

Norms and Their Effect on Humanitarian Aid

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Abstract

This paper will explore the motives behind and criteria for humanitarian aid and multilateral intervention in civil conflicts using the constructivist approach of Martha Finnemore. The intervention of international actors in the ongoing conflict in Haiti will be examined with this constructivist approach. This paper argues that norms created and enforced within the international community motivate states to participate in intervention and aid in civil conflicts.

Résumé

Cet article explore les motifs derrière et les critères pour l'aide humanitaire et l'intervention multilatérale dans les conflits civils en utilisant les études constructivistes de Martha Finnemore. L'interposition des acteurs internationaux en conflit continu en Haïti sera examinée avec cette approche de constructivisme. Cet article propose que les normes créées et imposées au sein de la communauté internationale motivent certains états à participer à l'intervention et à l'aide humanitaire dans des conflits civils.

Multilateral intervention in civil conflict has become common practice in the foreign policy of states. Recently, constructivist theory of the establishment of norms in the international community has shed new light upon the motives behind, and the criteria for, state intervention and humanitarian aid in civil conflict.

Intervention starting in the 1990's by the international community in the Haitian conflict occurred because of emerging norms regarding the responsibility to protect the citizens of states in conflict, the establishment of a democratic state, and the altruistic motives behind humanitarian aid. The constructivist work of Martha Finnemore, using the ongoing internal Haitian conflict as a case study, provides insight into the humanitarian actions of states and validation for forcible intervention.

Haiti is one of the most problem-stricken and poorest states in the Caribbean, filled with social unrest and political turmoil. The multilateral humanitarian intervention in Haiti spearheaded by the United Nations provides evidence that this altruistic ideology exists. MINUSTAH, the recently established United Nations Stabilization Mission in Haiti, involves a multitude of states that will not benefit economically or politically from their involvement in this intervention.

DEFINING NORMS: PRINCIPLES THAT SHAPE SOCIETY

Norms are "a standard of appropriate behavior for actors with a given identity."¹ In addition, norms play a role in shaping the identities and inclinations of an actor on the international stage.² Many parties or actors must share a behavior before it qualifies as a norm.³

Finnemore reminds us that norms, their development, and actors that follow norms remain part of a structured social context.⁴ One such social context is the international community. "...International social life is highly organized. Social rela-

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¹ Finnemore, Martha and Kathryn Sikkink. "International Norm Dynamics and Political Change." *International Organization* 54.2 (1998), 891.

² Boekle, Henning, Volker Rittberger, and Wolfgang Wagner. "Norms and Foreign Policy: Constructivist Foreign Policy Theory." Ed. Volker Rittberger. 1999. University of Tübingen. 13 Oct. 2004. <http://www.uni-tuebingen.de/uni/spi/taps/tap34a.htm>

³ Finnemore and Sikkink.

⁴ Finnemore, Martha. "Constructing Norms of Humanitarian Intervention." *Essential Reading in World Politics*. Ed. Karen A. Mingst, Jack L. Snyder. New York: W.W. Norton and Company, Inc., 2004. 102-118.

tionships in international life may be informal but many, especially those that most directly affect states, are structured and channeled through bureaucracies."⁵ United Nations (UN), the Organization of American States (OAS), the World Bank, and non-governmental organizations are bureaucracies in the international community that work to promote norms. However, it is important to differentiate between a norm, which refers to a single behavioral expectation or standard, and an institution, which is based upon numerous norms and their interrelation.⁶

Norm Development: A Continuing Process

Before norms are accepted, they undergo a three step process. The first stage is norm emergence, where norm entrepreneurs attempt to persuade a critical mass of states to adopt their proposed norm. A norm cascade follows, where norm leaders, representing a critical mass of states "attempt to socialize other states to become norm followers."⁷ Finally, the process of norm internalization occurs, where the norm is no longer debated or questioned.⁸

Finnemore and Sikkink explain how the development of norms begins with norm entrepreneurs, who attempt to persuade states to accept new norms. Norms are constructed "by agents having strong notions about appropriate or desirable behavior in their community."⁹ In the case of bringing human rights violations to the forefront of the international community's agenda, it is often transnational advocacy networks, non-governmental organizations, and the international media who act as norm entrepreneurs.¹⁰

The promotion of new norms occurs within the framework of existing norms.¹¹

This means that the norms that have been internalized and integral to the society are called into question. It is often the case that norm entrepreneurs work to establish their norms working from "standing international organizations."¹² This kind of socialization is true in the case of the principle of non-intervention based on the idea of state sovereignty.

Former United Nations Secretary-General, Boutros Boutros-Ghali stated in 1995 that "One of the achievements of the Charter of the United Nations was to empower the Organization to take enforcement action against those responsible for threats to the peace, breaches of the peace or acts of aggression. However, neither the Security Council nor the Secretary-General at present has the capacity to deploy, direct, command, and control operations for this purpose, except perhaps on a very limited scale."¹³ The shift in the acceptance of intervention based on internationally guaranteed human rights, instead of non-intervention out of respect for state sovereignty,¹⁴ is present in current UN Secretary-General, Kofi Annan's statement that; "State sovereignty, in its most basic sense, is being redefined...States are now widely understood to be instruments at the service of their peoples, and not vice versa."¹⁵ The norm of intervention is being brought to the attention of the international community by a "standing international organization", in this case the UN and its Secretary-General.¹⁶

Once these norms are adopted by a critical mass of states, these state actors work to "socialize other states to become norm followers."¹⁷ This is visible in the United Nations Stabilization Mission in Haiti ("MINUSTAH"), in conjunction with the Special Mission of the Organization of

⁵ Finnemore, Martha. *National Interests in International Society*. Ithica: Cornell University Press, 1996, 3.

⁶ Boekle, Rittberger, and Wagner.

⁷ Finnemore and Sikkink, 895.

⁸ Finnemore and Sikkink.

⁹ Finnemore and Sikkink, 896.

¹⁰ Schmitz, Hans Peter and Kathryn Sikkink. "International Human Rights." *Handbook of International Relations*. Ed. Walter Carlsnaes, Thomas Risse, and Beth A. Simmons. London: Sage Publications, 2002. 521-532.

¹¹ Finnemore and Sikkink.

¹² Finnemore and Sikkink, 899.

¹³ Reisman, W. Michael. "Why Regime Change is (Almost Always) a Bad Idea" *American Journal of International Law* 98.3 (2004). 520.

¹⁴ Semb, Anne Julie. "The New Practice of Unauthorized Interventions: A Slippery Slope or Forceable Interference?" *Journal of Peace Research: Special Issue on Ethics of War and Peace* 37.4 (2000). 469-488.

¹⁵ Reisman, 517.

¹⁶ Finnemore and Sikkink, 899.

¹⁷ Finnemore and Sikkink, 895.

American States for Strengthening Democracy in Haiti ("OAS Special Mission") to establish strong democratic processes and social institutions in the Haitian state.¹⁸

Eventually, the norm becomes internalized and the validity of the norm will not be disputed.¹⁹ The establishment and maintenance of democratic states is an example of a norm that has been internalized by the international community. This is evident in the MINUSTAH Mandate, where one of the missions main goals is "to support the constitutional and political process under way in Haiti including through good offices, and foster principles and democratic governance and institutional development."²⁰ The mandate goes on to say that the mission will "...assist the Transnational Government in its efforts to organize, monitor, and carry out free and fair municipal, parliamentary, and presidential elections...".²¹ This mandate is echoed in the Special Mission of the Organization of American States for Strengthening Democracy in Haiti Work Plan Proposal where the OAS Secretary General states "The OAS is in a position to provide expertise and technical assistance, not only to the preparation and holding of elections, but also towards the consolidation of the democratic process..."²² Establishing democratic processes in states has become an internalized norm because it has been legitimized by several charters and official documents. As such, the proposed type of government is not a topic of debate

within international bureaucracies that have legitimized the norms.

LEGITIMATION OF NORMS: ACCEPTANCE AND ADOPTION IN THE INTERNATIONAL COMMUNITY

According to Finnemore and Sikkink, the strength of norms and their acceptance is dependant upon their commonality and their specificity. In terms of commonality, the validity of a norm increases when it appeals to a larger audience.²³ The more universal a norm, the more widely accepted it can become.²⁴ With wide acceptance of a norm, the norm becomes legitimate.²⁵ It must be noted that the expectations of actions and interpretations of norms often varies from actor to actor.²⁶ If a norm and its expectation of behavior are not clearly specified, it allows for wide interpretation of the norm and its corresponding actions.²⁷ The legitimacy of a norm increases if its precise meaning is formally expressed in such documents as written conventions and treaties.²⁸

In the early 1990's forcible intervention was not a common practice because constitutional independence meant sovereignty for a state, resulting in non-intervention.²⁹ In 1994, three years after Haitian president Jean-Bertrand Aristide was ousted by a military coup and following ineffective sanctions placed on the Haitian state, the United Nations adopted resolution 940 determining Haiti to be a "threat to peace and security in the region."³⁰ Resolution 940 authorized a multinational force to use any means necessary to force the military government out of power and reinstate Aristide as president.³¹ This intervention, which was not a norm during this time, was

¹⁸ Organization of American States. Permanent Council. *Work Plan Proposal for the period July 2004-June 2005 of the OAS Special Mission for Strengthening Democracy in Haiti*. 2004.

http://www.oas.org/main/main.asp?sLang=E&sLink=http://www.oas.org/OASpage/Haiti_situation; Organization of American States. AG/RES.2058 (XXXIV-O/04) *Situation in Haiti: Strengthening of Democracy*. 2004. <http://oashaiti.org/AGRES.2058.HTM>; United Nations, MINUSTAH - Mandate; United Nations, MINUSTAH - Background.

¹⁹ Finnemore and Sikkink.

²⁰ Organization of American States. *Work Plan Proposal*. II:a.

²¹ United Nations. Department of Peacekeeping Operations. *United Nations Stabilizations in Haiti. Haiti - MINUSTAH - Mandate*. 2004. II:c.

<http://www.un.org/Depts/dpko/missions/minustah/mandate.html>

²² Organization of American States, *Work Plan Proposal*.

²³ Finnemore and Sikkink.

²⁴ Ibid.

²⁵ Ibid.

²⁶ Ibid.

²⁷ Ibid.

²⁸ Boekle, Rittberger and Wagner.

²⁹ Semb.

³⁰ United Nations. Security Council. Resolution 940. 1994.

<http://daccessdds.un.org/doc/UNDOC/GEN/N94/312/22/PDF/N9431222.pdf?OpenElement>

³¹ United Nations, Resolution 940.

validated by the establishment of a UN resolution.³²

When the United Nations decided to launch MINUSTAH and the OAS initiated the OAS Special Mission, each organization created a mandate establishing the goals and purposes of the joint mission.³³ This was done after determining that "...the situation in Haiti continued to constitute a threat to international peace and security in the region..."³⁴ By establishing these mandates and citing motivation for action, the UN and OAS clearly specified their reasons for intervention. The UN and OAS actions are now legitimate because they are acting under norms that have been legitimized by their mandates.

Constructivists hold the view that the "international distribution of ideas" determines the international structure, which in turn, provides stability and order.³⁵ International norms define the "value-based expectations of appropriate behavior shared within international society."³⁶ These norms are indicated by international law, through treaties and conventions.³⁷ For example, the UN Charter is a voluntarily accepted international obligation (International Commission on Intervention and State Sovereignty). Membership includes "...the shared pursuit of the three goals of state building, nation building, and economic development"³⁸). Under the direction of the twenty five UN member states, the OAS, and CARICOM (Caribbean Community) are involved in the current joint missions to stabilize Haiti.³⁹ This is evidence that there is a shared norm and that intervention for the purposes of

humanitarian aid is widely accepted and expected.⁴⁰

Finnemore concludes that "mutually reinforcing and consistent norms appear to strengthen each other; success in one area...strengthens and legitimates claims in logically and morally related norms."⁴¹ This being said, "The normative context also changes over time, and as internationally held norms and values change, they create coordinated shifts in state interests and behavior across the system."⁴² This is evident in the increasing advocacy in the international community for military intervention for the purposes of human protection. Currently, most "armed conflicts are internal, not inter-state."⁴³ There is presently a shift in the concept of state sovereignty. Sovereignty as control is being replaced with the idea of sovereignty as responsibility. This responsibility is to protect human rights of the national population and citizens of other states.⁴⁴ If a government suppresses the popular will and this suppression could be brought to an end by military intervention, intervention is justified.⁴⁵ This is reflected in UN Security Council Resolution 1542 "Deploing all violations of human rights...and urging the Transitional Government of Haiti...decides that MINUSTAH will consist of a civilian and a military component in accordance with the Secretary-General's report on Haiti..."⁴⁶

NORM COMPLIANCE: MORALITY IN THE INTERNATIONAL COMMUNITY

States comply with norms for reasons that are both moral and political. Finnemore and Sikkink argue that states often begin to comply to norms because norm entrepreneurs attempt to socialize states to adopt the norms they are promoting. "State preferences are malleable..." and their interests

³² Semb.

³³ United Nations, *MINUSTAH – Mandate*.

³⁴ Ibid.

³⁵ Finnemore and Sikkink, 895.

³⁶ Boekle, Rittberger and Wagner, 19.

³⁷ Boekle, Rittberger and Wagner.

³⁸ International Commission on Intervention and State Sovereignty. *The Responsibility to Protect_Report of the International Commission on Intervention and State Sovereignty*. 2001. http://www.iciss.ca/report2-en.asp#chapter_2

³⁹ United Nations. Department of Peacekeeping Operations. *United Nations Stabilizations in Haiti. Haiti – MINUSTAH – Background*. 2004.

<http://www.un.org/Depts/dpko/missions/minustah/background.html>

⁴⁰ United Nations, *MINUSTAH – Background*.

⁴¹ Finnemore, Martha. "Constructing Norms of Humanitarian Intervention." 105.

⁴² Finnemore, *National Interests in International Society*. 2.

⁴³ International Commission on Intervention and State Sovereignty, 2.12.

⁴⁴ International Commission on Intervention and State Sovereignty.

⁴⁵ Semb.

⁴⁶ United Nations, *MINUSTAH – Background*.

and preferences can be formed and changed by international norms that provide international political life with structure and meaning.⁴⁷ In the case of the UN and OAS' joint intervention in Haiti, the UN and the state actors involved are not only trying to participate in humanitarian aid, but begin a social reconstruction.⁴⁸ Haitian people and government comply to the norms of maintaining a secure and safe environment, democratic political process, and human rights that are followed by the international community, specifically the norms legitimized by the UN.⁴⁹

Finnemore and Sikkink contend that actors conform to norms for altruistic reasons, not to get what they want. This altruism is based on actor's norms regarding what is right, good, and humane.⁵⁰ After examining the ongoing problems in Haiti, specifically the overthrow in February 2004 of President Jean-Bertrand Aristide, the United Nations acted under the norms established by Chapter VII of the UN Charter, where "The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security."⁵¹ Article 42 states "Should the Security Council consider that measures provided for in Article 41 (non-military) would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security."⁵²

The Intrinsic Characteristics of Norms: A Reason for Action

Finnemore and Sikkink argue "that the intrinsic qualities of the norm itself de-

termine its influence."⁵³ Norms that exist for the common good, often stemming from humanitarian ideals, have a larger influence because of their universality.⁵⁴ Five principles that are integral to world culture are universalism, individualism, voluntaristic authority, rational progress, and world citizenship. These principles are incorporated into the norms of the international community, and legitimized by international organizations. These norms are widely accepted and readily acted upon because of their humanitarian appeal.⁵⁵ In *The Responsibility to Protect*, The International Commission on Intervention and State Sovereignty states that the "...emerging guiding principle in favor of military intervention for human protection purposes is also supported by a wide variety of legal sources – including sources that exist independently...from Chapter VII of the UN Charter."⁵⁶

Helping one's fellow humans is a norm with universally appealing characteristics.⁵⁷ This is apparent in the shift of the purpose of action by international community from protection of state sovereignty to protecting human rights.⁵⁸ The multilateral humanitarian intervention of UN member states, whom have no vested geopolitical interest in Haiti's social, economic, environmental, and political crises is an example of this norm shift, as well as a recognition of universal humanity as an internalized norm within international society.⁵⁹

Recently, the international relations theory of constructivism has emerged, citing norms in the international community as the impetus behind state action. The development of norms and their function in shaping

⁴⁷ Finnemore, *National Interests in International Society*.

⁴⁸ United Nations, *MINUSTAH – Mandate*.

⁴⁹ Ibid.

⁵⁰ Finnemore and Sikkink.

⁵¹ United Nations. United Nations Conference on International Organization. Charter of the United Nations. San Francisco, 1945.

<http://www.un.org/aboutun/charter/index.html>

⁵² United Nations, *MINUSTAH – Mandate*; United Nations, Conference on International Organization.

⁵³ Finnemore and Sikkink, 906.

⁵⁴ Boekle, Rittberger, and Wagner; Finnemore and Sikkink; Schmitz and Sikkink.

⁵⁵ Finnemore and Sikkink.

⁵⁶ (International Commission on Intervention and State Sovereignty, 2.26).

⁵⁷ Finnemore and Sikkink.

⁵⁸ Semb.

⁵⁹ Organization of American States. *Situation in Haiti: Strengthening of Democracy*; United Nations. Security Council. Resolution 1542. 2004. <http://ods-ddsny.un.org/doc/UNDOC/GEN/N04/332/98/PDF/N0433298.pdf?OpenElement>

the international community are expressed through the work of Martha Finnemore. The ongoing internal conflict in Haiti and the humanitarian and military intervention by the international community reflects the

influence of international norms. The norms prescribe a responsibility to protect people, state democracy, and altruistic aid resulting in intervention by international organizations.

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