methodological individualism and foreign policy learning. It allows for explaining actor behaviour on an international level in cases when joint normative change occurs without tangible impetus or challenge.

International learning, thus, represents a means of explaining certain aspects of contemporary world politics. The deviating trends of a diversification of actors, a growing transparency of national borders, the development of an international society and the claim to national and societal sovereignty cannot always satisfacto-



rily be explained through conventional utility-maximising approaches to individual actor behaviour. Instead, internationally held norms, as collectively owned ideas about appropriate behaviour, determine much of the novel features of contemporary world politics, such as the aim of global poverty alleviation, the establishment of an International Criminal Court and the development of civil conflict prevention efforts. The fundamental changes in the normative fabric of contemporary international politics can only be understood through the shared understandings that underlie the international system. International learning represents a means of understanding these collectively held ideas and acknowledging diverse forms of actor behaviour and problem solving based on internationally held norms and values.

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