This article draws upon a project that explores the UN’s role in promoting the relationship between security and governance. Terrorism finds fertile ground in undemocratic and conflict-torn societies: the UN’s promotion of democratization must now also be seen as a part of its wider role in international peace and security.

Contemporaneously with the heightened interest in democracy, there has developed a greatly enhanced role for the United Nations in the post-cold war period. Over the past decade, the UN has generated virtually as much activity as in its entire previous history. The range of tasks entrusted to the UN has been remarkable, including managing sanctions regimes, leading enforcement actions, developing the international rule of law, building or rebuilding entire national systems of governance, and assisting with or observing national elections.

The UN’s burgeoning activities in promoting and supporting democracy, in a complex and fast-changing international environment, lie at the intersection of these broad developments. The span of UN activities in this field is vast, ranging from technical assistance in drafting and implementing election laws to nation-building on the basis of democratic governance. The range of issues the UN must grapple with in undertaking this demanding work is also vast. It must tread the fine line between respecting Article 2(7) of the Charter (which prohibits interference in matters within the domestic jurisdiction of states) and taking leadership on behalf of the international community and in upholding basic principles of human rights. Its work must be based on the concept of state sovereignty, but motivated by the high normative ideals set by the UN. Its rules of engagement are based on a post-WWII Charter while it works in a complex and fast-changing international environment, lie at the intersection of these broad developments.

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(4) Operational Principles
A. Clear objectives; clear and unambiguous mandate at all times; and resources to match.
B. Common military approach among involved partners; unity of command; clear and unequivocal communications and chain of command.
C. Acceptance of limitations, incrementalism and gradualism in the application of force, the objective being protection of a population, not defeat of a state.
D. Rules of engagement which fit the operational concept; are precise; reflect the principle of proportionality; and involve total adherence to international humanitarian law.
E. Acceptance that force protection cannot become the principal objective.
F. Maximum possible coordination with humanitarian organizations.

The United Nations Role in Democratization*

By Edward Newman and Roland Rich

Democracy Assistance - a Pressing Global Challenge
For the first 40 years of the United Nations, the Cold War was the dominant international reality. To a large extent, the organization was on the periphery of an international agenda defined by superpower rivalry and tension. Nevertheless, the UN and its agencies made a significant impact in various ways, including the facilitation of decolonization and the emergence of many new Member States. But the UN’s contribution to “nation building” in the cold war era largely excluded the objective of helping to construct democracy as the normal or even ideal form of governance. Democracy was a concept too pregnant with partisan political meaning to be seen as the norm.

The post-cold war period has seen a new appreciation of the value of democracy. Concepts such as Thomas Franck’s “democratic entitlement,” James Crawford’s “democratic legitimacy” and Bruce Russett’s “democratic peace” have been of strong interest to researchers and practitioners alike. The development assistance community has begun to look at democracy as a means of improving governance, and the concept of democratic governance has been adopted by UNDP as a goal for its development work. In the space of just a few years, democracy promotion, as a mainstream aspect of international relations, has moved from the wings to centre stage. Moreover, recent events suggest a renewed imperative for focusing on governance in the UN’s activities.

The September 2001 terrorist attacks in the US underlined the relationship between security and governance. Terrorism finds fertile protection purposes for which there is otherwise majority support.

E. If the Security Council rejects a proposal or fails to deal with it in a reasonable time, alternative options are:
I. consideration of the matter by the General Assembly in Emergency Special Session under the “Uniting for Peace” procedure; and
II. action within area of jurisdiction by regional or sub-regional organizations under Chapter VII of the Charter, subject to their seeking subsequent authorization from the Security Council.
F. The Security Council should take into account in all its deliberations that, if it fails to discharge its responsibility to protect in conscience-shocking situations crying out for action, concerned states may not rule out other means to meet the gravity and urgency of that situation – and that the stature and credibility of the United Nations may suffer thereby.

* This article draws upon a project that explores the UN’s role in promoting and supporting democracy, organized by the United Nations University in partnership with the Centre for Democratic Institutions at the Australian National University. Edward Newman (UNU) and Roland Rich (CDI/ANU) are co-directors of the project.

beginning to fray.

A number of questions arise. Can the UN, as an external actor, have a substantial and enduring impact upon domestic transition and democratization within a society in which it is engaged? Normatively speaking, is it right that an external actor should have such an impact? Has the promotion of democracy by the UN in post-conflict and divided societies had a significant role in conflict amelioration and reconciliation? What values or models of democracy does an external agent such as the UN bring with it to the democratization process? Practically, how successful has UN assistance been in terms of consolidating democracy in transitional societies – what is the record? To what extent is the UN “staying the course” from transition to consolidation, by going beyond electoral assistance to political reconstruction and indigenous capacity building?

Beyond these normative dilemmas, the UN must also grapple with the usual problems that bedevil development assistance. Faced with the immediacy of crisis situations, the UN often has little time for the luxury of reflection and is required to throw itself immediately into action with little notice. Is it thus forced to work on a “one size fits all” template, knowing full well that every situation has its distinctive characteristics? Because it is required to show immediate results by an impatient international community, the UN must also find the balance between providing vision and leadership while encouraging local ownership and engagement. The UN knows full well that the UN budget is limited and must respond to the next crisis.

There are also the technical difficulties of finding the right path for each individual situation. Which government structure will best fit the local situation with its distinctive history and expectations? Which electoral system will encourage national reconciliation, and which will lead to a winner-takes-all mentality? How are the often-conflicting yearnings for justice, reconciliation and restoration to be met? And how can internal and external security be achieved?

Methodology

The challenges can be approached and examined through thematic analysis and case studies. Lessons must be learned and best practice followed if the international community is to advance in its lofty goals.

Whether the issues concern electoral laws, election monitoring, governance structures or civil-military relations, lessons can only be learned from past practice if the analysis is accurate. Local complexities need to be understood and accommodated. Tricky questions of cause and effect also need to be worked out. Whether it is in the design of electoral systems, the implementation of election processes or the monitoring of elections, the UN role should build on its experiences, identify its successes and learn from its failures.

The central research questions here, in considering local conditions, are: What domestic circumstances are most conducive to the promotion of democracy by external actors? What is the role of civil society in building the foundations of democracy, especially in post-conflict or transitional circumstances? How do national liberation movements transform themselves (or not) into party political organizations?

The second approach is the case study method. The five case studies being undertaken in the project concern UN involvement in Namibia, Cambodia, Haiti, Kosovo and East Timor. In this way, the project deals with the earliest attempt at a large democratization project as well as the most recent. It deals with cases of decolonization, societal disintegration and emergence from foreign domination. In some cases, the initial military element is dominant; in others, the policing element is the key. In some cases, the UN led the entire operation; in others, the UN picked up from other multinational actors. The five case studies, therefore, provide a broad base for study.

One of the considerations in undertaking these case studies is to try to ensure that the research is based upon local perspectives. The depth of local concerns, the complexities of the local political situation and the various local images of the foreign actors are all critical to a full understanding of the situation. For this reason, the project was designed around the case studies being undertaken by local academics and researchers. This gives the case studies an immediacy and directness that may be wanting in the hands of a foreign researcher. The case studies strive for fairness in their interpretation of the problems faced by the UN and how they were tackled, but the perspective will be one of commitment to the outcomes rather than striving for an elusive and indeed doubtful objectivity.

A number of research questions form the basis of these studies:

- How do the history (of democracy), culture, and social processes condition the form of democracy that can take root in the particular context? How do these factors have a bearing upon the likelihood that external assistance can have an impact?
- How did the UN work alongside local actors and benefit from their expertise and networks? What lessons can be learned?
- Did the UN sufficiently understand and respect local cultural and social conditions in organizing its democracy programmes?
- Did the UN sufficiently understand local political balances and dynamics in organizing its democracy programmes?
- Was the UN’s involvement impartial, or did it have an impact upon political balances, political agendas or political opportunities for certain groups/interests above others?
- Were the timing and modalities of electoral activities optimal?
- To what extent did the international community genuinely build local capacity for self-governance? To what extent is the UN “staying the course” from transition to consolidation, by going beyond electoral assistance to political reconstruction and indigenous capacity building?
- Did the institutional arrangements put in place encourage any forms of power sharing? Did they promote the development of programmatic political parties?
- Did the activities encourage politics to form around broad cross-cutting issues rather than along narrow sectarian lines?
- Were any alternatives to elections considered as a means of involving local actors in the immediate process of reconstruction?
- In which sectors was the UN most effective: for example (but not necessarily limited to) electoral assistance, establishing rule of law, strengthening civil society, assisting political parties, or generating economic development?
Preliminary Conclusions

A number of preliminary observations and conclusions can be made. Inevitably, the ethics of intervention must be confronted. This is an issue that goes beyond the work of the United Nations, but given the role of the UN to represent the worthiest ideals of humanity, the ethical dilemmas are particularly acute when addressing the UN’s role. A possible conclusion is emerging that the goal of consistency with the UN’s response to societies in crisis and in need of assistance and democratization may not be feasible. Every decision taken by the international community is subject to individual influences and its own zeitgeist. The decisions tend to build on previous decisions and results on the basis of a shifting political logic that is often difficult to discern.

Another set of conclusions is emerging concerning the role of the external actor in bringing lasting changes to a particular society. The challenge is to achieve positive and sustainable change without embedding the external actor as an indispensable part of the local political scene.

This raises questions about the role to be played by the UN, its duration and its aftermath. Clearly, there is a facilitative role welcomed by the locals. The term “circuit-breaker” describes the role played by the external actor, a role clearly beyond any combination of local forces or individuals. Putting a halt to a downward spiral of distrust among the various local forces may often be the UN’s key contribution. The challenge is then to establish a space for the reconstruction of civil society and democratic governance.

There is a critical need to work with local civil society and prepare it to take over some of the roles being undertaken by the external actor. Capacity building, based upon extensive local consultation, is therefore an essential part of the UN’s work. The existence of civil society in societies suffering some sort of trauma cannot be taken for granted. Civil society is a delicate creature, particularly vulnerable in its infancy. The external actor needs to recognize and accept its role — and, indeed, to nurture it. While civil society has difficulty taking root in authoritarian societies, there are encouraging examples of people under foreign domination and, hence, in developing moderate and broad-based political parties.

It is also becoming clear that the mandate the UN is assigned and the terminology used in the enabling instrument will have a significant impact. This is clearly an iterative process as each situation builds on the terminology and actions of previous work. The research project will examine the process of interpretation in implementing the enabling instructions.

We should be realistic about what can be achieved in democracy assistance. The goals set by the international community require the establishment of viable forms of democratic governance able to address problems of reconciliation, nation building and poverty alleviation. These are, of course, very long term goals subject to variables over many of which the UN and other external actors have minimal influence. This tends to place attention on the existence of a process that can be said to lead to the required long-term goals. While members of the UN staff are fully aware that the holding of a transition election and the resulting establishment of a government with international and democratic legitimacy is only an early step in this process, there has nevertheless been a tendency to view this as the point at which the UN’s role is evaluated and, often, truncated.

The timing and modalities of electoral assistance are also critical. Elections represent a key step in a broader process of building political institutions and legitimate government. Variations in electoral procedures can play a key role in determining whether the locus of political competition evolves along extremist or centrist lines and, hence, in developing moderate and broad-based political parties.

There are three major areas of variation that are crucial influences on the shape of post-conflict politics in most countries.

- First, there is the question of timing: Should post-conflict elections be held as early as possible, so as to fast-track the process of establishing a new regime? Or should they be postponed until peaceful political routines and issues have been able to come to prominence?
- Second, there are the mechanics of the elections themselves: Who runs the elections? How are voters enrolled? What electoral formula is used? And so on.
- Third, there is the often under-estimated issue of the effect of the elections on political parties. Especially in cases of weak civil society, political parties are the key link between masses and elites, and play an absolutely crucial role in building a sustainable democratic polity. Hence, the interaction between parties and the electoral process is itself crucial. Are the political parties contesting the election narrow, personalized, sectarian or ethnically exclusive entities, using the political process to pursue their wartime objectives? Or are they broad, multi-ethnic, programmatic organizations with real links to the community?

More generally, there is the overarching issue of under what circumstances elections help to build a new democratic order, and under what circumstances they can undermine democracy and pave the way for a return to conflict. For example, elections are part of the broader process of democratization, but ill-timed, badly designed or poorly run elections can actually undermine the broader democratization process.2

Considerable attention also needs to be paid to the UN’s ongoing (and, often, less visible) role in assisting societies to maintain and improve their democratic processes. Accordingly, it is important to examine more technical elements of the UN role concerning design of electoral systems and processes, and assistance in implementing electoral commissions and other bodies charged with holding future elections. There are many factors involved in the process of democratic consolidation, and it is beyond the scope of the project to examine them all.

The process of democratization is ongoing. The UN is likely to be involved in this work for decades to come. The need for research and analysis is clear. The project hopes that the results will assist the UN in its future endeavours.

2 The comments on electoral issues draw upon Ben Reilly’s participation in the project.