

Cosmopolitan Democracy and Democratic Education

*Dale T. Snauwaert
Adelphi University*

The purpose of this paper is to explore the close connection between the principles of democracy and the cosmopolitan nature of international human rights. It constitutes a philosophical exploration. The word 'cosmopolitan' refers to the existence of an ethic that transcends national, communal, cultural, and civilizational boundaries. Literally it refers to citizens, not of any localized polity, but of the world. Globalization is not only economic. It is also ethical. Unlike many aspects of unfettered economic globalization, ethical globalization is a positive development in human history. It constitutes moral progress and serves as a counter-balancing agent to both economic globalization and ethnic tribalism (Ignatieff, 2001). The aim of this paper is to explore the nature of this ethic as it has emerged in terms of the articulation and institutionalization of international human rights. In principle, international human rights are not only consistent with the core ideals of democracy but they expand the scope of the egalitarian logic of democracy transnationally. This expansion, in turn, necessitates the development of a cosmopolitan theory of democratic education.

Democracy is a system of rights premised upon the logic of equality (Dahl, 2000). At its core is a fundamental belief in moral equality, a belief that all human beings possess an equal inherent dignity or worth. Its logic runs as follows: if we are morally equal, then we also possess rights, inviolable claims to the actual enjoyment of particular social goods guaranteed by the society (Dahl, 2000; Shue, 1980). The two basic rights of a democracy are: the freedom to conceive and pursue one's own conception of the good life (consistent with the equal rights of others) and political self-determination. The right to self-determination entails the basic notion of government by consent, which involves the right to political and legal equality (including the right to representation) and concomitant rights such as rights to freedom of expression, association, due process, etc. As moral equals, all citizens of a liberal democracy have an inviolable claim to have their interests represented in the political process.

In a world that has become highly interdependent, the boundaries of the nation-state have become very porous, rendering many fundamental decisions beyond the control of national governments and thus beyond the consent of the governed (Held, 1995). The underlying presupposition of this paper is that democracy can no longer be conceived as exclusively a national phenomenon but must be thought of as a cosmopolitan. It will be argued that this cosmopolitan conception is consistent with democracy as a moral and political ideal premised upon the logic of equality and that it demands a moral education whose fundamental purpose is the cultivation of authentic self-awareness.

Principles of National Sovereignty and Nonintervention

In modern political theory and practice, individuals have been conceived exclusively as citizens of nation-states; their rights and obligations, and conversely the State's legitimate authority over them, find their source in national sovereignty. As F. H. Hinsley (1986) suggests, sovereignty is conceived as "the final and absolute authority in

the political community (...) and no final and absolute authority exists elsewhere" (p.26). Sovereignty renders the individual a subject of the nation-state. Up until the emergence of the existence of international human rights, the nation-state has been conceived as being free to treat its citizens in a manner consistent with its own political constitution, for the notion of sovereignty generates a right of national self-determination. In modern political theory, the nation claims a right of self-determination based in the existence of sovereignty, which in turn gives it the authority to treat its citizenry in a manner consistent with its political ideology. The right to self-determination, in turn, generates the principle of non-intervention, the claim that no sovereign state has a right to intervene in the affairs of another sovereign state. Thus, the nation-state system, based in the existence of national sovereignty, has been governed by two fundamental principles: self-determination and nonintervention (Hinsley, 1986; Hoffman, 1996; Holmes, 1989; Mapel, 1996; Nardin, 1996a).

From a democratic perspective, sovereignty is based in the consent of the people; the state derives its authority to govern from the people, on behalf of the people. As already noted, democratic sovereignty follows from the logic of equality. It is based on the rights of individuals. From an international perspective, the principle of nonintervention is established to protect the rights of individuals of a nation, whether democratic or not, from external threat. However, the principle does not protect individuals from the threat of their own governments. In response to this lack of protection offered by the principle of nonintervention, in the post-World War II era, the international community has articulated a complex set of human rights and humanitarian legal and moral principles in order to protect individuals from both invading forces and their own governments. On the basis of a cosmopolitan extension of the democratic logic of equality, these principles and standards call into question the absolute nature of the principles of sovereignty and nonintervention.

International Human Rights and Humanitarian Law

The recognition of international human rights in the world community begins in the post-World War II era with the Nuremberg Trial, Judgment, and Obligation, which formed the basis of the United Nations (UN) Declaration of Human Rights and subsequent international human rights laws and conventions (Nuremberg, 1970). This perspective posits a cosmopolitan extension of the logic of equality. It has its grounding in the long articulation and practice of the "Just War Doctrine". The Just War Doctrine maintains that the use of force is not only an extension of politics but is, at its core, a moral question, for there is a *prima facie* ethical presupposition against doing harm to others in accordance, originally, with the Christian ethical principle of charity and neighborly love and the Golden Rule. This principle is found also in all the major religious traditions of the world. This assumption suggests that peace is the moral standard in human affairs and any deviation from it requires justification. The Doctrine understands peace not merely as negative, as an absence of violence, but as positive, as including and requiring justice. At the heart of "Just War" theory is the concept of *jus ad bellum*: war is only morally justifiable in self-defense, in response to injustice. Aggression is morally unjustifiable because it violates the other's basic rights to life and security. The crime of aggressive war is unlawful and immoral because aggression disrespects the inherent dignity of the other's humanity. Responding in force to protect others from injustice and to restore justice is justifiable as long as there is just cause and

the ends and means are just, i.e., discriminate and proportional. This notion of the criminality of aggressive war is widely shared in the international community, although it is not always adhered to. In addition, just war theory puts forth the principle of *jus in bello*, the morality of the conduct of war, which articulates the notions of war crimes and crimes against humanity. Implicit in the principle of *jus in bello* is the protection of the inherent dignity of noncombatants as well as the soldiers themselves. Inherent in these principles is the logic of equality. These principles of Just War theory have led to the internationally recognized Nuremberg Obligation, the obligation of nonparticipation in the crime of war, war crimes, and crimes against humanity (Elshtain, 1992; Holmes, 1989; Nardin, 1996b; Ramsey, 1961; Turner Johnson, 1999; Walzer, 1997; Wasserstrom, 1970).

Based upon existing international law, emanating from the Just War tradition, the Nuremberg Tribunal argued that "crimes against peace" (aggression against sovereign nations) are punishable under international law, for they blatantly violate the principles of sovereignty and nonintervention. The Tribunal also argued that "war crimes" are punishable for they violate treaty agreements and the customs of legitimate conduct of war established by the standards of the *jus in bello* dimension of just war. In addition, "crimes against humanity" (i.e., murder, extermination, enslavement, deportation, and other inhuman acts against civilians, or persecution on political, racial, or religious grounds when such acts are carried out in connection with any crime against peace or war crime) were also deemed violations of international law on the grounds that such crimes violate our basic sense of human dignity and justice, and thus were deemed to be crimes against the international community. Members of the Nazi regime were found guilty of all three crimes (Nuremberg, 1970).

Subsequent to Nuremberg, state agents were immune from prosecution based upon the two foundational principles of national sovereignty discussed above: self-determination and nonintervention. The defendants argued that they were following the laws of the nation. The Tribunal argued that when the crimes are of such a heinous nature that they offend the basic principles of justice recognized by the international community, when an act violates our basic sense of human dignity, it becomes an issue that concerns humanity as a whole. The Tribunal ruled that the protection of human dignity takes precedence over national sovereignty. This constitutes a refutation of the absolute nature of sovereignty in that the logic of equality constitutes a higher authority.

The result of the prioritization of human dignity over sovereignty generated the "Nuremberg Obligation": a duty to uphold international law and morality even if the action taken violates domestic law (Falk, 1989). Individuals are obligated to obey the imperative of international law and morality even when in conflict with national law. Individuals are also personally responsible for violations of international law, even when their crimes are not punishable under national law and even when the individual acts under order (if, that is, a moral choice is possible). From the perspective of the Nuremberg Obligation, all individual citizens, including state agents, have an obligation to uphold international law and the basic principles of cosmopolitan justice even when not stipulated by national law or custom or even when in direct violation of national law.

Although the Nuremberg Tribunal was devoted to the trial of Nazi war crimes, the adoption of the principles derived from the Nuremberg judgment by the United Nations at its opening session (UN General Resolution 95) clearly indicates that the Nuremberg principles are applicable beyond the context of World War II (Falk,1989; Glueck,1966; Woetzel,1962). The Nuremberg Obligation is a set of customary principles that codifies the individual's moral obligation to refuse to participate in crimes against peace, including the planning of and preparation for aggressive war, war crimes, and crimes against humanity, even when dictated by national law or the orders of superiors. By implication, in a democratic society founded upon the consent of the people, the Nuremberg Obligation mandates that citizens actively oppose acts of state that are criminal in character under international law or violate international morality. Subsequent international human rights conventions, beginning with the UN Universal Declaration of Human Rights and followed by the Covenant on Civil and Political Rights, the Covenant on Economic, Social, and Cultural Rights, the Convention on the prevention and Punishment of the Crime of Genocide, International Covenant on the Elimination of All Forms of Racial Discrimination, International Convention on the Suppression and the Punishment of the Crime of Apartheid, Convention of the Elimination of All Forms of Discrimination Against Women, Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment, Convention on the Rights of the Child, as well as the whole European System for the Protection of Human Rights, follow from the precedent set at Nuremberg. Although the Nuremberg Judgment and Obligation were linked to aggressive war, and thus crimes against humanity were only legitimate in the context of war, these subsequent international human rights conventions de-couple human rights violations from the crime of aggression, thereby placing crimes against humanity on an independent ground (Cooper, 1999).

In summary, our shared humanity carries with it a moral imperative to respect the dignity of every human life. This imperative is not merely an abstract philosophical ideal; it is grounded in the customs and principles of democratic societies and the international community. This cosmopolitan imperative is consistent with, perhaps even identical to, the logic of equality inherent in democracy, for both cosmopolitanism and democracy find their moral grounding in the fundamental respect for the inherent equal dignity of all persons (Gutmann, 1999), a respect that transcends cultural and political boundaries. The Nuremberg Obligation and international humanitarian law and human rights conventions constitute a cosmopolitan extension of the democratic logic of equality beyond the nation-state.

To give further credence to the potency of a cosmopolitan reading of democratic equality, there is evidence that the cosmopolitan extension of democracy's logic of equality leads to peace. In his prophetic essay "Perpetual Peace," Immanuel Kant argues that liberal republics will not go to war with each other, and thus the spread of liberal republicanism/liberal democracy will create, in the long run, the conditions for a perpetual peace between liberal nations (Kant, [1795] 1983). This peace is based upon both the structural nature of decision-making in liberal republics (e.g., divided branches of government and government by consent) and the cultural sharing of liberal morality (moral equality, commitment to nonviolent conflict resolution, the rule of law, etc.). In the last decade, this proposition has received considerable attention and a significant amount of empirical evidence seems to confirm Kant's insight (Brown, 1996; Doyle, 1997;

Ray, 1995; Russett, 1993). It seems that liberal democracies have never fought each other, although they are as war prone toward non-liberal states as any other non-liberal state. What Kant's peace proposition suggests is that a shared political morality based upon respect for the inherent dignity of humanity creates the conditions of peace. Respect morally prohibits violence; it demands peace and justice, for any aggressive or exploitative act violates one's dignity by turning the victim into an object and thereby dehumanizing them. Thus, the spread of democracy potentially would lead to a more just and peaceful world (Kant, 1964, [1795] 1983; Lutz-Bachmann, 1997). However, there are at least two fundamental questions that arise as challenges to the above position: the war proneness of powerful democratic states toward non-democratic states and the clash of civilizations (Huntington, 1996).

First, what is of concern here is the finding that democratic states are as war prone toward non-democratic states as any other state. This indicates an exclusion of the non-democratic "other" from the moral community. There is a long history of democratic states engaging in acts of aggression, war crimes, aiding and abetting oppressive and criminal regimes, etc. (Chomsky, 1994; Ford, 1970). Henry Kissinger's response to the free election of President Allende in Chile and his subsequent CIA assassination captures the essence of this attitude: "I don't see why we need to stand by and watch a country going Marxist because of the irresponsibility of its own people" (cited in (Galeano, 2001), p.14). The total disrespect of the principles of cosmopolitan equality and democracy here are stark and deeply troubling. This blatant disrespect does not, however, negate the principles themselves but rather it strongly points to the importance of a democratically educated and active citizenry cognizant of and committed to the Nuremberg Obligation and the logic of equality.

Samuel Huntington (1996) maintains that we have entered into a new phase of world history wherein a clash between civilizations is the primary form of conflict. In the modern era, war has moved from conflict between nations to conflict between ideologies to conflict between civilizations. From this perspective, the logic of equality is not universal per se but is inherently Western, and from the perspective of nonwestern states, its advocacy is hegemonic. The clash of civilizations hypothesis, based upon the presupposition of cultural relativism, suggests that a cross-cultural ethic is not possible. Philosophically moral relativism is, however, logically inconsistent, in that it makes absolute claims about the relative nature of morality. More specifically, it claims that morality is ultimately grounded in cultural communities whose cultural beliefs and practices are relative; thus in principle a transcultural ethic is impossible. However, cultural relativists maintain that each culture should be respected, that each culture should be free from the coercive interference of others, free to adjudicate life on its own terms. If morality is relative, then on what grounds does one culture refrain from interfering in the life of another? According to relativism, there are no grounds to adjudicate moral differences between cultures and thus we are faced with the fact that conflict will be resolved through power. If there is no conceivable cross-cultural ethical standard, then we must face a state of international anarchy and perpetual civilizational war, and in these wars, as the events of September 11, 2001 indicate, anything goes, including the deliberate mass murder of innocent people.

At the core of cultural relativism, however, is the claim of self-determination: the community claims a right to proceed internally according to its own conceptions of the good life. However, as discussed above, this rights claim presupposes an obligation of nonintervention in the affairs of other states.

If one claims a right, then inherent in that claim is an obligation consistent with that right. All rights claims entail obligations; the claim to the right, in this case self-determination, in itself requires that one meet the obligations implicit in it, for if one does not, then one forfeits the right. In other words, it is the right itself that invokes the obligation, making the right contingent upon the fulfillment of the obligation (Shue, 1980). The rights claim itself mandates the reciprocal obligation. In other words, rights involve moral reciprocity. If one claims a right, then one is obligated to respect the rights of others. If each community possesses a right to self-determination, all communities are obligated to refrain from intervening in the affairs of other communities. One's right to self-determination entails a moral responsibility of nonintervention in the affairs of others. Thus, if a society has a right to self-determination (or if individuals possess inalienable rights), then entailed in those rights are inherent responsibilities, such that if the right is invoked, then a reciprocal responsibility exists independently of any enforcement agency.

Implicit in this argument are two fundamental meta-ethical principles: (1) moral reciprocity and (2) shared commonality. Implicit in the claim of a right of self-determination is the presupposition that all human communities are morally equal. They all possess an equal right to self-determination and have an equal obligation to adhere to nonintervention: the right and obligation are reciprocal and thereby universal. Moral equality is in turn based on a shared commonality: the shared commonality is their humanity. All human communities are entitled to self-determination and constrained by the obligation of nonintervention because they are human. Nonintervention is the norm unless there are gross human rights violations (Hoffman, 1996).

One could also argue that human commonality exists as well between individuals. Due to the fact that he or she is a fellow human being who possesses certain inalienable rights inherent in that humanity, persons external to our own community may demand moral concern from us. We may share a common humanity, transcending particular cultures and politics, with others. If the individual possesses rights inherent in their humanity, then all individuals in turn have a reciprocal obligation to respect the rights of others, even those who are alien communally, on the basis of a shared humanity.

If there exists moral reciprocity and a shared human commonality, then an ethic that transcends individual moral communities is possible. In fact, a global ethic in nascent form is implicit in the claims of cultural relativism. In order for any society, national or international, to exist, there has to be a shared common set of ethical values. Without such a set there is anarchy, a war of all against all. Certainly there are fundamental principled ethical differences between civilizations. However, implicit in the claims of civilizational relativism is the right of self-determination, and for self-determination to be real all parties must acknowledge a transcultural, transnational ethic of

nonintervention that preserves that right. Without it we have perpetual war and the hegemony of the powerful.

What this argument calls for is a dialogue between civilizations based upon our fundamental humanity to discover and forge, in thoughtful and sensitive ways, mutually shared values consistent with the democratic imperatives of self-determination. As evidenced by the international humanitarian and human rights movement, the world community has already begun this dialogue. This dialogue, however, is only in its infancy.

Democratic Education

Cosmopolitan Democracy calls for citizens who can respond in ways consistent with the inherent dignity of all human beings. This principle of moral equality, or what we could call the principle of humanity, in turn is based upon at least two other basic moral values and dispositions: sympathy and respect (Bok, 1995; Glover, 2000; The-Dalai-Lama, 1999). Sympathy is a positive value in that it calls for the active response of care, while respect is a negative value in that it requires refraining from violating the rights of others.

These dispositions in turn require a moral identity and sensibility that is grounded in an authentic sense of self. Alice Miller succinctly captures the point: "Individuals who refuse to adapt to a totalitarian regime [of whatever kind] are not doing so out of a sense of duty or because of naiveté but because they cannot help but be true to themselves" (p. 84). This authenticity is the basis of self-determination and thus moral agency, for "only if we do not allow ourselves to be reduced to the instrument of another person's will can we fulfill our personal needs and defend our legitimate rights" (p. 265), and one could add, respond to others consistent with the imperatives of human dignity (Miller, 1980).

Two central psychological dispositions, among others, that inhibit the realization of our moral identity and sensibility are fear and rigid belief structures (Glover, 2000). Fear is based in duality, in separation. Fear separates us from our innermost selves and from other human beings. This fear is the fertile bed of violence and injustice. At the core of all fear is the fear of death. The fear of death, in turn, is based on a fear of loss of self as a possession. As Erich Fromm (1976) put it: "The fear, then, is not of dying, but of losing what I have: the fear of losing my body, my ego, my possession, and my identity; the fear of facing the abyss of nonidentity, of 'being lost' " (p. 126). Fear of death is thus ultimately grounded in a particular mode of living, a "having" mode. From the perspective of the having mode "I am what I have." And if I am what I have, and what I have, including myself, can in principle be lost, then I live in a perpetual state of anxiety, of existential fear. This anxiety is often unconscious, but it lurks in the background casting a shadow over our lives. This fear is occasionally stimulated, made conscious, and exacerbated by threatening events, real or imagined. Living in a state of fear, we lose our authentic self and thus our capacity to respond to others with compassion and respect.

Belief systems also often serve to construct a having-based self-identity. "I am what I believe". Our identity can become so dependent upon our belief system that a challenge to the system is experienced as a threat to our identity. The possibility of the loss of self that this entails leads to self-deception, a willingness to forego truth in favor of the

preservation of the belief system. In turn, self-deception erodes our capacity for moral responsiveness. Moral principle and our natural empathetic response to suffering gives way to an extreme ideological consequentialism that sacrifices human well-being, even human life, for the maintenance of the belief. We lose our authentic self, and with it, our moral capacity. This is a mode of living based on having, not material possessions per se, but of rigid ideologies. We have historically witnessed stark cases of this phenomena, for example, Stalin's Soviet Union, Nazi Germany, the Maoist cultural revolution, Taliban controlled Afghanistan, Pol Pot's Cambodia, among many others (Glover, 2000; Rashid, 2000).

There is, however, a more authentic mode of living, the mode of being (Fromm, 1976). From the perspective of this mode, I am not what I have per se. My possessions, whether material or ideological, do not define me. Rather, "I am that I am". Authentic self-awareness is being awake to, aware of, present to, a deep inner sense of being. This state of being is a concrete experience of the self--awake to itself, wherein external identifications and socially constructed identities are bracketed. It is an opening to our being which is our essence, and this essence is unique and not contingent upon anything external to it. It is fully secure, ultimately the only thing, truly safe and secure.

It is from the level of being, of self-awareness, that we can be authentically present to another. Relationship is a spiritual association, a communion, a meeting, a dialogue, an encounter (Buber, 1970). It is only when we are awake to our selves that we are capable of being awake and responsive to the subjectivity of the other, as well as being open to change in accordance with the discovery of a new understanding presented to us by an authentic encounter with the other or to critically evaluate the prescriptions of the other after careful examination. This is the meaning of Maxine Greene's notion of "wide awakesness" as the root of moral agency (Greene, 1978). Sympathy and respect are interconnected, and in turn self-awareness is the basis of both. Wide-awakesness breathes life into moral principle.

We have known for a long time that there exists a fundamental interconnection between the polity and its educational system. This is especially true for a democracy. Education and democracy are symbiotically interrelated. However, democracy demands a specific kind of education (Dahl, 2000; Gutmann, 1999; Snauwaert, 1993).

From the perspective of this paper, a democratic education grounded in the principle of humanity should be devoted primarily to the cultivation of empathetic, respectful, and wide-awake cosmopolitan citizens. As noted above, this education transcends the having, transmission model of education, moving in the direction of authentic being. A discussion of the politics of the implementation of this kind of education is, although crucial, beyond the scope of this short paper. Suffice it to say that our model of civic education grounded in the imperatives of the nation-state system is outdated. If we are going to be able to respond to a changing world we need to rethink democratic education from a cosmopolitan perspective.

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