



Peace, Justice and International Democracy: The Role of International NGOs in the 21st Century

**Statement by William R. Pace, World Federalist Movement (WFM) &
International NGO Task Group on Legal and Institutional Matters (INTGLIM)**

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William R. Pace is the Executive Director of the World Federalist Movement-Institute for Global Policy. Mr. Pace serves as the Convenor of the NGO Coalition for the International Criminal Court. From 1996-1999 Mr. Pace initiated and served as the Secretary-General of The Hague Appeal for Peace global campaign and conference. The following article is based upon a speech Mr. Pace made in Tokyo at Waseda University to a Hague Appeal for Peace Campaign convocation and to Institute of Comparative Law. Mr. Pace spoke in his personal capacity.

On behalf of the Hague Appeal for Peace, which I had the great honor to serve as Secretary General, and the World Federalist Movement, of which I am the Executive Director, I am honored to be able to speak at this HAP + 1.5 Campaign convocation at Waseda University, and to the Institute of Comparative Law. I wish to pay special respects to Mr. Akira Takagi and to WFM Japan for hosting our International WFM Council here in Japan this past weekend, and to Professor Kenji Urata, both of whom helped arrange this meeting.

Ladies, Gentlemen, and Students. While I will address broader areas of the tension between democracy and globalization, I would ask that we keep in mind that as we approach the year 2001, we are departing the bloodiest, most war-ridden century in all of history. And while there have been major advances in humanity's quest to "rid the world of the scourge of war," the foremost event being the end of the "Cold War," nevertheless, during the last ten years terrible wars continued to rage throughout the planet. Wars of genocide, the proliferation of nuclear weapons and other weapons of mass destruction, and crimes against humanity continue to threaten not only the survival of civilization, but of the human race.

During this past century combatants ceased being the primary victims of war. Today, innocent civilians, mostly women and children, comprise up to 90% of the casualties of war. Child soldiers by the hundreds of thousands, with AK47s draping their bodies, populate armies throughout our world.

During this same century democracy, justice and the rule of law have made their greatest advances in all of history. In recent times the pace of progress has seemed staggering, such as in 1988 and 1989 when President Gorbachev relinquished the Soviet military domination of the Union and Eastern Europe. Again, little noticed, just in the last four weeks 15 nations signed the Rome Statute of the International Criminal Court (ICC) and 6 nations ratified the treaty which will establish a new world court. In less than one month's time 10% of the foundation for what will be a fundamentally strengthened international legal order was achieved!

As you may know, WFM provides the secretariat for the 1,000 member NGO Coalition for the International Criminal Court (CICC), and I have had the honor to serve as the Convenor of this global network for the last six

years. This is a historic initiative, described by many as the greatest step towards outlawing war since the founding of the UN.

Thus, there is a deep-rooted dualism - in borrowing from a famous literary passage from Dickens' - "it has been the worst of times, it has been the best of times" - that seems to characterize the last century, the last decade, the fate of civilization.

But, there is a major new factor in history, the existence of organized global civil society - of international non-governmental organizations (NGOs), and their networks, coalitions and movements. These organizations have become powerful participants in international, intergovernmental decision-making. Indeed, as the International Campaign to Ban Landmines demonstrated, when global civil society works in strategic political partnership with a large number of like-minded governments the combination is capable of equaling a "superpower" in international decision-making. This is the "new diplomacy."

The extraordinary development of the international NGO as a major force in history and the role of NGOs in the 21st century are the subject of this seminar. It will be my thesis today that the fate of peace, justice and international democracy in the 21st century will be largely determined by the role of the international NGO movements, by a "new diplomacy." The international NGOs have both helped create and ridden the wave of globalization. But, the international NGOs that have remained primarily Northern, ethnic-based, nationalist and confederalist are mostly dying or becoming marginalized. The international NGOs that are part of this historic development are those that have clear, focused, and universal mandates; that are operating globally, transnationally, federatively; and selectively in coalition efforts.

Note: This speech and paper addresses the role of *international* NGOs in the 21st century. There are extraordinary developments among national and regional NGOs, who are also contributing enormously to the issues discussed. But, their role, for the sake of time and space, is not taken up in this paper.

Duality - Root or Branch

The extraordinary duality referred to previously characterizes almost all of the industrialized North. The same powerful nations have been both the greatest enemies and proponents of universal human rights, democracy, justice and the rule of law. Let me mention three: Europe, Japan, and the USA. Who can deny the devastation caused by centuries of imperialism by European powers? Slavery, colonialism, oppression of minorities and of political freedom were the hallmarks of the so-called advance of Western Civilization for nearly a millenium. European wars in the 20th century, some argue, nearly obliterated civilization and brought the Holocaust.

In this region, Japan, too, has had a history of colonialism, brutal military domination and extreme nationalism.

The imperialism of USA has a shorter history than Europe's and Japan's, but its economic and military dominance may be singular in history. And make no mistake about it; the great principles of democracy and human rights enshrined in the US Constitution coexisted, in truth, on a foundation that was also racist, classist, and sexist. Only until slightly more than one generation ago, the United States, while claiming to be, and being perceived as, the world's greatest democracy in history, was largely a *de facto* apartheid nation until the late 1960's. Nowhere is the dangerous and fateful dualism greater than in the United States.

Note: It is often misunderstood that the "Western" development of universal human rights, justice and the democratic rule of law were idealistic achievements of European civilization. This is largely myth. In fact, it is wiser to view the development of these great institutions as antidotes, inoculations, and lines of defense against the totalitarian and imperial forces of these nations.

For me, for the purposes of this speech, the most dangerous and fateful of the dualistic contradictions is this: that the world's greatest national democracies are the world's greatest opponents of international democracy: including the USA, France, United Kingdom, Japan and India. While significant international democratic forces are having an impact on the UK and France in the European Union, in the other nations the opposite forces, including isolationism, terrorism, and unilateralism are on the rise.

The transnational international NGOs in these "G-7" nations, in concert with colleagues from the Global South, represent the primary political counter-force to the G-7 nations' opposition to international democracy and to democratic global governance. Will it change? No one knows. But, if it does, it will be in large part because of the international and transnational pressure of international NGOs headquartered in these nations.

State- and territory- based national sovereignty and security is incompatible with globalization. State-based sovereignty is incompatible with the globalization of human rights and justice. State-centered national sovereignty must yield to more citizen-based, local-based, and regional-based concepts of sovereignty that link national human rights to universal human rights. National citizenship must expand to embrace responsibilities of world citizenship. The transnational international NGO is the primary proponent of this worldview.

Globalization itself has its own insidious dualism. Many facets of economic globalization, while not nationalistic, are imperialistic, wherein the unregulated economic power is becoming more and more concentrated into fewer and fewer transnational corporations (TNCs). The rich become richer, the elite more elitist. The dominance of the wealthiest nations is not really the domination of the nation-states, but of the economic powers in those nations that are utilizing the political institutions of the nations (and international institutions controlled by these nations) to advance their transnational economic policies. This again reflects an enormously challenging duality among the great industrialized national democracies including the USA, Japan and European powers.

Fortunately, the transnational international NGOs in these nations have tremendous forces mitigating against their being captured and coopted by the nationalist and transnational economic powers. In a few words these mitigating forces are their mandates, their global membership base, and increasingly their most effective political processes.

Mandates: The mandates of many major transnational NGOs are in direct conflict with anti-democratic economic and political power. Transnational NGOs with mandates to protect the global environment, to promote universal human rights including economic and social rights, to promote sustainable development and eradicate poverty, to promote disarmament, to outlaw the trade of weapons, to promote international democracy, to advocate bringing perpetrators of crimes against humanity to justice, to deliver humanitarian assistance are all -by their mandate - in conflict with undemocratic, nationalistic, militaristic, and elitist transnational economic and trade powers.

Global Membership Base: The global membership base of many transnational international NGOs increasingly erodes the ability of those members and organizations from the most powerful countries to dominate their movements and to coopt or impose, knowingly or not, the policies of the industrialized governments and TNCs. This is a major change in the last ten years.

New Political Processes: The new political processes, wherein transnational international NGOs operate and cooperate in strategic networks, coalitions, and caucuses have built-in protections against being dominated by the agenda of a few powerful nations or being coopted by transnational corporate interests. Those NGOs whose goal is self-promotion and that cannot work in global networks and coalitions are increasingly becoming marginalized.

To summarize to this point, the soft-power, human security, new diplomacy model represents our best hope to successfully meet the challenges we face from the dilemmas resulting from:

- (1) the great national democracies opposition to international democracy and their support for exclusive economic global governance; and
- (2) the catastrophic dangers of unfettered, unregulated neo-liberal globalization.

The new diplomacy must replace the old diplomacy; limited, perhaps constitutional democratic global governance must replace the Westphalian nation-state system and the Westphalian NGO system.

Transnational international NGOs will be primary architects and builders of the bridges from the Westphalian world to the world of democratic global governance - of citizen-based versus state-based sovereignty, of the globalization of justice and human rights. The still unfilled vacuum of the end of the Cold War and the globalization of justice, democracy and the rule of law offers one of the greatest opportunities ever to make great strides towards this new architecture.

Japan's role and contributions:

Being in this great nation, let me mention some major contributions, I believe, Japan has made and must continue to make in confronting the "dualistic" opportunity and threats.

Because this seminar is being organized in honor of the Hague Appeal for Peace campaign, it is important to remember that the maintenance of international peace and security must remain the highest goal of multi-lateralism. We would be deceiving ourselves if we overestimate the security achieved by Russia's ending the Cold War. It is a great political development. But, the world remains a very dangerous place. Nuclear weapons and other weapons of mass destruction continue to threaten the very existence of humanity and civilization. The proliferation of nuclear weapons could result in a much more dangerous world in the near future than existed at the height of the atomic weapons race. Do not forget for a moment that "mutual assured destruction" (MAD) remains the principle basis of nuclear policy of the USA, NATO, and Russia.

The Koreas, Taiwan, Tibet, Kashmir, Sri Lanka, East Timor are only some of the wars or war-threatening situations in this region that should underscore that peace must continue to be a primary concern.

In this context, Article 9 of the Japanese constitution continues to be a beacon of light. It is more important for the 21st century than it was for the 20th century. It is the way of the future, if we are to avoid the ultimate war. I pray that Japan's civil society will continue to resist efforts to undermine Article 9 and will continue to inform other nations of this historic constitutional achievement. I complement groups like Peace Boat for their great efforts in this area. Only civil society groups - and I think of Peace Boat as both a national and international NGO - can do the kinds of political education and reconciliation actions they are so successfully carrying on.

Improvement of war prevention, peacekeeping and peace enforcement capacities are vital to the survival of the United Nations and the avoidance of another war-ridden century. Nations like Japan have much they can contribute to preventing and stopping war without contributing armed forces, bombs and other weapons. More nations must make non-lethal contributions to peacekeeping. And the world must create volunteer rapidly deployable humanitarian and peacekeeping forces - international and UN forces not controlled by national political and military leaders. Japan should support middle-power efforts to create these tools of collective security. Civilian peacekeeping forces and humane sanction regimes must be developed. Japan can play a great role in supporting these processes.

A second great contribution of Japan is the role their local authorities have played in promoting international peace and security. One can not emphasize this enough. For world peace will never come from nation-states unless those nation-states are forced by their local authorities and citizens. The mayors and leaders of Hiroshima and Nagasaki deserve the Nobel Peace Prize for the decades of efforts for peace and disarmament.

Also, the example of municipal authorities and communities adopting high-minded foreign policies on matters of peace should extend to other areas, such as justice and the eradication of poverty. In fact, Justice Garzon of Spain who brought the charges against Pinochet is, I believe, an example of a local authority enforcing an international standard.

Sometimes international NGOs must take the lead. The Russell Tribunals on the legality of the USA war in Indo-China and the Women's Tribunal organized here in Japan on crimes against women in World War II are examples of the kinds of efforts international NGOs must continue to do because nations will always avoid tackling these responsibilities.

Of course, the establishment of the International Criminal Court will be a revolutionary attack on impunity. In it vital that Japan signs the Rome Statute of the International Criminal Court before the December 31, 2000 deadline. Anything you can do to encourage your government to take this first step would be greatly appreciated.

Ladies and Gentlemen,

Again, let me summarize: Democracy, justice and the rule of law are interdependent, multi-dimensional and synergistic.

The failure of one weakens the ability of the others to work. The strengthening of one strengthens the ability of the others.

Similarly, to truly work, democracy, justice and the rule of law must exist at all levels of society: local, national, regional and global. The failure at one level undermines their capability of working in the other levels. The strengthening of democracy, justice, or the rule of law at one level strengthens all levels.

More than ever before in history, citizens and civil society through their non-profit organizations, are essential partners in the development of democratic global governance. International democracy will not develop and prevail without the leadership of international NGOs.

But, international NGOs will need to develop policies about international democracy. Groups like the World Federalists have been isolated on these matters for too many years. Civil society must enunciate choices. Do you want the World Trade Organization to replace the United Nations? Do you want to develop a World Environment Organization equal to WTO or keep the UN's environment work simply a "program" as UNEP currently is? Do you want regional and global policies determined by G-7 and G-8 closed meetings or by regional and global democratic forums? Do you want to expand the Security Council to make it more representative of the world in the new century? Or do you want to increase the number of permanent members and vetoes on the Security Council?

The "new diplomacy" created by international NGOs offers the greatest hope for addressing both the new dangers of uncontrolled globalization and the old dangers of war and dictatorship.

The Hague Appeal for Peace Conference, convened by international NGOs when governments refused to convene what should have been last of the UN world conferences in the 90s, was one of the great examples of the new diplomacy. Ten thousand representatives of civil society came together. Some forty governments and international organizations joined us in creating and supporting the Hague Agenda for Peace and Justice.

Japanese citizens, NGOs, and local authorities were great participants in Hague Appeal for Peace (HAP). I am honored to have been invited to speak to you today. I hope that a Japanese student or lawyer 50 years from now may read about this seminar and be able to smile with the pride that will come from humanities' triumph over war.

Thank you very much.