

Dealing with injustice: Dag Hammarskjöld and the international community today

The continuing significance of the life of Dag Hammarskjöld
for peace and development in our world*

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Abstract

What can be done when governments and leaders in states do not abide to internationally codified norms and values? The Westphalian order allows regimes to claim their domestic sovereignty over and above minimum standards of universally established normative frameworks, not least with regard to human rights. Is such a protective shield more legitimate than externally initiated interventions when basic norms are violated? Or is it not a matter of conscience and loyalty to fundamental human values if not a form of solidarity to take a stance against such injustices in the absence of any legitimacy of such forms of rule among the own people in these countries? The role of the United Nations, advocating a Responsibility to Protect and representing the most advanced form of institutionalised global governance, is hereby critical. This article discusses the options at hand when confronted with crimes against humanity. It pays special

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attention to the understanding represented by Dag Hammarskjöld as second Secretary-General, his view of the international civil servant and the obligations of the United Nations to advance rights for people, at times against their rulers.

Introduction

Reflecting on the significance of the life of Dag Hammarskjöld for peace and development as a legacy for our world today is a worthwhile exercise, as it is anything but backward oriented, nor – as it seems – considered as politically irrelevant.¹ Like many others, Hammarskjöld stood for values and norms, which are as relevant now as they used to be then. In an address to the American Jewish Committee in New York on 10 April 1957 the second Secretary-General of the United Nations, defined a still relevant interconnection between peace and development:

We know that the question of peace and the question of human rights are closely related. Without recognition of human rights we shall never have peace, and it is only within the framework of peace that human rights can be fully developed (Falkman 2005:154).

As then, we are today in search of the best ways of reducing violence and protecting human rights as essential prerequisites for any meaningful and sustainable development. Unfortunately, these are not more peaceful times than those of half a century ago. But while justice remains a remote goal locally, nationally and globally, jurisdiction and the instruments of international law have been strengthened. The question remains how we deal with injustice and how to act in a globally responsible way through the international community today. This also touches on the notion of solidarity (cf. Kößler and Melber 2007).

1 I already had the privilege to share similar thoughts on Hammarskjöld and the challenges in our world of today with participants in the third Conference in this series (Melber 2007), though my presence at the event was then prevented by the decision of the Zimbabwean authorities, denying me entry to the country. That was one of the many frustrating but at the same time encouraging examples that even highly armoured and repressive totalitarian regimes continue to acknowledge that the pen might be mightier than the sword.

Global responsibility and solidarity

Heinous crimes against the people – committed by warlords, militias and terrorist organisations, and also by the institutions of states and governments – continue to challenge the moral and ethical consciousness of those who base their firm beliefs on fundamental human values, as enshrined in the Universal Declaration of Human Rights. The Genocide Convention, adopted at the same time, is despite all its limitations increasingly a normative framework – if only instrumental in its use – in the prosecution of the perpetrators of mass violence and crimes against humanity.²

The International Criminal Court (ICC) and the UN War Crimes Tribunal represent new means of dealing with culprits. Gone are the days when perpetrators merely had to be in a high enough political position to automatically get away, literally, with murder.³ These efforts are not easy, and responses are divided. The controversies surrounding the indictment of the Sudanese president are the tip of the iceberg. Taking legal action in this way puts to the test the commitment of those members of the international community who sign up to normative multilateral agreements without necessarily paying them the respect that this adoption by ratification implies. But they also touch on the unresolved issue of how best one can pursue decision-making processes and implement results without compromising the legitimate desire for a fair representation of all members of the community of states. The power of definition, with its consequences as to who is prosecuted for what and who is not held accountable for any crimes against humanity, remains a difficult and contested issue.

2 See, for a variety of historical and contemporary reflections on genocide as a contested framework, *Development Dialogue* no. 50 (Dag Hammarskjöld Foundation 2008). Two chapters in this volume focus especially on the case of Zimbabwe at different stages of its post-colonial development (cf. Ndlovu 2008 and Phimister 2008). Like all recent publications of the Foundation this volume is also accessible on our website: <www.dhf.uu.se>.

3 See a variety of reflections on and contributions to these new trends of implementing normative global frameworks and the specific challenges these meet in *Development Dialogue*, no. 53 (Dag Hammarskjöld Foundation 2009) and no. 55 (Dag Hammarskjöld Foundation 2011). Parts of this paper are based on my various introductory contributions to the volume no. 53.

But at the end of the day the case for R2P [Responsibility to Protect] rests simply on our common humanity: the impossibility of ignoring the cries of pain and distress of our fellow human beings. For any of us in and around the international community – from individuals to NGOs to national governments to international organizations – to yet again ignore that distress and agony, and to once again make ‘never again’ a cry that rings totally empty, is to diminish that common humanity to the point of despair. We should be united in our determination to not let happen, and there is no greater or nobler cause on any of us [that] could be embraced (Evans 2008).

Such a view, noble and honest as it is, nonetheless does not solve the core problem of such forms of solidarity, namely when and how empathy with the suffering of people justifies intervention free of (counter-)hegemonic interests. Unfortunately, all too often there remain doubts about the intentions of those arguing for or against specific cases of intervention (and their particular forms), as the example of Darfur (but to a certain extent also Zimbabwe) prominently illustrates.⁴ Not surprisingly, the most common concern expressed by member states during the General Assembly debate at the end of July 2009 was the danger of double standards and selectivity. As some of the states pointed out, however, ‘it would be wrong to conclude that because the international community might not act everywhere, it should therefore act nowhere’ (Global Centre for the Responsibility to Protect 2009:2).

Enter Hammarskjöld: Morality and politics

The United Nations’ second Secretary-General summarised his guiding principles, values and norms most impressively in the radio programme ‘This I believe’

4 The military intervention as endorsed by UN Security Council Resolution 1973 of March 2011 with regard to the untenable situation in Libya is the most recent case in point. The verdict is pending, but it is noteworthy that security council resolutions 1970 and 1973 clearly created a new quality of normative frameworks adopted and implemented, both with regard to the role of the International Criminal Court and the Responsibility to Protect. It remains to be seen how much this can enhance the legitimacy of such interventions.

Dealing with injustice: Dag Hammarskjöld and the international community today

broadcasted in 1954. Faith, Hammarskjöld then insisted, 'is a state of the mind and the soul'. And the belief he inherited was

that no life was more satisfactory than one of selfless service to your country – or humanity. This service required a sacrifice of all personal interests, but likewise the courage to stand up unflinchingly for your convictions (Falkman 2005:58).

In the same text, which Hammarskjöld wrote for the radio, he translates the living of such convictions, the active practising of these values, into the word Love. Love, defined as an overflowing of the strength filling individuals when living in true self-oblivion, as an unhesitant fulfilment of duty in an unreserved acceptance of life – no matter if it offered toil, suffering, or happiness (Falkman 2005:59). Hammarskjöld shows us that a strong belief in fundamental values transcends narrow political ideologies and translates into almost revolutionary perseverance when lived consequentially. This is maybe most spectacularly documented in his famous statement delivered on 3 October 1960 in the UN General Assembly in reply to the Soviet Union's demand to resign:

The man does not count, the institution does. A weak or nonexistent executive would mean that the United Nations would no longer be able to serve as an effective instrument for active protection of the interests of those many Members who need such protection. The man holding the responsibility as a chief executive should leave if he weakens the executive; he should stay if this is necessary for its maintenance....

It is not the Soviet Union or, indeed, any other big powers who need the United Nations for their protection; it is all the others. In this sense the Organization is first of all their Organization, and I deeply believe in the wisdom with which they will be able to use it and guide it. I shall remain in my post during the term of my office as a servant of the Organization in the interests of all those other nations, as long as they wish me to do so (Falkman 2005:85 and 86).

His morality and religion was political and translated into politics, which set the norm for every Secretary-General following him. When Hammarskjöld understands the United Nations as an ‘instrument of faith’, then this must be understood as a commitment to fundamental human values and norms guiding the struggle for a better life for all. It is a deeply secular agenda that cannot be seen detached from his spiritual signposts guiding his mission. A mission indeed it was. For his own understanding of the role of an international civil servant – a concept he shaped, which lasted until today as the ultimate criterion for the service in the United Nations system – he already insisted in an address at Johns Hopkins University in Baltimore on 14 June 1955, that ‘many ethical problems take on a new significance and our need to give sense to our lives exceeds the inherited standards’ (Falkman 2005:64). He points to the need that inherited and conventional ideas will not protect us to live lazily:

Intellectually and morally, international service therefore requires the courage to admit that you, and those you represent, are wrong when you find them to be wrong, even in the face of a weaker adversary, and courage to defend what is your conviction even when you are facing the threats of powerful opponents. But while such an outlook exposes us to conflicts, it also provides us with a source of inner security; for it will give us ‘self-respect for our shelter’ (Falkman 2005:65).

Already then, two years into office, he mapped out what he continued to practise as an international civil servant: the virtue of uncompromising integrity in the execution of the mandate and the pursuance of the course. During the Suez crisis, he stated on 31 October 1956 before the Security Council in no uncertain terms that in his view ‘the discretion and impartiality ... imposed on the Secretary-General ... may not degenerate into a policy of expediency’ (Falkman 2005:120–121). He then already articulated what he reiterated in his introduction to the Annual Report of the UN for 1959–1960:

It is my firm conviction that any result bought at the price of a compromise with the principles and ideals of the Organization, either by yielding to force, by disregard of justice, by neglect of common interests or by contempt for human rights, is bought at

too high a price. That is so because a compromise with its principles and purposes weakens the Organization in a way representing a definite loss for the future that cannot be balanced by any immediate advantage achieved (Falkman 2005:71).

Throughout his eight years in office Dag Hammarskjöld lived what he put into a final legacy on ‘The International Civil Service in Law and in Fact’ in his address at Oxford University on 30 May 1961 – not much more than a hundred days before his untimely death. As he stated then:

... the international civil servant cannot be accused of lack of neutrality simply for taking a stand on a controversial issue when this is his duty and cannot be avoided. But there remains a serious intellectual and moral problem as we move within an area inside which personal judgment must come into play. Finally, we have to deal with the question of integrity or with, if you please, a question of conscience (Quoted from Corell 2009).

And he continued:

... if integrity in the sense of respect for law and respect for truth were to drive him into positions of conflict with this or that interest, then that conflict is a sign of his neutrality and not of his failure to observe neutrality – then it is in line, not in conflict with, his duties as an international civil servant (Quoted from Corell 2009).

Since his first years in office Dag Hammarskjöld obtained respect and recognition for being a mediator, guided by such integrity. He was suspicious of any justification of expediency. He strongly believed in humanity and dialogue among opponents based on mutual respect and the search for common ground, but resisted the temptation to opt for a pragmatic and easy pseudo-solution devoid of the fundamental values that ought to be respected. In this context his exchanges with Martin Buber are revealing.⁵ These days we might call it the recognition of

5 See Marin 2010, who pays attention to this important aspect of Hammarskjöld’s ethics and convictions. See also Fröhlich 2008:103–116 and 2002:192–211.

otherness in a world of diversity. But at the same time he also felt strongly that otherness does not prevent parties to find a shared basis for a sustainable future of mankind.

Hammarskjöld was guided by efforts to bring more justice and less violation of human rights to this world within the institutionalised framework of a UN system, which seeks to enhance the meaning and practical relevance of the different charters for the implementation of a variety of human rights. Already half a century ago he shared the commitment to use the global governance framework for the promotion of the well being of the people and not their rulers.

In the footsteps of Hammarskjöld

Since Hammarskjöld's time, mediators have – also in cultivating his legacy – been unsparing in their efforts to contribute towards greater justice – and reduce the suffering of so many ordinary people – by exploring compromises that might lead to a negotiated settlement between parties in conflict, who would otherwise continue to fight, at the expense of the innocent. Mediators face enormous tasks, not least in the demands made of them, and their own values and ethical norms, when they seek to avoid wrecking the boat in what are at best rough waters.⁶

Their search for a way of reconciling the legitimate rights of sovereign states with their people's essential entitlement to a safe existence acknowledge both the potential opportunities as well as the risks involved in such endeavours. Such efforts seek to bring about a less unjust world order, in which perpetrators are not protected through the immunity of a statehood that suits only them but not their citizens. At the same time, we remain confronted with the difficulties of avoiding

6 The Swedish diplomat Jan Eliasson, once president of the United Nations General Assembly and foreign minister, served as special representative of the UN Secretary-General Kofi Annan on several difficult missions. As he recalled in a conversation held with Kofi Annan and others, broadcasted in Eliasson's honour live by the Swedish TV channel 1 on 26 September 2009, the greatest personal conflict for him was to seek a compromise on the basis of mediation with the Iraqi President Saddam Hussein shortly after the latter had ordered the use of chemical weapons and toxic gas with the intention of eliminating the Kurdish population in the country, with devastating consequences for hundreds of thousands of innocent civilians.

Dealing with injustice: Dag Hammarskjöld and the international community today

inappropriate intervention and interference, where those powers that intervene are pursuing their own agenda rather than solely executing a responsibility to protect.

The second Secretary-General of the United Nations was aware of the long road towards a global contract, which would not only formulate but also execute and implement a shared responsibility over matters of general human concern. In an address on 1 May 1960 at the University of Chicago he made a sobering but realistic assessment, which reflects political realities within the system of the not so united nations up until today:

Those who advocate world government, and this or that special form of world federalism, often present challenging theories and ideas, but we, like our ancestors, can only press against the receding wall which hides the future. It is by such efforts, pursued to the best of our ability, more than by the construction of ideal patterns to be imposed upon society, that we lay the basis and pave the way for the society of the future (Falkman 2005:164).

The way is long and winding. It requires patience, perseverance and many more virtues to handle the setbacks and disappointments without capitulation or resignation. Dag Hammarskjöld, who embodied many of these virtues in his personal beliefs, was aware of the time required for this endeavour to bear fruit. As he stated in his address at New York University on 20 May 1956:

... we are still seeking ways to make our international institutions fulfill more effectively the fundamental purpose expressed in Woodrow Wilson's words – 'to be the eye of the nations to keep watch upon the common interest'.

I have no doubt that forty years from now we shall also be engaged in the same pursuit. How could we expect otherwise? World organization is still a new adventure in human history. It needs much perfecting in the crucible of experiences and there is no substitute for time in that respect (Falkman 2005:67–68).

Fifty years after these words, we still have not reached the desired goal. Let's hope that time is not running out. We have certainly entered a stage in the reproduction of the human being, which requires even more urgent measures to secure a future for men, women and their children on this earth. Dag Hammarskjöld then had faith in the future of mankind, as he had trust in the moral compass of people. As recorded in the transcript of extemporaneous remarks at the UN Correspondents Association Luncheon in his honour on 9 April 1958 he maintained a 'belief and the faith that the future will be all right because there will always be enough people to fight for a decent future'. He also believed firmly that 'there are enough people who are solidly engaged in this fight and who are strong enough and dedicated enough to guarantee its success' (Falkman 2005:51–52).

This firm belief in the good of mankind did not remain pure, however. Towards the end of his life, Hammarskjöld's firm convictions in the good of mankind succumbed to the harsh world of experiences, which confined efforts and commitments in the service of the well being of people to remain a noble goal instead of becoming a reality. The artist Bo Beskow, who maintained a close relationship with the Secretary-General until his untimely death, used to regularly enquire whether Hammarskjöld still believed in people. In the summer of 1961 he admitted in his reply, that 'I never thought it possible, but lately I have come to understand that there are really evil persons – evil right through – only evil' (Beskow 1969:181, quoted in Fröhlich 2008:191).

Among the participants in this conference are those who have gathered because of their respect for and activism in the spirit of the late Dag Hammarskjöld and his vision of a better world. A world, he did not see happen. A world, we have to promote against all odds and the evil embodied at times also in rulers and governments who constantly violate the oath they took when entering office (provided they did take an oath), namely to act responsibly in the public interest and for the sake of the people they claim to represent.

Much to our comfort, they will not end in the history textbooks as the respected ones, but will be remembered as an insult to humanity and the values of freedom and liberation, for which at times they originally stood themselves (cf. Melber

2009). A year before his appointment as the United Nations' second Secretary-General, Hammarskjöld penned in his private notebook: 'It is easy to be nice, even to an enemy – from lack of character' (Hammarskjöld 1993:70). One could have added also: from lack of empathy and solidarity with those who are victimised by those abusing the power they seized or – worse – were entrusted with to serve the people. Hammarskjöld was on the side of the oppressed. So should we be.

Sources

- Annan, Kofi 2004. Address to the Stockholm International Forum. Stockholm, 26 January. Available from: <http://www.un.org/News/ossg/sg/stories/statments_search_full.asp?statID=51>
- Corell, Hans 2009. The need for the rule of law in international affairs. Lecture on occasion of a commemorative event on the 48th anniversary of Dag Hammarskjöld's death at the Dag Hammarskjöld Foundation. Uppsala, 18 September. Published in: Corell, Hans, Inge Lønning and Henning Melber 2010. *The Ethics of Hammarskjöld*. Uppsala, The Dag Hammarskjöld Foundation.
- Dag Hammarskjöld Foundation 2007. Global civil society – More or less democracy? *Development Dialogue*, no. 49 (edited by Mikael Löfgren and Håkan Thörn). Uppsala, The Dag Hammarskjöld Foundation.
- Dag Hammarskjöld Foundation 2008. Revisiting the heart of darkness: Explorations into genocide and other forms of mass violence. 60 years after the UN Convention. *Development Dialogue*, no. 50 (edited by Henning Melber). Uppsala, The Dag Hammarskjöld Foundation.
- Dag Hammarskjöld Foundation 2009. Responses to mass violence – mediation, protection and prosecution. *Development Dialogue*, no. 53 (edited by Henning Melber). Uppsala, The Dag Hammarskjöld Foundation.
- Dag Hammarskjöld Foundation 2011. Dealing with crimes against humanity. *Development Dialogue*, no. 55 (edited by Henning Melber). Uppsala, The Dag Hammarskjöld Foundation.
- Deng, Francis M. 2009. The evolution of the idea of 'sovereignty as responsibility'. In: Adebajo, Adekeye ed. *From global apartheid to global village. Africa and the United Nations*. Scottsville, University of KwaZulu-Natal Press. pp. 191–213.
- Evans, Gareth 2008. The Responsibility to Protect: An idea whose time has come ... and gone? Lecture to David Davies Memorial Institute, University of Aberystwyth, 23 April. Available from: <<http://www.crisisgroup.org/home/index.cfm?id=5407>>
- Falkman, Kaj ed. 2005. *To speak for the world. Speeches and statements by Dag Hammarskjöld*. Stockholm, Atlantis.

- Fröhlich, Manuel 2002. *Dag Hammarskjöld und die Vereinten Nationen. Die politische Ethik des UNO-Generalsekretärs*. Paderborn, München, Wien and Zürich, Schöningh.
- Fröhlich, Manuel 2008. *Political ethics and the United Nations. Dag Hammarskjöld as Secretary-General*. Short version of the German volume. London and New York, Routledge.
- Global Centre for the Responsibility to Protect 2009. Implementing the Responsibility to Protect. The 2009 General Assembly debate: An assessment. GCR2P Report, August. New York, Ralph Bunche Institute for International Studies / City University of NY Graduate Centre.
- Hammarskjöld, Dag 1993. *Markings*. 16th edition. New York, Ballantine.
- International Commission on Intervention and State Sovereignty 2001. *The Responsibility to Protect*. Ottawa, International Development Research Centre.
- International Peace Institute 2009. *The Responsibility to Protect (RtoP) and genocide prevention in Africa*. New York, International Peace Institute, June.
- Jolly, Richard, Louis Emmerij and Thomas Weiss 2009. *UN ideas that changed the world*. Bloomington and Indianapolis, Indiana University Press.
- Kößler, Reinhart and Henning Melber 2007. International civil society and the challenge for global solidarity. In: Dag Hammarskjöld Foundation 2007, pp.29–39.
- Kuwali, Dan 2009. The African Union and the challenges of implementing the ‘Responsibility to Protect’. Policy Notes 2009/4. Uppsala, Nordic Africa Institute.
- Marin, Lou 2010. Can we save true dialogue in an Age of Mistrust? The encounter of Dag Hammarskjöld and Martin Buber. *Critical Currents*, no. 8. Uppsala, The Dag Hammarskjöld Foundation.
- Melber, Henning 2001. The New African Initiative and the African Union: A preliminary assessment and documentation. *Current African Issues*, no. 25. Uppsala, Nordic Africa Institute.
- Melber, Henning 2007. Dag Hammarskjöld’s legacy and the situation in southern Africa – With special reference to Zimbabwe. Paper presented in absentia to the 3rd Conference in Commemoration of the Legacy of Dag Hammarskjöld on the theme ‘Peace and Development in Africa’ at the Africa University, Mutare, Zimbabwe, 24–26 September. Published in a slightly revised version as ‘Peace & Development in Africa’ in *Review of African Political Economy*, no. 114, pp. 726–730. Published also as “‘We desire a future that is not like the present’”. On Zimbabwe, SADC and Dag Hammarskjöld’ in *Pambazuka News*. A Weekly Electronic Forum for Social Justice in Africa, no. 321, 28 September 2007, and as ‘L’eredità di Dag Hammarskjöld e la situazioni in Africa australe con particolare riguardo allo Zimbabwe’ in *afriche e orienti*, nos. 3/4, 2007, pp. 196–201.
- Melber, Henning 2009. Southern African Liberation Movements as governments and the limits to liberation. *Review of African Political Economy*, no. 121, pp. 451–459.

Dealing with injustice: Dag Hammarskjöld and the international community today

Ndlovu, Mary E. 2008. Mass violence in Zimbabwe 2005 – Murambatsvina.
In: Dag Hammarskjöld Foundation 2008, pp. 217–237.

Phimister, Ian 2008. The makings and meanings of the massacres in Matabeleland.
In: Dag Hammarskjöld Foundation 2008, pp. 197–214.

United Nations 2005. 2005 World Summit outcome. UN document A/60/L.1, 15