2003 Bernstein Symposium

Global Interests and Local Needs: Striking a Balance in Post-Conflict States

Post-conflict states risk falling into a spiral of abuses and becoming dependent on outside forces to maintain a more peaceful status quo. Human rights, development, local empowerment, and constitutionalism must each be an essential component in any plan to put a failed state on the right track. Each also raises a difficult question: when it comes to nation-building, is there a conflict between global interests and local needs? Whether interventions after September 11 will represent the birth of a successful, sustainable approach to nation-building or a new failure depends, in large part, on the extent to which development programs and constitutional structures are crafted with respect for human rights and have the imprimatur of local legitimacy. This symposium will seek to clarify the role that human rights, development, and local empowerment play in the reconstruction of post-conflict states.

Structure of the Symposium

The symposium will balance analysis of the broad thematic issues critical to the reconstruction of any post-conflict state with the exploration of specific attempts at reconstruction. Broader theoretical issues will be explored in the introductory address, which will focus on the lessons to be drawn from past reconstruction efforts, the concluding, keynote address, which will explore alternatives for the future, and the two thematic panels, one centering on the roles played by relevant participants in international civil society and the other on appraising the emerging model of international democracy-promotion efforts. Two regional panels will offer a more focused examination of reconstruction efforts in post-conflict African and Balkan states.

Introductory Addresses: An Exchange of Views
Reconstruction of Post-Conflict States: Lessons from the Past
Thursday, February 27, 2003, 6:30 P.M.
Law School, Room 127

Harold Koh, Yale Law School
Niall Ferguson, Oxford University (both accepted?)

Panel I: The Players
Friday, February 27, 2003, 9:30 – 11:00 A.M.
Law School, Room 127

An analysis of the reconstruction of post-conflict states reveals that such undertakings have tended to involve a nucleus of key participants from international civil society, including donor groups, intergovernmental organizations and nongovernmental organizations. This panel will allow representatives of these organizations to provide a candid appraisal of their roles in past and present reconstruction efforts. What are the criteria or the factors with the greatest
impact on their decision to participate in a reconstruction effort? What are their goals in participating in a reconstruction effort? What limits do they place on their participation at the outset? To what extent does the success of their participation in reconstruction efforts depend on other key players? How do they conceptualize and manage their collaborative relationships with other key players? How do they conceive of their relationship with post-conflict states and their peoples?

MODERATOR: TBA (Consulting with Greg Fox)

PANELISTS

1. Rekha Thapa, Secretary, UNDP (E-mail sent; awaiting response)
2. International Development Association (World Bank) Representative (E-mail sent; awaiting response)
3. Andrew Natsios, Administrator, USAID (E-mail sent; awaiting response)
4. Peter Bell, CARE USA (E-mail sent; awaiting response)

PANEL II: RECONSTRUCTION IN POST-CONFLICT AFRICAN STATES
FRIDAY, FEBRUARY 28, 2003, 11:15 A.M. – 12:45 P.M.
LAW SCHOOL, ROOM 127

Have reconstruction projects undertaken in post-conflict African states succeeded in integrating human rights, development, local empowerment, and constitutionalism? How have they sought to guarantee that nation-building will abide by the principles of self-determination, human rights, and a deep and genuine respect for the peoples living in the states at issue? How have these projects fared in promoting local accountability? What are the mechanisms that have been put in place to help assure these states’ ultimate success? What have been the key obstacles to the success of these efforts? How could these obstacles have been overcome?

MODERATOR: TBA (Consulting with Greg Fox)

PREFERRED RANKING OF PANELISTS (3 IN TOTAL)

1. Marina Ottoway, Johns Hopkins (accepted?)
2. Ian Martin, International Center for Transitional Justice (E-mail sent; awaiting response)
3. Robert H. Jackson, BU (E-mail sent; awaiting response)

PANEL III: RECONSTRUCTION IN POST-CONFLICT BALKAN STATES
FRIDAY, FEBRUARY 2003, 2:00 P.M. – 3:30 P.M.
LAW SCHOOL, ROOM 127

Have reconstruction projects undertaken in post-conflict Balkan states succeeded in integrating human rights, development, local empowerment, and constitutionalism? How have they sought to guarantee that state-building will abide by the principles of self-determination, human rights, and a deep and genuine respect for the peoples living in the states at issue? How
have these projects fared in promoting local accountability? What are the mechanisms that have been put in place to help assure these states’ ultimate success? What have been the key obstacles to the success of these efforts? How could these obstacles have been overcome?

**Moderator:** TBA (Consulting with Greg Fox)

**Preferred Ranking of Panelists (3 in Total)**

1. William G. O’Neill, International Peace Academy (*accepted?*)
2. Gareth Evans, ICG (E-mail sent; awaiting response)
3. Peggy Hicks, UNMIC (*declined*)
4. William Spencer (Back-up)

**Panel IV: An Emerging Model of Multilateral Democracy Promotion: Appraisals and Alternatives**

*Friday, February 2003, 3:45 P.M. – 5:15 P.M.*

*LAW SCHOOL, ROOM 127*

Multilateral efforts at reconstructing post-conflict states bear all or some of the characteristics of what can be termed an emerging model of democracy promotion: the United Nations brokers peace accords to end civil conflicts, disarms combatants, repatriates refugees, punishes human rights violators, drafts a new democratic constitution and monitors elections. How well has this model worked in the past? How can this model be improved? Do the multilateral reconstruction efforts currently being undertaken in Afghanistan bode well for the future?

**Moderator:** Greg Fox, Wayne State University (*Confirmed*)

**Preferred Ranking of Panelists (3 in Total)**

1. Jack Snyder, Columbia (E-mail sent; awaiting response)
2. Larry Diamond, Stanford (E-mail sent; awaiting response)
3. Patrick Merloe, National Democratic Institute for International Affairs (E-mail sent; awaiting response)
4. Thomas Carothers, Carnegie Endowment (Back-up)

**Keynote Address: The Future of Democracy Promotion**

*Friday 28 February 2003, 5:30 p.m., Yale Law School, Rm. 127*

How can foreign states, international institutions, and NGOs encourage reconstruction that respects democracy and human rights without imposing too much on the local society? How can they mediate the tension between the interests and principles that shape their involvement, the need for flexibility and room to maneuver, and the importance of local control over national projects? What role should the international community, including state, international, and
private actors, play in developing the economic, social and governmental structure of the new state?

**Preferred Ranking of Potential Speakers**

1. Rep. Nancy Pelosi (spoke with chief of staff, interested, but scheduling difficult; awaiting response)
2. James Wolfensohn, World Bank
3. George Soros, Soros Foundation
4. Renato Ruggiero, formerly WTO, Italian Foreign Ministry