

The Outer Circle of Democracies

Prospects beyond the current Community of Democracies

Scott Petiya

When in the 1980s the CCD, the Committee for a Community of Democracies (today's Council for a Community of Democracies) originally conceived the idea of the Community of Democracies (later put into practice by Madeleine Albright in the 1990s), it identified two distinctive levels of democratic unity: 1. An Inner Circle of industrialized democracies, which it viewed as the core of the world order that had the commonalities and degree of organized unity needed to form a union with supranational depth. 2. An Outer Circle of all democracies, which had few commonalities beyond democracy itself, few common structures, and was fit for and in need of a base-level common association. The Outer Circle idea, as a new departure not requiring difficult agreements on pooling power, was acted upon in the 1990s. Dissatisfaction with the results has led to a persistent question: can more be done on this level than was achieved by Albright or proposed originally by CCD? Scott Petiya examines the discussion and gives his answer.

In recent years, American foreign policy circles have been debating the idea of forming a “League” or “Concert of Democracies” as a new global security institution. Such an institution, it is argued, could confront international threats while avoiding both the discredited unilateralism of the Bush years and the widely perceived ineffectiveness of the United Nations. Politicians from both parties, and academics from both liberal and conservative schools of thought, have embraced the idea. Senator John McCain endorsed it prominently in his 2008 presidential campaign, and one journalist observed, “Rarely have liberal idealism and neoconservative realism converged so completely.”¹

The concept is a variation of internationalist ideas going back decades, and which have recently taken the form of proposals for a “Union of the West” by former French Prime Minister Edouard Balladur, or for a “Global NATO.” But many internationalist thinkers have rejected the Concert of Democracies idea, warning that it would undermine the UN and other existing institutions, while being no more effective, and increase tensions with major non-democratic countries. If the idea is to have a chance of coming to fruition, a number of

questions would have to be answered about its scope, mission, and relationship to the current international system.

In the January-February 2007 edition of *The American Interest*, University of Texas at Austin Professor James Lindsay and Brookings Institution Senior Fellow Ivo Daalder (who is now U.S. Ambassador to NATO) made the case for a Concert of Democracies. They defined its mission as confronting mutual security challenges, promoting economic growth and development, and promoting democracy and human

rights, and argued for the “close coordination of diplomatic strategy, law enforcement activity, intelligence collection and analysis, and military deployments.”² The Concert would also pursue economic integration by eliminating tariffs and other trade

barriers, which would create an incentive for countries to implement democratic reforms in order to join. The world's democracies have the strongest economies and militaries, and have better-educated and more prosperous populations. This, and a track record of effective cooperation, gives credence to the notion of democracies forming an effective force for

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international peace and bringing more countries into the democratic fold.

An opposing case was made by Charles Kupchan, Professor of International Affairs at Georgetown University and Senior Fellow at the Council on Foreign Relations. Writing in *Foreign Affairs* in 2008, Kupchan said that an institution like the Concert of Democracies was unnecessary, since democracies are already close collaborators, and that it would harm necessary cooperation with non-democracies. Something along the lines of the idea already exists: the Community of Democracies (CD), which was established in 2000, and has held a number of ministerial conferences and working groups. But it has not achieved much in the way of relevance on the international stage, or the type of action that Daalder and Lindsay envisioned. Addressing the most pressing issues in the world today – like terrorism, climate change, energy supplies, and nuclear proliferation – require cooperation not just among democracies, but with authoritarian countries such as China, Russia, and the Persian Gulf states. An institution that deliberately excludes them would encourage these countries to follow a separate course, in an opposing bloc. Kupchan also dismisses the idea that creating any material benefit of membership, such as trading privileges, would incentivize undemocratic countries to reform in order to join. Rather, economic integration that is limited to members of the Concert would probably dissuade many democracies – especially those outside of North America and Europe – from joining, as they have regional and economic interests in cooperating with authoritarian countries. It also goes against “a key plank of the logic of democratization:” that economic liberalization and nurturing the middle class leads to political liberalization.

Do We Need a Community of Democracies?

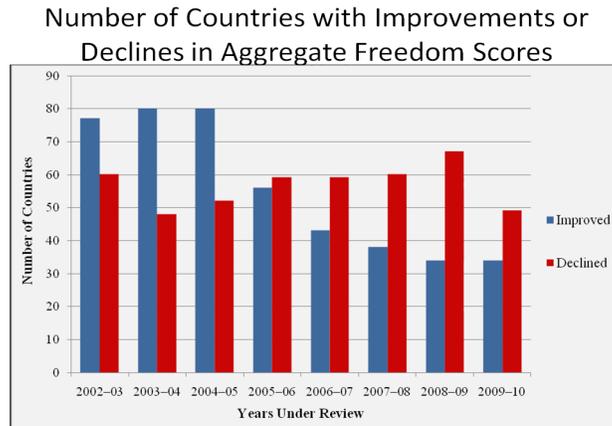
Kupchan's criticisms of the proposal put forward by Daalder and Lindsay are convincing, and he is certainly correct that authoritarian countries like China

cannot be pushed out of the international order. Engagement with unsavory regimes is often necessary. Apart from this realist critique, many liberals fear that a League/Concert of Democracies is a neoconservative plot to undermine the United Nations, provide a vehicle for more Iraq-style regime change undertakings, and enable the United States to more easily ignore countries that don't acquiesce to its agenda. As a comprehensive security organization, a Concert of Democracies is probably untenable. Neither, probably, would it be viable as a trade bloc or a deeply integrated economic club. Many democratic countries have essential economic and security relationships with non-democratic countries that they cannot be expected to give up in favor of a new democracy-only group. And institutions already exist (NATO, OECD, WTO, etc.) where democracies cooperate with each other in these arenas. To be relevant and effective on the

world stage, and gain the support of its potential members, an organization of democratic countries cannot usurp or duplicate the functions of these current institutions.

However, if focused specifically on the issues of democracy and human rights and committed to work primarily within the United Nations, with outside action as a backup, such an organization could address some of the serious deficiencies of the present UN system and counter the harmful policies of authoritarian states without necessarily shutting them out in areas where engagement is necessary.

The reality that makes stronger action by democratic countries necessary is that something of a “league of dictators” already exists. In the last decade, the most repressive regimes in the world have increasingly teamed up on the international stage to shield each other from pressure by the rest of the international community. China, and to a lesser extent Russia, have become leaders of this club, and through their position as veto-wielding permanent members of the Security Council, have often prevented the UN from taking action against atrocious assaults on human rights and democratic freedoms. They have in-



Includes all countries for 2002-2010

Source: Freedom House, *Freedom in the World 2011*, accessed April 25, 2011, http://www.freedomhouse.org/images/File/fiw/FIW%202011%20Booklet_1_11_11.pdf: 27

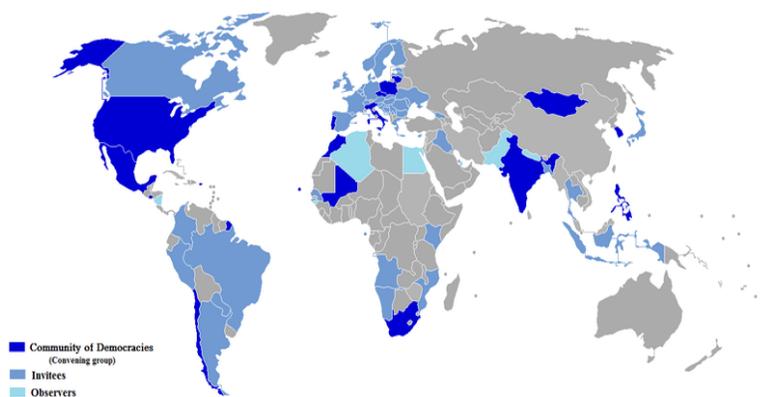
voked the principles of state sovereignty and non-intervention in internal affairs, mainly to deflect scrutiny of their own violations. The perpetrators of genocide in Darfur, the suppression of the 2007 protests in Burma, and political violence in Zimbabwe have been protected from sanctions by this obstruction. The credibility of the UN, and of the international community in fulfilling commitments it has made to prevent and respond to such crises, has been undermined.

The Genocide Convention of 1948 requires its 140 signatories to take action to prevent and punish genocide as an international crime. In 2005, all of the UN's member states agreed to a document establishing what is known as the Responsibility to Protect. This states that when a national government fails to protect its own citizens from genocide, war crimes, and crimes against humanity, the responsibility falls to the international community as a whole. They committed to work through the United Nations and the Security Council to fulfill this responsibility, and if necessary to invoke Chapter 7 of the UN Charter, which is militarily enforceable.³ But Chinese and Russian vetoes, or threat of vetoes, made it impossible to be carried out.

This situation could be resolved by abolishing the veto power held by the permanent members of the Security Council, but it would require the agreement of all the current member states. While worth pursuing, it is not likely to occur for quite some time. A procedure does exist for the General Assembly to take action when the Security Council is deadlocked, under General Assembly Resolution 377, but it has rarely been used or resulted in concrete action. Empowering regional institutions to act, which Kupchan advocates, is a promising prospect, but there are pitfalls in this approach as well. The African Union deployed a peacekeeping force in Darfur from 2004-2007, but it lacked

the mandate and the capability to protect civilians adequately. The AU is mostly made up of authoritarian governments, who look out for each others' interests, not the interests of citizens suffering from human rights abuses. Even if its resource capability were improved with outside assistance, its commitment to following through with necessary action is doubtful. The democracies of the world cannot simply allow the United Nations and other global institutions to be obstructed by China and its club of tyrants. If action is neces-

sary outside of the UN to address such crises, countries which are committed to upholding human rights and democracy should have a clear framework for doing so.



Source: Courtesy of the author, <http://commons.wikimedia.org/wiki/User:23prootie>

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The Community of Democracies, while not very active in the decade since its creation, has produced an initiative for a Democracy Caucus in the UN. With a stronger commitment, this would be an excellent vehicle for democratic states to take cooperative action while continuing to work through the

United Nations if possible. A new institution would be best approached as a manifestation of the Community of Democracies and the Democracy Caucus.

An Association of Democratic Nations

The charter which follows outlines a new Association of Democratic Nations with a mission to protect human rights and democracy within its member countries and worldwide. It requires members to meet standards of democracy and human rights, for which the CD's founding document, the Warsaw Declaration, provides a good template. Their compliance would be periodically reviewed, and they could be suspended if they fail to comply. They would be required to consult as a caucus in the UN on matters affecting one of them directly, and on human rights and democracy issues in general, seeking to come to a common position and agenda for all of them to support in the various UN bodies. This does not assume that they will always

reach agreement on such a position, but having formal consultations will help make the Democracy Caucus an active, relevant institution.

The Association would be committed to working through the UN, enabling it to fulfill its mission as the primary global institution dedicated to peace and security, and to uphold the crucial components of international law, such as the Universal Declaration of Human Rights, the Genocide Convention, and the Responsibility to Protect. Cooperation with all UN members, including non-democracies, will certainly be a part of this effort, and all of the UN's tools, including Resolution 377, should be utilized to the fullest extent possible. If the obstruction of the authoritarian bloc simply cannot be overcome within the UN, measures exist for the Association to act independently through sanctions that all members would be bound to implement, or in the most serious cases, to act militarily. These actions would require a two-thirds or three-fourths vote by the members, which will ensure strong backing. This contrasts with unanimous consent, which could water-down results – a primary concern that the Association would address. Unanimity would only be required to admit new members.

If the point of authorizing military action is reached, it would not necessarily require all member states to commit their own troops, particularly those that did not vote for the authorization. Some democratic countries, such as India, are likely to be wary of intervening in conflicts where secessionist groups are involved, such as Sudan; concerns would arise about the effect on secessionist movements within their own territory. However, international law in this area, such as the Responsibility to Protect, makes clear that genocide and violations of similar magnitude are the only cases in which state sovereignty can be overruled through direct intervention. Intervention against an authoritarian government that commits such atrocities in the guise of defending the state against secessionist threats is in no way an endorsement of secessionist movements in general, certainly not in countries which respect international law and human rights. Missions of the Association could also be undertaken in cooperation with other organizations such as NATO, which

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has existing infrastructure in the area of disaster relief and its Response Force. An arrangement similar to the 2002 Berlin Plus agreement, which provides for the sharing of assets and capabilities between the European Union and NATO, could be achieved between NATO and the Association as well.

At present, democracies do not have the option of freezing authoritarian regimes out of the international order, or building a new parallel order of their own which refuses to engage with important global players like China. But neither can they allow those regimes to undermine the principles that international order is supposed to be built on and hamstring the institutions that are supposed to uphold those principles.

Nations that believe in democracy and human rights, and that all people have the right to enjoy them, cannot stand idle while governments that trample on those rights make common cause to protect their ability to act with impunity. The concerted efforts of the authoritarians must be countered by concerted efforts by the free. The UN should take the lead in these efforts, if it can be enabled to do so. But it has become painfully clear in recent years that democracies need a back-up plan. □

Scott Petiya was an intern at the Streit Council for a Union of Democracies in 2010. He graduated from Colorado College in May 2009 with a degree in Political Science and a concentration in International Relations. He has researched topics including American foreign policy, human rights, and the structure and role of international institutions. He is beginning studies in International Law at the University of Denver in the fall of 2011.

NOTES

1. Charles A. Kupchan, "Minor League, Major Problems," *Foreign Affairs* 87:6 (2008).
2. Ivo Daalder and James Lindsay, "Democracies of the World, Unite," *The American Interest* 2, no. 3 (2007): 5-15, accessed April 28, 2011, <http://www.the-american-interest.com/article.cfm?piece=220>.
3. World Summit Outcome Document, Paragraphs 138-139, United Nations General Assembly, September 2005, accessed April 28, 2011, http://www.responsibilitytoprotect.org/index.php/united_nations/398?theme=alt1.

Charter of the Association of Democratic Nations

1. The member states of this Association affirm their commitment:
 - to protect and strengthen their own democratic institutions and practices
 - to promote the expansion of the principles and institutions of democracy to all those throughout the world who seek them
 - to the protection of human rights worldwide, pursuant to the Universal Declaration of Human Rights
 - to uphold the Responsibility to Protect, pursuant to Paragraphs 138 and 139 of the 2005 World Summit Outcome Document
 - to work to enable the United Nations to uphold these principles and act effectively in their defense
 - to support the United Nations, and the Security Council, in fulfilling its responsibility for maintaining international peace and security
2. The member states pledge to respect and uphold the democratic principles and practices set forth in the Warsaw Declaration, and the principles set forth in the Universal Declaration of Human Rights
3. The Community of Democracies and the Democracy Caucus are merged into this organization.
4. The activities of the Association shall be governed by a Council, on which all member states shall be represented and shall each have one vote. The Council shall annually elect its chairman from among the representatives of the member states, and shall set up such subsidiary bodies as may be necessary.
5. The Council shall appoint a Review Panel to monitor the compliance of all member states, and states applying for membership, with Article 2. Member states' compliance shall be reviewed every five years, and in emergency situations upon request of the Council. If a member state is found non-compliant, the Panel may recommend suspension from the Association.
6. The member states shall consult together on all matters before the United Nations Security Council, General Assembly, or Human Rights Council affecting issues of democracy and human rights, as set forth in this treaty, or issues of peace and security affecting one or more of the member states, and seek to achieve a unified position which shall then be acted upon within said bodies by the members of the Association which are also members thereof.
7. Any member state may request that the Council consider if, in regards to any matter specified in Article 6, the United Nations and its organs have failed to effectively address the matter due to the obstructive action of a state or states which are represented by authoritarian and anti-democratic regimes, or involved in violations of the UDHR. The Council may determine, by two-thirds vote, that the following conditions are true:
 - a. a serious and imminent threat to the principles of democracy and human rights exists, with severe violations likely to occur or to continue in the absence of effective international action;
 - b. a resolution for such effective action was proposed before the Security Council, and was not adopted due to a veto by one or more of the permanent members which are represented by authoritarian, anti-democratic regimes, despite there being an overall majority in favor, or due to the opposition by a number of authoritarian states which prevented a majority being achieved;
 - c. further action by the Security Council, or by the General Assembly through an emergency special session under Resolution 377, is not feasible in an adequate time frame;
 - d. the government of the state in whose territory the situation exists, governments of neighboring states, and relevant regional organizations have failed to take effective action, have been prevented from doing so by the obstruction of authoritarian states, or lack the capability to do soIf the Council determines all of the said conditions are true, it shall then consider action by the Association on the matter, by means of economic or diplomatic sanctions, or military embargo
8. Sanctions, if approved by a two-thirds vote of the Council, shall be binding on all members of the Association.
9. If it is proposed to the Council that military intervention is necessary to address such a matter effectively, the Council may consider whether the following conditions are true:
 - major violations of human rights which constitute the crime of genocide under the Genocide Convention, or which otherwise involve severe loss of life, and are occurring or likely to occur or continue without effective international action;
 - the Responsibility to Protect is appropriately applied;
 - the conditions specified in Article 7 remain true;If the Council, by three-fourths vote, determines these conditions are true, it may, by the same, authorize one or more member states to take necessary military action, on behalf of the Association, to eliminate the threat and prevent further loss of life
10. The member states pledge to assist each other in developing and maintaining democratic institutions and governance, and to provide such assistance to other states which request it, as overseen by the Council.
11. The Council may, by unanimous agreement, invite other states which are in compliance with Article 2, and have been reviewed and recommended by the Review Panel, to accede to the Association.