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Jokic, A.. Go local: morality and international activism. Ethics & Global Politics, North America

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CRITICAL DEBATE ARTICLE

Go local: morality and international activism

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Abstract

A step towards constructing an ethics of international activism is proposed by formulating a series of constraints on what would constitute morally permissible agency in the context that involves delivering services abroad, directly or indirectly. Perhaps surprisingly, in this effort the author makes use of the concept of ‘force multiplier’. This idea and its official applications have explanatory importance in considering the correlation between the post-Cold War phenomenal growth in the number of international non-governmental organizations and the emergence of the US as the sole, unchallenged superpower. Four moral constraints useful for morally assessing international activism are formulated and defended. The final outcome is an argument in favor of an overarching duty for any activist-minded Westerner to go local, while developing nations are urged to closely regulate, even criminalize, activities by international activists and ‘human rights organizations’ on their territory when not in solidarity or in support of local movements. The position defended, urging the normative primacy of local over international activism, also finds support in Immanuel Kant’s Third Definitive Article for A Perpetual Peace.

Keywords: *aid industry; aggression; altruism; force multipliers; international law; human rights discourses; moral phenomenology; criminalization of international activism*

International activism has grown into a veritable industry, particularly since the end of the Cold War, making non-governmental organizations (NGOs) into major players in the field of international development. Hence, the phrase ‘development industry’ is ever more ubiquitous.¹ According to a World Bank Key Document, ‘Working with NGOs’:² ‘from 1970 to 1985 total development aid disbursed by international NGOs increased *ten-fold*. In 1992, international NGOs channeled over \$7.6 billion of aid to developing countries. It is now estimated that over 15 percent of total overseas development aid is channeled through NGOs.’ However, it is after the

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collapse of the Soviet Union and the end of the Cold War that we witness a dramatic upsurge in the activities of NGOs. Thus, '[t]he number of *international* NGOs alone is reported to have increased from 6,000 in 1990 to 26,000 in 1999', while '[t]he OECD reports that in 2003, at least \$12 billion was channeled into development assistance through the international agencies.'³

The increasing power of NGOs, manifesting their ever mounting number in operation and handling of ever more substantial quantities of money, raises questions about the roles and responsibilities of these new global, non-state actors. In particular, there is the question of developing an ethics of international activism that would facilitate moral assessments of the endeavors by agents operating in countries other than their own.

A step towards constructing the ethics of international activism taken here involves a process of formulating a series of constraints on what would constitute morally permissible agency in the context that involves delivering services abroad, directly or indirectly. Also, perhaps surprisingly, in this effort I make use of the concept of 'force multiplier'. The content of this idea and its official applications have explanatory importance in considering the correlation between the post-Cold War phenomenal growth in the number of international NGOs and the emergence of the US as the sole, unchallenged superpower ushering in the new 'unipolar' world.

Four constraints on morally permissible international activism will be proposed, considered, and defended: (C1) *The Professionalism Constraint*; (C2); *The Integrity Constraint*; (C3) *The Respect for Sovereignty Constraint*; and (C4) *The Humility Constraint*. As soon as these constraints are understood and correctly analyzed, an overarching principle emerges helping us realize that local activism must enjoy *normative primacy* (in all three normative spheres: moral, legal, and political⁴) over international activism. At the same time, this gives us an idea of how to conceive of what could constitute *legitimate* international activism, i.e. one that respects the primacy of local activism.

The thesis defended here about the normative primacy of local activism is neither as radical nor as unprecedented as it might at first seem. It is easy to discover its philosophical source, and hence derive further support for it in Kant's *Perpetual Peace*, in the form of claims that come close to an endorsement of the key moral constraints that my primacy thesis is based on. I have in mind here Kant's Third Definitive Article For A Perpetual Peace: *The Law of World Citizenship Shall Be Limited to Conditions of Universal Hospitality*. Explaining the Article Kant writes: 'Hospitality means the right of a stranger not to be treated as an enemy when he arrives in the land of another.'⁵ This appears to be the only line of Kant's Third Definitive Article that contemporary proponents of cosmopolitanism, perhaps guilty of misappropriating Kant for their purposes, ever read. But there is more. In particular, Kant is quite aware that 'actions of the civilized' when visiting the lands of another can be exceedingly harmful for their kind hosts.

Kant cautions explicitly against the kinds of actions characteristic of those coming from 'our part of the world', which is the same part of the world this essay focuses on as the source of 'international activism', i.e. the Western world. 'The injustice which

they show to lands and peoples they visit (which is equivalent to conquering them) is carried by them to terrifying lengths.⁶ And Kant is capable of being very specific about the injustice in question:

America, the lands inhabited by the Negro, the Spice Islands, the Cape, etc., were at the time of their discovery considered by these *civilized intruders* as lands without owners, for they counted the inhabitants as nothing. In East India (Hindustan), under the pretense of establishing economic undertakings, they brought in foreign soldiers and used them to oppress the natives, excited widespread wars among the various states, spread famine, rebellion, perfidy, and the whole litany of evils which afflict mankind.⁷

Kant's term 'civilized intruders' (as we shall see) comes awfully close to my term (introduced below) 'belligerent altruists', and it is used in a very similar context to our discussion in this essay, indicting those engaged in 'civilizing missions' abroad for causing unspeakable evils while acting as *force multipliers* (a term to be defined momentarily) for certain 'commercial states of our part of the world' as Kant puts it. I will urge that as a protective measure against such evils potentially caused by international activists we must adopt the thesis of the normative primacy of the local activism. And what is Kant's own proposal in this regard? He promotes exactly the kind of regulation and criminalization (if need be) based on an idea very close to my *Respect for Sovereignty Constraint*, and offering in approving terms very specific examples: 'China and Japan (Nippon), who have had experience with such guests, have wisely refused them entry, the former permitting their approach to their shores but not their entry, while the latter permit this approach to only one European people, the Dutch, but treat them like prisoners, not allowing them any communication with the inhabitants.'⁸ With this in mind let us now turn to the task of carefully introducing the moral constraints in question.

INTERNATIONAL ACTIVISTS

We may think of international activists as altruists attracted by causes that originate in foreign lands. Consequently, these are foreign altruists. By calling them 'altruists', I do not intend to prejudge the actions of international activists as necessarily morally good; I simply mean to indicate that they are ostensibly acting out of concern for the welfare of others, in this case foreigners. This characterization is quite consistent with rather confused and misguided activities stemming from one's concern for the wellbeing of others, even to the point that some altruistic acts may be judged as morally bad—this may take the form of further victimizing those who are already suffering as a result of, say, being victims in a civil strife. Furthermore, this does not preclude a person from joining an organization that is part of the *activism industry* for essentially selfish reasons: one may be moved on egoistic ground to make a living from activism.

We can make further progress in delineating exactly who the 'international activists' are by making more precise this notion of 'causes that originate in foreign

lands'. Most frequently those causes are expressed in terms of global protection, and respect for human rights. Thus, Amnesty International defines itself a 'a worldwide movement of people who campaign for internationally recognized human rights to be respected and protected for everyone',⁹ while Human Rights Watch states that it 'is dedicated to protecting the human rights of people around the world.'¹⁰

Additional clarity is achieved when we realize that governments can also show interest in those same causes expressed in terms of human rights, but we would not count government administrators, operating in their official capacities, among 'international activists'. Thus, The Bureau of Democracy, Human Rights and Labor of the US government, states that 'protecting human rights around the world [is] central to US foreign policy',¹¹ yet we would not consider State Department officials 'international activists'. This is why organizations that want to count as groupings of international activists are quick to assert their independence. Thus Human Rights Watch promptly in its self-description emphasizes that it is 'one of the world's leading independent organizations dedicated to defending and protecting human rights',¹² while Amnesty International makes the same claim using more precise language affirming that they are 'independent of any government, political ideology, economic interest or religion'.¹³ Consequently, international activists are not meant to be government officials, ideologues, corporate lobbyists, or missionaries on behalf of any religion; in fact, international activists are supposed to operate independently of any government, ideology, corporation, and religion. In the first instance, this then poses strong constraints on how to construe an ethics of international activism:

(C1) It is considered morally impermissible for international activists to act on behalf of any government, ideology, corporation, or religion.

Let us call this the *Professionalism Constraint*. It stands to reason that if a person is genuinely motivated by the welfare of others from a country other than her own, then she must not be acting on behalf of her (or any other) government, should not promote any ideology (be it political, economic or otherwise), nor proselytize in favor of a religion. Thus, for example, international activists must not propagate in favor of a regime change in a country where such policy is pursued by, say, the US government; they must not engage in promoting the economic ideology of free market and privatization in, say, a country with the socialist economic system (or any other); or attempt to convert, say, local Muslim population to Christianity. This much can therefore be asserted with sufficient moral clarity to make our first constraint on an ethics of international activism fairly straightforward and uncontroversial. It is another matter, in fact an empirical question, whether activists from Western countries in general manage to live up to this moral requirement.

FORCE MULTIPLIERS

If our goal is to both construct a framework for an ethics of international activism, through a process of formulating applicable moral constraints on what constitutes

permissible conduct in this context, and engage in the making of concrete moral judgments about actual endeavors that take place throughout the world, then we must also pay attention to the existing vocabulary of the ‘aid discourse’. In other words, for our effort to be both theoretical (developing an aspect of moral philosophy) and practical (using the conceptual tools for normative judgment making), it is important to keep track of the relevant real-life experiences, in the best tradition of applied ethics.

The concept

This brings us to the second notion I propose to utilize in building the ethics of international activism: *force multiplier*. It is a military term, defined as follows: ‘A capability that, when added to and employed by a combat force, significantly increases the combat potential of that force and thus enhances the probability of successful mission accomplishment.’¹⁴

Readers might be tempted to think, at this point, that something must have gone terribly wrong. Isn’t the notion of ‘force multiplier’ obviously inconsistent with the contents of our first constraint, the Professionalism Constraint, on morally permissible domain of activities by international activists? How could this latter idea even be contemplated in connection to international activism? Yet the link exists, and it is a very strong one, as Colin L. Powell makes clear:

As I speak, just as surely as our diplomats and military, American NGOs are out there serving and sacrificing on the front lines of freedom... I am serious about making sure we have the best relationship with the NGOs who are such a *force multiplier* for us, such an important part of our combat team... [We are] all committed to the same, singular purpose to help humankind, to help every man and woman in the world who is in need, who is hungry, who is without hope, to help every one of them fill a belly, get a roof over their heads, educate their children, have hope, give them the ability to dream about a future that will be brighter, just as we have tried to make the future brighter for all Americans.¹⁵

Should these remarks by Colin Powell be taken seriously? One might be tempted not to read too much into the use of military jargon by a former general, turned Secretary of State. Could this be just *façon de parler* appropriate for the occasion? Surely, that would be a relief, but research shows that both professional international activists themselves, and other government officials endorse the idea of international activists being force multipliers. *The embrace is apparently mutual.*

International activists recognize their role

Rony Brauman, an early member and a former president of Doctors Without Borders/Médecins Sans Frontières (MSF), which in 1999 received the Nobel Peace Prize, nicely documents the full embrace by international activists of their role as force multipliers in Iraq. Brauman tells us that in the wake of the aggression against Iraq most NGOs in the United States ‘accepted government funding, refrained from judgment

on the forthcoming war, and held themselves ready to intervene in Iraq when the time came.’ This meant that NGOs (particularly American) ‘chose to be financed by their governments for the Iraq intervention accepted to reduce their role to that of sub-contractor to a belligerent party.’ Explaining what led to this most curious direct alliance between a ‘coalition of the willing’ militaries attacking a sovereign country and international activists, Brauman bluntly avers: ‘This tendency has been exacerbated in Iraq by the US government’s increased use of private profit-making companies to undertake functions that were formerly the exclusive preserve of NGOs. Many NGOs fear that they will lose out to private companies, which are already claiming larger amounts of the “NGO market”, and hence prefer to play the role requested of them to preserve their “market share.”’¹⁶

In contrast, in this context, between the two kinds of institutions Brauman admits, ‘it is difficult to see differences between public and private institutions other than administrative ones.’ Consequently, a job with an ‘international’ NGO is a job, just as a job with a private company is a job, and in this case both are contracting with the US government and the US military. The mentioned administrative difference between NGOs and private firms may also engender a difference in accountability, since private companies must operate in a way that always keeps their shareholders in mind while NGOs are not exactly accountable to anyone. Perhaps this can even generate a question why then have NGOs involved at all in projects of reconstruction and aid delivery?

The standard view of NGOs as more inclined than state or private organizations to work in ‘difficult political environments’ can be offered as a potential answer to this question. This widely held view about NGOs is an empirical matter, however. And it was only recently a subject of an empirical study with a startling outcome that ‘NGO aid increases with rising levels of democracy.’ The study concludes: ‘... we do not find evidence supporting the hypothesis that NGOs complement official aid through engaging in the so-called difficult institutional environments where state aid agencies find it difficult to reach needy citizens. It rather appears that NGOs tend to replicate the location choices of official ‘backdonors’ from whom NGOs get part of their funding. This casts doubt on the notion of autonomous NGO behavior. Moreover, NGOs follow other NGOs that may add to the divide between the so-called donor darlings and donor orphans. Finally, NGOs prefer recipient countries with common traits related to religion or colonial history.’¹⁷ If, in other words, NGOs are ‘bunching’ in places where state (or private) aid organizations are likely to operate, thus duplicating the work that would be going on anyway, we are back to the difference in accounting as the only relevant one for what we are considering here, and if doubt is cast on ‘the notion of autonomous NGO behavior’ this makes that much more compelling the idea that they are in fact acting as force multipliers.

The ‘revolving doors’ phenomenon

Another point of too close a contact between international activism and government is apparent in the phenomenon we may call ‘revolving doors’ between the elites of the

international *activism industry* and ‘service’ at the US State Department. As the latest example we could use Michael Posner, the current Assistant Secretary of State for Democracy, Human Rights and Labor. He came to this position after 30 years of being ‘at the forefront of the international human rights movement’, in the words of Hillary Clinton, the Secretary of State, at his swearing in ceremony.¹⁸ Posner, a former Executive Director, at the time of the current appointment had been President of the Human Rights First, an international human rights organization founded in 1977. Nothing screams ‘force multiplier’ louder than the ‘revolving doors’ phenomenon: yesterday’s human rights activist is today’s government official, and tomorrow the cycle will begin again. And what is Mr. Posner’s newest job exactly? According to Madam Secretary: ‘Day in and day out, the bureau that Mike is heading works to promote some of our most basic values. It trains NGOs and civil society leaders to try to turn the principles of democracy into practice, to combat violence and discrimination against women and minorities, to promote interfaith dialogue and fight exploitation in the workplace. We really count on DRL to ensure that people around the world enjoy the rights and responsibilities and the opportunities that should enable them to make better decisions for themselves.’¹⁹

Hence, an activist, a president of an international human rights organization, is hired by the government to train ‘NGOs and civil society leaders’ to be good force multipliers for the government. It is curious that Human Right First, while sending its president to ‘serve’ as Assistant Secretary of State finds it necessary to state in its self-description the following: ‘To maintain our independence, we accept no government funding.’²⁰ Yet, an astute observer of NGO industry has remarked that despite the frequency of such self-serving statements by NGOs: ‘NGOs not dependent on state aid are the exception rather than the rule.’²¹ Good faith readers might wonder why understand the revolving doors phenomenon as a suggestion that international activists—or at least those who have been for decades on the forefront of the human rights ‘movement’—are in fact endorsing their role of force multipliers? Is it not possible to be a good professional in whatever role one operates, as international activist or government official?

To recognize that this question must be answered in the negative, one need not be in bad faith towards either the international activists or any government, even less a conspiracy theorist. The reason is simple: there is no sufficient difference between government trained ‘NGOs and civil society leaders’ and government itself: both are part of the same ‘foreign policy elite’; it is a distinction without a difference. This point is nicely explained with respect to Human Rights Watch in the study ‘Who is Behind Human Rights Watch?’:

For a century there has been a strong interventionist belief in the United States—although it competes with widespread isolationism. In recent years attitudes hardened: human-rights interventionism became a consensus among the ‘foreign policy elite’ even before September 11. Human Rights Watch itself is part of that elite, which includes government departments, foundations, NGO’s and academics. It is certainly not an association of ‘concerned private citizens.’ HRW board members include present and past government employees, and overlapping

directorates²² link it to the major foreign policy lobbies in the US. Cynically summarised, Human Rights Watch arose as a joint venture of George Soros and the State Department. Nevertheless, it represents some fundamental characteristics of US-American culture.²³

While this passage, using the example of Human Rights Watch, illustrates very well the revolving doors phenomenon, it also introduces a third player—the big money or the financial community—involved in shaping the monolithic ‘foreign policy elite’, personified by the multibillionaire speculator George Soros. This trinity (perhaps, the unholy trinity) of government, financial community, and NGOs, raises further the interesting question as to who in the end might be whose ‘force multiplier’? In particular, could it be, for example, that while international activists are force multipliers for the US government, the government itself is a force multiplier for the financial community? For the moment I shall not pursue this morally (and politically) highly relevant question, but just posing it can serve as a way to introduce a wider point about the revolving doors phenomenon.

The economist Joseph F. Stiglitz, who was awarded a Nobel Prize for his work, identified, in not too distinct a context, another ‘revolving doors’ problem. Trying to account for the failure, in line with its original mandate and objectives, of the International Monetary Fund (IMF) in securing global *economic* stability in the 1980s and 1990s, Stiglitz postulates that a quiet but unsubtle change in mandate and objectives had occurred. The IMF has been pursuing the interests of the *financial* community. Key to understanding this change is another instance of revolving doors:

One of my main criticisms of IMF is that, in certain central ways, though it is a *public* institution, it does not conform to what we have come to expect of public institutions. In Western democracies, for instance, there is a basic right to know, reflected, for example, in America’s Freedom of information Act. There is no such basic right at the international economic institutions. In America and in most other western democracies, there is a concern about “revolving doors”—individuals moving too quickly from public institutions to well-paid private ones closely connected with their public service.²⁴

The example Stiglitz provides is Stanley Fisher, the First Deputy Managing Director of the IMF (1994–2001), who played a significant role in achieving capital market liberalization that neither helped the welfare of the poor countries nor did it provide stability of the global economy, but it did open up vast new markets for Wall Street. Noting that Fisher went directly from the IMF to become a vice chairman at Citigroup Stiglitz pondered: ‘One could only ask, Was Fisher being richly rewarded for having faithfully executed what he was told to do?’²⁵

Government officials on ‘force multipliers’

In reality, we should not be surprised if Colin Powell were not the only government official who sees international activists (and others) as the government’s force multipliers. Consider, for example, the words of the current Secretary of Defense,

Robert M. Gates, during a recent testimony to the House Armed Services Committee: 'From the military's perspective, virtually any campaign we undertake today or in the near future is unlikely to succeed without civilian involvement and expertise. As we have seen with the Provincial Reconstruction Teams and other efforts, including even a few properly placed civilian experts, has become what the military calls a 'force multiplier'. Past experiences have also shown that military campaigns and contingency plans improve greatly with civilian input'.²⁶ Gates' way of using the word 'civilians' to refer to force multipliers could equally refer to private contractors or international NGO activists. Both have been used by the Pentagon in Iraq reconstruction in a way that pitted these groups one against the other as competitors, the only difference, as explained by Brauman, the Nobel Laureate international activist himself, being the style of 'administration'.

Even US Presidents are not immune from seeking force multipliers among those whose altruistic impulses take them to engage ostensibly on behalf of those 'less fortunate' in foreign countries. Thus, in his Presidential Decision Directive (PDD) on peacekeeping policies and programs, President William J. Clinton envisages using the UN as 'force multiplier': 'Circumstances will arise, however, when multilateral action best serves US interests in preserving or restoring peace. In such cases, the UN can be an important instrument for collective action. UN peace operations can also provide a "force multiplier" in our efforts to promote peace and stability'.²⁷

Curiously, however, this PDD is issued in the midst of the horrific '100 day large-scale massacres' in Rwanda, the start of which were marked by the crippling reduction of UN peace keeping troops at the request of the then US Ambassador to the UN Madeleine Albright. Where the UN had the right (and arguably, the obligation) to act at the height of the armed conflict and massacres, *under US pressure*, it did not; yet the real 'force multiplier' turned out, evidently, to be the same Madeleine Albright's push to have the International Criminal Tribunal for Rwanda established in late 1994, once it was too late to act in any way other than to reinforce and legitimize the military leadership of Paul Kagame.²⁸

Finally, to illustrate the fully bipartisan nature of the US foreign policy, we can witness the infatuation with the idea of using the UN as 'force multiplier' from the political right in the form of a statement by a fellow of Heritage Foundation Steven Groves. For him the real question 'is not whether UN peacekeepers could possibly be a "force multiplier" for US armed forces, but rather whether and under what circumstances UN peacekeeping serves the vital, national interests of the United States'.²⁹ While, admittedly, there may be little meaningful difference between the UN serving as force multiplier for US armed forces and UN serving the vital, *national* interests of the US both ideas appear incongruous with the very nature of the institution the UN had been envisaged to be.

There is something obviously disturbing in the suggestion that international activists or the UN workers should serve as force multipliers for the US armed forces in the variety of theaters of operations where the latter are continuously active. This stands in direct opposition to the definitional component of 'international activism' as agency that stems from concern for the welfare of others in foreign countries.

The integrity of their actions is threatened if international activists operate in concert with US armed forces or for the sake of US government while ostensibly engaged to address basic needs of less fortunate humans in other countries. Consequently, an explicit moral constraint defining the way international activists can satisfy the requirements of minimal integrity of their actions is necessary. Call it the *Integrity Constraint*:

(C2) It is considered morally impermissible for international activists to serve as force multipliers for U.S. armed forces or U.S. government (or any other such political or military organization).

It is perhaps clear that the Integrity Constraint is implied by our Professionalism Constraint. However, given the aggressive push by US officials to employ international activists as force multipliers, the impact of the phenomenon of revolving doors, and the apparent happy acquiescence by many (Western) international activists to their newly given (post-Cold War) role, it is important to make the Integrity Constraint explicit.

THE PARADOX OF TWO HUMAN RIGHTS DISCOURSES

The concept of ‘human rights’ is most widely employed to capture the causes for international activism (the second most popular being ‘democratization’³⁰). These are *expressed*, as we have seen, in terms of an effort to achieve global protection, and respect for human rights. Yet we can clearly distinguish two very different human rights discourses the functions of which are diametrically opposed. The first, developed in the wake of World War II, recognizes, together with the UN Charter and the Nuremberg Tribunal’s judgment, that aggression is the supreme international crime,³¹ while the second that emerged after 1989, serves to ‘legitimize’ aggression (by some states) and attempts to decriminalize it. Keeping in mind the historical context in which human rights discourse had emerged and its subsequent acquisition of a completely novel function can help us formulate yet another moral constraint on what would constitute proper conduct by international activists, as well as locate the exact circumstance when Western international activists were effectively turned into force multipliers.

Human rights for ‘soft’ intervention

To understand a particular human rights discourse one must grasp its political stakes in a historical context. Hence, if we focus on the moment of the original push in favor of promoting a (contemporary) conception of international human rights, we see that it emerges in the wake of atrocities committed against non-combatants during WWII, along with the concept of genocide (inspired by the plight of the European Jews during the Shoah, or what is known as the Holocaust mostly in North America), and the idea that aggression is the supreme crime in international law. This trio of

normative concepts, although applicable equally to the moral, legal, and political contexts, was destined, according to the vision of that time, to become the cornerstones of the post-war international law. However, the human rights discourse capable of incorporating all three ideas in a coherent way lasted only until the end of Cold War, at which point a tension emerged between the uses of the notion of ‘human rights’ (as well as that of ‘genocide’³²) and the idea that aggression must remain the supreme crime in international law.

Decolonization was the most significant social phenomenon to which the internationally articulated human rights were applied in the period after WWII and before the end of Cold War. In this context, the human rights discourse served a dual role of helping local activists challenge repression by their own governments and, more importantly, argue against occupation by foreign imperialists and colonial powers. The projects of liberation from overseas colonial domination, unfolding on several continents from the late 1960s through the 80s, with the accompanying human rights discourse served to underscore the importance of the principles of self-determination and sovereign equality. While in no way representing a crucial force or inspiration for decolonization the invocation of human rights by local activists and external actors in this period did have a significant supporting role.³³ This is nicely described by Jean L. Cohen whose words are worth quoting *in extenso*:

Despite being largely exhortatory, the human rights declarations and covenants were an important normative referent for domestic civil society and social movement activists. They helped legitimate justice-based and democracy-oriented demands for political change, authorizing and empowering citizen movements to claim rights against their own governments and to demand their legal and constitutional institutionalization. *The official role of external actors was restricted to “soft” forms of intervention.* Although human rights campaigns involved linkages between domestic and transnational “activists beyond borders,” the emphasis was on local agency, on facilitating the emergence of internal actors, and the organization and institutionalization of their learning experiences. Local activists seeking liberation and democratization articulated and contributed to human rights discourses, while *transnational NGOs helped via investigations and exposes, enabling domestic actors to shame their governments into conforming to the rule of law.* In this context human rights discourses, the idea of a domestic entitlement and participation in the multilateral institutions, did not appear to threaten either the popular sovereignty/self-determination of citizens or the external sovereignty of states. The political agency of local actors and movements was the main vehicle for denouncing domestic injustice and for giving “ethical-political” meaning to the universal principles they were invoking, their very praxis revealing that the content of basic rights would be determined domestically.³⁴

The principal features of the human rights discourse in this period, hence, had a supportive role in the decolonization struggle by empowering local actors without threatening either domestic legitimacy or external sovereignty of states while restricting external actors only to ‘soft’ forms of intervention. Alternatively stated, the point is that the human rights discourse and the discourse of sovereignty were at the time seen as entirely consistent and mutually reinforcing, and *both* springing from

the sovereignty-based model of international law. Consequently, within this form of human rights discourse, the proper domain of engagement by international activists, including those hailing from the West, is to offer solidarity with and support for pre-existing domestic movements, and certainly not to attempt to structure let alone originate and shape civil society in other countries.

Human rights for imperial aggression

Since the end of Cold War we have witnessed a most dramatic shift in human rights discourse and practice accompanied with a demand for abandoning the discourse of sovereignty as a ‘relic of a bygone era’ allegedly no longer applicable in the context of the new brave, unipolar world. Suddenly the ideal of protecting human rights assumed primacy over international law and the discourse of state sovereignty on which it is based; the latter are no longer seen as representing converging values with human rights. On the contrary, the legalistic discourse of sovereignty was standing in the way of ‘justified’ rescue missions confronting gross human rights violations throughout the world. New ‘norms’ expressed in terms of human rights had to be envisaged to take the place of sovereignty in international law, which has outlived its historical relevance in a world so different from its Westphalian origin. The purpose was to replace the human rights declarations from being mere moral exhortations into hard ‘globalized law’ put in place of traditional international law, the idea being that new forms of ‘transnational governance’ have already replaced unitary states as key actors in the global political system; given the ‘disaggregation’ of the state and its sovereignty—the basis of ‘old’ international law—new globalized law is emerging on the basis of the post-Westphalian World Order that is allegedly already in place.³⁵ Proposals were made in favor of a basic human right to security, a fundamental right to protection, a principle of civilian inviolability, even a human right to democracy seen as popular sovereignty that trumps state sovereignty.³⁶ What is more, arguments in favor of *violations* of international law were conjured up as the only means of updating it; reform of international law comes as a result of its violations that have good consequences.³⁷

As a result, human rights have become veritable weapons in the arsenal of US foreign policy and successfully imposed on the practice by ‘allied’ countries (while others are not permitted to use human rights in a similar fashion). This novel application of human rights deployed for the sake of punitive actions is again well summarized by Jean L. Cohen:

Since the end of the cold war, human rights violations have been invoked as a justification for the imposition of debilitating sanctions, military invasions, and authoritarian occupation administrations by multilateral organizations and/or states acting unilaterally, under the rubric of “humanitarian intervention” justified as “enforcement” of international human rights law. Indeed the claim that a human right to democracy is crystallizing into a legal entitlement under customary international law has led some to insist that this right legitimates the use of force in pro-democratic invasions either to restore or spread democracy, and to argue for

conditioning the international legal recognition of states on their observance of “basic” human rights including a right to “minimal” democracy. The new emphasis on human security in human rights discourses coupled with paternalistic interpretations of human rights law in a global context increasingly defined as an “age of terrorism” tends to restrict rather than enhance the political agency and human rights of domestic actors struggling against injustice and to sacrifice self-determination and sovereign equality on the altar of global security policies.³⁸

Debilitating sanctions,³⁹ military invasions, authoritarian occupations, and humanitarian bombing campaigns all in the name of human rights, and endorsed by international activists represent a part of the legacy of the latest discourse on human rights. This legacy appears to invert the concept to the point where protection of human rights comes into conflict with the characterization of aggression as the supreme crime in international law, and resolves it at the expense of the later. The outcome is *decriminalization of aggression*.⁴⁰

Belligerent altruism

The phrase ‘belligerent altruism’ is of course an oxymoron. Yet, we did define activism in terms of altruism, and those who call for aggression by a superpower against other, weaker states are clearly belligerent.⁴¹ The new practice by human rights organizations to call for governments to use their ‘police powers’ to intervene in other states in the name of morality is termed by one author *humanrightism*: a transformation of human rights into its own travesty, which ‘inverts the concept, from one premised on the protection of people from the violence of states, to one justifying the application of violence by the world’s most powerful states against weaker ones’.⁴² This amounts to an instrumentalization of the concept of human rights (and indeed of international law) for the sake of an imperial project.

We can locate the context in which this instrumentalization most vividly took place as one that involves the US-led aggression by NATO against Yugoslavia in the spring of 1999. This is the moment when international activists became force multipliers (or belligerent altruists) for the Empire. This dramatic transformation is relevantly described in a brave article by Dimitrina Petrovna, Executive Director of the European Roma Rights Center in Budapest as presented by Robert Hayden:⁴³

Petrovna acknowledges that she herself was in favor of NATO intervention in Kosovo until she saw, soon after the bombing began, that it was escalating the human rights catastrophe for everyone in the Federal Republic of Yugoslavia, inside Kosovo and in Serbia, and that “from a campaign to defend the lives and rights of Kosovo Albanians, [the war] metamorphosed into something else: the monster of an escalated war.” While Petrovna herself then called for an immediate end to the bombing and a negotiated peace, few others in the human rights community did so. She notes that for east European human rights workers, their very status and funding could have been jeopardized by criticism of NATO and especially the US—NATO countries are, after all, the major financiers of more than just ICTY. In the Western countries themselves, however, the reasons are more troubling. There, she notes, “human rights are becoming indistinguishable from official political

ideology, “producing” a gradual usurpation of human-rights culture by the dominant powers, and the very argument for human rights is turning into an apologia for the global status quo, all in the interests of these very powers.”⁴⁴

Once human rights become ‘indistinguishable from official political ideology’, once human rights culture is usurped by the dominant powers, and once the argument for human rights is turned into an apologia for the imperial project by the sole superpower while this transformation is not protested but supported by international activists in the Western countries, this gives us a clear sense of international activists serving as force multipliers or being ‘belligerent altruists’. However, the tension captured by this term must be resolved, and this brings us to the next constraint on the morally permissible character of international activism. In order to accomplish this we must remove the belligerent character of the post-Cold War practice by human rights organizations. We must council a return to the human rights discourse that respects sovereignty of nation states and permits at most ‘soft’ intervention while opposing all attempts at *decriminalizing aggression* and making sure that activists are not aiding and abetting aggression under any circumstances. This could be called the *Respect for Sovereignty Constraint*:

(C3) It is considered morally impermissible for international activists to disrespect sovereignty, aid and abet aggression, and engage in anything beyond ‘soft’ intervention.

It may perhaps appear that this constraint is equivalent to the Integrity Constraint and also implied by the Professionalism Constraint. Yet it seems obvious that by explicitly stating and providing the background and justification for the Respect for Sovereignty Constraint we achieve additional clarity about the confines of morally permissible behavior by activists in foreign lands.

THE MORAL PHENOMENOLOGY OF INTERNATIONAL ACTIVISM

To advance further with our goal of developing an ethics of international activism that would facilitate moral assessments of their endeavors, we will engage in moral phenomenology of international activism. Moral phenomenology is the study of the experiential aspects of moral life. By investigating ‘what it is like’ to undergo mental states that instantiate phenomenal properties when, say, judging that one ‘must engage’ we might be able to formulate further moral constraints that can guide our moral evaluation of what international activists do. The idea is that the construction of constraints on moral permissibility of acting *qua* international activist can be aided via compelling phenomenological descriptions of specific experiential episodes.

Sacrificial nature of activism⁴⁵

Moral assessment of activism in general and international activism in particular is very hard to undertake, primarily because it is taken in advance as something good.

It is presumably a self-sacrificing, unselfish activity on behalf of another. What is there to morally evaluate if it apparently leaves no room for anything but good? This appearance of being something unquestionably good is, as we shall see, both activism's advantage and its curse. It is an advantage because it offers a particularly satisfying and comforting aura of moral excellence to those who decide to engage, but it is a curse also because it is a phenomenon that provides wide opportunities for political and other manipulation and abuse, including turning activists into force multipliers.

In describing activists, what readily comes to mind are phrases like 'well-meaning', 'ready to sacrifice', or 'peace-loving'. This means that their motivation is experienced as not only good in the ordinary sense that the activity in question is in itself good, or taken to be good, but that it is good because the objectives guiding the action, e.g. peace, de-nuclearization or human rights, are themselves *conceived* as unquestionably good. This motivation stems from the activists' increased sensitivity to evil that exists in the world. Without that sensitivity, or the particular way of experiencing adversity suffered by others, there would be no engagement in the first place. Their motives, therefore, are not only good when in retrospect their actions are to be assessed, but the motivation is good in a deeper sense that its very source is experienced as being the good itself (or opposition to and distaste for evil as such). Their motivation is not contingently good, but it is necessarily so, for it is aimed at and focused toward the good. Evil is not only something merely negative, but some among us can experience it as something simply unbearable. Those individuals are, therefore, unable to just contemplate, attempt to understand, or just perceive evil, they must actively engage in eradicating it.

This (tacitly assumed) account of motivation is at the bottom of activists' preoccupation with matters that strictly speaking are of no direct concern to them. For, the activist is not fighting to gain something for herself; she is engaged because *she* cannot stand evil suffered by others (call this, the felt foreign or external evil). The *per assumption* absence of the activist's direct interest in the matters of her *engagement* shows that this peculiar impetus that gets her going must be purely moral in nature. This is exactly what defines the (international) activist's position. We must note, however, that in order for activists to act on behalf of others (or on behalf of the ideal they are fighting for), i.e. engage in the fight against evil, they must do two things according to this definition. They must not only have no (direct) interest (beneficial to themselves) in the final aims of their activities, but at the same time they must neglect their own (direct) interests, those that they ordinarily have or that they might have developed had they not become engaged. Without suppressing the latter kind of interests activists would have no room (or time) for these, *per assumption*, external interests. Consequently, success of activism involves *sacrifice*.

The position of sacrifice poses a significant obstacle to any form of serious assessment. It is particularly difficult to undertake moral evaluation or criticism of the activities by such *engagé* individuals, who are prepared to set aside their own direct interests and concerns in order to act on behalf of others. What would this sort of assessment be like, particularly if it were negative? It would have to point at some

deficiency or inadequacy in the activist's endeavor; perhaps it is not quite astutely channeled, it might be insufficiently energetic, persistent or comprehensive, etc. But these kinds of assessments seem to be directly in conflict with the nature of the activist's motivational structure: she is acting as a result of being in an agitated state, because something is disturbing to her, something is disgusting her, and she cannot stand it. All this presupposes, however, that the judgment, which is a source of these feelings, must be extremely strong; that it possesses a certain form of definiteness that could not be there without the highest level of persuasion that the judgment in question must be right. There appears to be no room for humility here.

The intense motivational capacity of this attitude is grounded precisely in the intensity of the persuasion regarding the greatness of the value in question, which is under attack in some sense. This could be something as simple as the quantity of evil perpetrated in some place (near or far away) against which she, the activist, has decided to fight simply because she *cannot stand it* occurring! In such a context, which from the first-person experience appears to provide certainty of the validity of conviction, to attempt to put in question in any way the activist's *unselfish* and in many regards, good acts (e.g. courageousness, determination, etc.) means in advance to place oneself in a position of disadvantage.

Is the experience of conviction enough?

A picture emerges according to which, for the activist, given the axiological nature of the cause for which she is fighting, all that is required to set her on the right path is that she be sincere and firm in her decision. Are there no obstacles to getting the purpose right, to honing in on what is unquestionably the right goal for which to make personal sacrifices? What could be the source of such infallible knowledge or the experience that appears as if one is in the possession of it? These are appropriate questions! For, the activist possesses not only a firm conviction that the cause is right, but also a persuasion that no consideration could possibly put it in question. The position is tantamount to a person who has all the answers in advance, with no need to engage in the search for evidence. It is a position that readily presents answers, while the procedure that supplied them remains forever hidden, unexplored, and insignificant. Does this, therefore, mean that it isn't, strictly speaking, important *what will really be achieved* (as in the saying 'Don't look a gift horse in the mouth'), but that whatever is accomplished is good enough—in the sense of being sufficient and not open to moral assessment other than automatic praise? Put differently, since the activist's motivation procures the act's rightness and its goodness, does this mean that *there is no possible question to be raised here*? Or, that no argumentation of any kind is required or possible in this case? The last remark indicates an *ideological* character of the situation—we are trading in a context wherein *reasons* do not function in their customary fashion, or not at all. This appears to make activism akin to ideology.

Ideologies function precisely in this way: no reasons are presented, no argumentation offered, everything is *already* settled (prior to any questioning). What is more,

attempting to ascertain the real nature of anything—when this is done from an independent point of view, i.e. from the perspective that fails to *predetermine* it with respect to the basic (ideological) tenet as concordant or perhaps not—is viewed as a way of *putting in question* what is *already clear* (and *accepted*)! Ideologies, as is well known, incorporate no debate, no argumentation, and no uncertainty. What we do find is that all reasons have already been ‘distributed’: some are favorable (and hence they are the ‘right’ ones) while others are not (in which case they are either ‘wrong’ or, worse, a dangerous attempt at deception). Once inside an ideology one seems to have no room for humility with respect to the rightness of the main ideological tenets, or the pertinent description of the ideological *summum bonum*. Are things the same with respect to activism?

Ideology, of course, is oriented towards generating a following and agreement. It is not truth-focused or discovery-oriented. Hence, the accompanying felt certainty that characterizes activists’ or ideologues’ attitudes towards the contents of their judgments about the rightness or appropriateness of the goals they set themselves or conceptions of the ultimate good they adopt cannot be characterized as infallible. Consequently, quite contrary to the findings of our rudimentary study of the experiential aspects of the activists’ moral life, which suggest that conviction should be enough to secure the non-impeachability of activists’ actions, there exist good reasons to urge the attitude of activist humility.

The requirement of humility

This brief discussion of the moral phenomenology of international activism, which likens it to ideology indicates that the principal danger international activists face is their vulnerability to cooption by big powers through usurpation of the main (ideological) tenets that define the *summum bonum* on behalf of which they act. In light of the Professionalism Constraint international activists are morally required to prevent such cooption and usurpation, but the ideological nature of activism substantially reduces the resistance capacity by activists in this respect. Hence, it should not be surprising that they end up converted into force multipliers with such ease. However, there is a defense available to them that could enhance their integrity and consists in the practice of humility. If activists avoid the attitude of epistemic arrogance with respect to the normative value of the cause they act to support, if they refuse to take their own comfort and conviction regarding the value of their cause as a sure mark of its unquestionable validity, they may have a way of protecting the moral purity of their engagement. This takes us to the final constraint in this exercise, to the *Humility Constraint*:

(C4) It is considered morally impermissible for international activists to take the strength of their conviction as a sufficient condition for the validity of their endeavor.

The requirement of humility contained in the constraint (C4) if followed would ensure that the occasional reviews of one’s agency, accompanying goals and

conception of value would prevent such perversions as the above discussed transformation of international activism into belligerent altruism.

THE JUDGMENT

In light of the moral constraints, C1–C4, presented and defended here, the overwhelmingly negative assessment of contemporary international activism is painfully obvious. If so, the question emerges, what must, morally speaking, be done about it? This question would have to be answered both from the perspective of the activists and those who find themselves on the receiving end of these would-be-good-but-bad-Samaritans.⁴⁶ It behooves me to be brief on this matter.

From the perspective of the Western activists, we should advise the following. Just as the old American saying goes that ‘all politics is local’ so all activism should be local. In fact, the overarching duty for any activist-minded Westerner may be to go local and acknowledge the primacy of local activism, and thus deprive the imperialist project of an important body of force multipliers. On the other hand, if activities and projects by international activists hailing from the West cannot be deemed morally permissible, this should have legal consequences in the nations where Western activists are likely to operate. Understandably, those countries ought to strictly regulate—and in appropriate cases, criminalize—activities by international activists and ‘human rights organizations’ on their territory when they are not in solidarity or in support of local movements. Paradoxically, the justification for this criminalization is grounded precisely in the real concern for the human rights of the inhabitants from those countries.

A clarification is in order at this point. When I state that all activism should be local this is not meant to preclude legitimate international activism. What I mean is to insist on the primacy of local activism in the sense that all international activism must recognize this primacy, and hence reduce itself to a supporting role. In short, the legitimate international activism engages in solidarity and support of local movements. Recognizing this primacy of the local aspect of activism can be seen as the main condition of legitimacy for any international activism.

Finally, returning to Kant, to close this section of the essay we shall consider specific cases, emulating Kant himself: it is clear that Kant would have, for example, approved of the actions by Chinese authorities who, 2 weeks before Tiananmen events, in June 1989 had expelled Gene Sharp and his assistant, Bruce Jenkins. Kant would have also supported Ukrainian border authorities denying entry in October 2004 to Aleksandar Maric, a member of Otpor (meaning ‘resistance’), Serbian ‘dissident’ groups funded by the National Endowment for Democracy (NED), who was on his way to help train members of PORA (meaning ‘it’s time’), the Ukrainian version of Otpor. Both examples are connected with the US post-Cold War practice of engineering ‘democracy’ abroad through the ballot box and civil disobedience in pursuit of distinct foreign policy goals. The technique of using non-violence to effect regime change by destabilizing targeted

governments (as part of traditional military strategy) was developed by theoretician Gene Sharp.⁴⁷

The conceptual apparatus and normative framework developed in this essay can assist us in diagnosing in a precise way what is wrong (morally speaking) with Gene Sharp's 'strategic non-violent action'. In short, Sharp's design that uses non-violence as a form of warfare—adopted by foreign policy makers in the US who orchestrated various 'color revolutions', 'Arab spring', etc.—must be deemed morally impermissible as it violates all four constraints developed and defended here and because it feigns respect for the primacy of local activism: while it is the local people that participate in a non-violent movement directed against their government, the movement itself is envisaged, funded, and its 'local' leaders are trained by foreign organizations.

TOWARDS A REFLEXIVE INTERNATIONAL ACTIVISM

In this essay, I have challenged the self-image and portrayal of international activism, as something that in advance must be considered as (morally) good. By formulating constraints on practices that, if satisfied, would render them morally permissible in the context of international engagements, we obtain tools for both making and defending judgments about the normative nature of those practices. Additionally, with the resulting principle of the normative primacy of local activism we obtain the basis for assessing the legitimacy of various practices by individuals and organizations when acting abroad for ostensibly altruistic reasons.

The four constraints on the morality of international activism are derived from different ideas: the Professionalism Constraint is based on an analysis of the altruistic motivation; the Integrity Constraint is developed in opposition to the notion of activists serving as force multipliers; the Respect for Sovereignty Constraint comes from a comparative study of historical uses of 'human rights' favoring only 'soft' intervention; and the Humility Constraint emerges from the moral phenomenology of international activism, once it is recognized that the attitude of epistemic arrogance must be resisted by the international activists themselves. While the ideas of altruism, force multiplication, human rights, and epistemic arrogance are very much distinct notions each is closely connected to the context and practice of international activism (as demonstrated above) and together they offer a basis for constructing a framework for morally assessing what these activists do or have done, as the examples used in this essay illustrate.

Furthermore, each of the constraints could be defended from a basic deontological normative standpoint that demands respect for autonomy of persons and prohibits all manipulation. The prohibition contained in the Professionalism Constraint against *acteurs engagés* acting on behalf of any government, ideology, corporation, or religion is meant to secure an honest representation of the agent's altruistic motivation to which recipients of the aid can in fact (and not just in principle) consent. By contrast, the Integrity Constraint safeguards the autonomy of the activists themselves,

prohibiting them to consent to, and demanding that they guard against, their own instrumentalization (which amounts to their own reification) for the sake of purposes external to their aid or other altruistic contexts in general. The Respect for Sovereignty Constraint, by commanding at most support of and solidarity with locally pre-existing (domestic) causes and movements, achieves simultaneously both of these moral goods; by proscribing all manipulation (in terms of goal setting and methodology of their pursuit) affecting activists and beneficiaries of their engagement, it ensures that international activists are acting autonomously and beneficiaries are consenting. Finally, the Humility Constraint imposes on activists the attitude of self-respect by demanding that they be honest with themselves about their goals, methods, and motivation, thus precluding that they themselves become victims of ideologically based epistemic arrogance; but, since respect is a symmetrical relation, self-respect will command respect of others as well, especially those who find themselves on the receiving end of one's other-regarding pursuits.

International activists themselves have much to gain were they to follow these constraints, which culminate in the principle of the primacy of the local activism offering a clear demarcation line between legitimate activism and those that are not. While these constraints and the resulting normative framework provide a basis for evaluative assessment of the work activists do abroad, this framework can also serve as a proper foundation for developing a responsible *professional ethics* (a code of conduct) of international activism, and means of reflexivity for both activists and scholars of activism, which must involve a double historicization: a historicization of both what activists have done and accomplished over a period of time and of the scholarly (or any other, say, ideological) construction of that activism. I shall conclude by explicating this point.

Given that the rules governing one's professional conduct differ in their character substantially from the nature of moral rules, in order to explain the relationship between the two kinds of rules we must distinguish between three normative orders: moral, legal, and political. Namely, normative words like 'right', 'wrong', 'permissible', 'impermissible', 'just', 'unjust', and so on, can be used to express moral, legal, or political judgments. Thus, one might assert that infidelity is (morally) wrong, that abortion is (legally) permissible where they live, or that choosing to build a joint gravesite for both victims and perpetrators of the WWII massacres is (politically) wrong. Ideally, the three normative orders would be so organized that the moral order would enjoy the widest scope and contain both the legal and political orders, while the legal order would be wider than the political. This would make every (relevant) law (or a rule governing professional ethics) moral and every political decision both legal and moral. Of course, real life is very different than this, but it is in part precisely because of the ideal in question that moral deliberation is relevant when decisions are made about what rules should constitute positive law or what political course of action to take.

Furthermore, legal rules (including more specifically rules defining one's professional ethics) and those used to set the course of any policy are conventions, they are a result of somebody saying so, whether the mechanism that expresses such 'legislative

will' is democratic or not. Moral rules, however, are not conventions—a simple result of someone saying so⁴⁸—and thus can serve as a basis for assessing the moral character of rules (and ensuing practices) included on the list of positive laws or postulated as governing one's professional conduct (be it as a lawyer, medical doctor, or international activist). Thus the self-monitoring by activists is made possible, which could in principle lead to unmasking of power and ideology driving the engagement that in some cases may render that reality (morally) unacceptable (as a result of application of the constraints here developed), and thus inevitably call for action in amending the modes of continued engagement (if not mandating withdrawal). They have to know what they *have done* before they can know what they are in fact doing, especially normatively speaking.⁴⁹

However, the same considerations that make this self-monitoring by activists possible can also generate monitoring by any interested party, be they scholars interested in, say, the morality or sociology of international activists, or for example the governments in the countries where international activists are operating. By engaging in this sort of reflexivity all interested parties will do their jobs better, and with actual seriousness.

ACKNOWLEDGEMENTS

Earlier versions of this essay were presented as talks at Gordon College on April 30, 2010, to the Socratic Society at Portland State University on May 27, 2010, and at the 52nd annual convention of the International Studies Association in Montreal, "*Global Governance: Political Authority in Transition*," on March 18, 2011. I thank the audiences at these talks for their comments and questions.

NOTES

1. See, for example, Sean Conlin and Roderick L. Stirrat, 'Current Challenges in Development Evaluation', *Evaluation* 14, no. 2 (2008): 193–208, where the first sentence of the abstract reads: 'Over the past 20 years, the development industry has changed rapidly and now presents evaluators with a series of new challenges.'
2. This document is available for download from the World Bank website at: http://www-wds.worldbank.org/external/default/main?pagePK=64193027&piPK=64187937&theSitePK=523679&menuPK=64187510&searchMenuPK=64187283&siteName=WDS&entityID=000009265_3961219103437 (emphasis is mine).
3. *The World Public Sector Report 2008, People Matter, Civic Engagement in Public Governance* (New York: United Nations, 2008), 31.
4. In the present work, however, I will be primarily concerned with the moral normative sphere.
5. Immanuel Kant, *Perpetual Peace*, ed. Lewis White Beck (Indianapolis: Bobbs-Merrill, 1957), 20.
6. *Ibid.*, 21.
7. *Ibid.*, 21–2 (my emphasis).
8. *Ibid.*, 22.
9. See their website, <http://www.amnesty.org/en/who-we-are/about-amnesty-international> (accessed February 10, 2010).

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10. See their website, <http://www.hrw.org/en/about> (accessed February 10, 2010).
11. See the Bureau's website, <http://www.state.gov/g/drl/> (accessed February 10, 2010).
12. See the website in note 10, my emphasis.
13. See the website in note 9, my emphasis.
14. See, *The Oxford Essential Dictionary of the US Military*, 2001. <http://www.encyclopedia.com/doc/1O63-forcemultipliereffect.html> (accessed February 10, 2010).
15. See, 'Remarks to the National Foreign Policy Conference for Leaders of Non-Governmental Organizations'. State Department, Washington, DC, October 26, 2001. http://avalon.law.yale.edu/sept11/powell_brief31.asp (accessed February 10, 2010).
16. All quotes from Rony Brauman, *Iraq: In Search of 'Humanitarian Crisis'*, 2004. <http://www.doctorswithoutborders.org/publications/article.cfm?id=1385&cat=ideas-opinions> (accessed February 10, 2010).
17. Dirk-Jan Koch, Axel Dreher, Peter Nunnenkamp, and Rainer Thielele, 'Keeping a Low Profile: What Determines the Allocation of Aid by Non-Governmental Organizations?' *World Development* 37, no. 5 (2009): 902–18; the quote is from page 914.
18. See the government website, <http://www.state.gov/secretary/rm/2009a/10/130698.htm> (accessed February 10, 2010).
19. See the website in note 18.
20. See, http://www.humanrightsfirst.org/about_us/about_us_status.aspx (accessed February 10, 2010).
21. Richard Robbins, *Global Problems and the Culture of Capitalism*, 2nd ed. (Boston: Allyn and Bacon, 2002), 129.
22. On this notion see the work of the sociologist, G. William Domhoff, in particular his book *Who Rules America? Challenges to Corporate and Class Dominance*, 6th ed. (New York: McGraw-Hill Humanities, 2009).
23. Paul Treanor, *Who is Behind the Human Rights Watch?* <http://web.inter.nl.net/users/Paul.Treanor/HRW.html> (accessed February 10, 2010).
24. Joseph Stiglitz, *Globalization and Its Discontents*, 1st ed. (New York: W. W. Norton & Company, April 2003), 256.
25. *Ibid.*, 208.
26. Robert M. Gates, Submitted Testimony to the House Armed Services Committee (Washington, D.C.), 2118 Rayburn Office Building, Washington, DC, Tuesday, April 15, 2008. <http://www.defense.gov/Speeches/Speech.aspx?SpeechID=1227> (accessed on February 10, 2010).
27. Clinton Administration Policy On Reforming Multilateral Peace Operations, PDD 25 May 1994, 33 I.L.M. 795. <http://www.kentlaw.edu/academics/courses/admin-perritt/pdd-25.html> (accessed February 10, 2010).
28. See, Tiphaine Dickson, 'De l'invisible attentat aux faux experts: le combat des avocats de la defense au Tribunal pénal international pour le Rwanda', in *Silence sur un attentat* (Paris: Duboiris, 2005) 88.
29. See, Steven Groves, 'The United States Must Demand Accountability from UN Peace-keeping Operations', Heritage Lecture #1041 Delivered June 13, 2007. <http://www.heritage.org/research/Internationalorganizations/hl1041.cfm> (accessed February 10, 2010).
30. For an excellent discussion of the international practice of democracy building, a veritable 'democracy industry', exploring various aspects of the art of democratic engineering in countries undergoing Western inspired 'regime change' or 'transition to democracy', see Nicolas Guilhot, *The Democracy Makers: Human Rights and International Order* (New York: Columbia University Press, 2005).
31. Aggression is 'the supreme international crime differing only from other war crimes in that it contains within itself the accumulated evil of the whole', according to the Judgment of the Nuremberg Tribunal relating to 'Count Two', the Crime of Aggression, as brought against Goering, Ribbentrop, and 14 other defendants.

32. I attend to the issue of (ab)uses of ‘genocide’ in the post-Cold War period in my ‘Genocidalism’, *The Journal of Ethics* 8 (2004): 251–97.
33. In his intriguing history of human rights Samuel Moyn, *The Last Utopia: Human Rights in History* (Cambridge, MA: First Belknap Press of Harvard University Press, 2010) shows convincingly that when ‘human rights’ entered the English language in the 1940s (and well into 1970s) they were a ‘substitute for what many around the world wanted, a collective entitlement to self-determination’ (45). The change to the more recent utopia, the hope for a world of individual human rights, could develop only when self-determination entered crisis, which happened in the late 1970s and the presidency in the US of Jimmy Carter. Human rights then became a useful tool for the Westerners to almost overturn and reverse, as we shall see, the process of decolonization.
34. Jean L. Cohen, ‘Rethinking Human Rights, Democracy, and Sovereignty in the Age of Globalization’, *Political Theory* 36, no. 4 (2008): 580 (emphasis mine).
35. On this see the work of Anne-Marie Slaughter, for example her book *A New World Order* (Princeton, NJ and Oxford: Princeton University Press, 2004). The uninitiated may be forgiven if these ideas and claims, such as the assertion that some bizarre ‘cosmopolitan’ human rights based ‘globalized law’ that does not have sovereignty of nation states as its source has already replaced traditionally understood international law, sound frankly insane. However, partakers in this latest form of human rights discourse, particularly those who take the initiative to formulate the most brazen and arrogant dismissals of the validity of international law are mightily rewarded. For example, Ann-Mary Slaughter herself a former Dean of the Woodrow Wilson School of Public and International Affairs and the Bert G. Kerstetter ‘66 University Professor of Politics and International Affairs at Princeton University, now is Director of Policy Planning in the Obama administration. Another example of the revolving door phenomenon or yet another kind of force multiplier: the academic kind?
36. On these respective proposals for new human rights by what I call ‘human rights extremists’ see, ICISS. *The Responsibility to Protect*. Canada: IDRC, 2001; Michael Walzer, ‘Au-delà de l’intervention humanitaire: les droits de l’homme dans la société globale’, *Esprit* 9, August/September (2004): 66–7; Anne-Marie Slaughter and William Burke-White, ‘An International Constitutional Moment’, *Harvard International Law Journal* 43, no. 1 (2002): 1–21; W. Michael Reisman, ‘Sovereignty and Human Rights in Contemporary International Law’, *American Journal of International Law* 84, no. 4 (1990): 866–76.
37. This approach to legal reform—which I like to call ‘don’t try this at home legal reform’—is advocated in several places by Allen Buchanan; see, for example, his ‘From Nuremberg to Kosovo: The Morality of Illegal International Legal Reform’, in *Humanitarian Intervention: Moral and Philosophical Issues*, ed. Aleksandar Jokic (Calgary: Broadview Press, 2003), 123–58.
38. Jean L. Cohen, ‘Rethinking Human Rights, Democracy, and Sovereignty in the Age of Globalization’, *Political Theory* 36, no. 4 (2008): 580–1.
39. On the question about the morality of imposing economic sanctions on target countries, see, Aleksandar Jokic and Jovan Babic, ‘Economic Sanctions, Morality, and Escalation of Demands on Yugoslavia’, *International Peace Keeping* 9, no. 2 (2002): 119–26.
40. This phrase was coined by Tiphaine Dickson in the course of our discussions on topics similar to those addressed here, and further developed in a separate section of our essay ‘Hear No Evil, Speak No Evil: The Unsightly Milosevic Case’, *International Journal for the Semiotics of Law* 19, (2006): 355–87.
41. For a detailed discussion of this and related points, see my, ‘What’s a Just War Theorist?’ *Journal of Theoretical and Philosophical Criminology* 4, no. 2 (2012): 91–114.
42. Robert M. Hayden, ‘Biased “Justice”: Humanrightism and the International Criminal Tribunal for the Former Yugoslavia’, in *Lessons of Kosovo: The Dangers of Humanitarian Intervention*, ed. Aleksandar Jokic (Calgary: Broadview Press, 2003), 115.

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43. Dimitrina Petrovna, 'The War and the Human Rights Community', *East European Constitutional Review* 8.3 (1999): 97.
44. Presented in Robert Hayden, *Ibidem*.
45. This section and the next one borrow from my 'Activism, Language, and International Law', *International Journal for the Semiotics of Law* 15, no. 1 (2002): 107–20; however, the purpose here is very different.
46. This phrase is inspired by the excellent book by Ha-Joon Chang, *Bad Samaritans: The Myth of Free Trade and the Secret History of Capitalism* (New York: Bloomsbury Press, 2008).
47. Gene Sharp, *Making Europe Unconquerable*, 1st ed. (Cambridge, MA: Harper & Row, Ballinger Division, 1985).
48. In other words, I am assuming here that meta-ethical conventionalism is incorrect. However, this cannot be argued here, beyond simply pointing out that the reasons for this judgment are twofold: (a) meta-ethical conventionalism gets the nature of moral rules wrong, which cannot be conventions because of their characteristic universality; and (b) it gets the difference between law and morality wrong (by, in fact, implying that there is no essential difference, both consisting of rules which are conventions).
49. If anyone were to recognize in these words the influence of Pierre Bourdieu's ideas, they would be correct; see his, *In Other Words: Essays Towards a Reflexive Sociology* (Stanford: Stanford University Press, 1990).