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Of Rules and Referees

Life is a game with many rules but no referee. One learns how to play it more by watching it than by consulting any book.... Small wonder, then, that so many play dirty, that so few win, that so many lose.

—JOSEPH BRODSKY, *ON GRIEF AND REASON: ESSAYS*

Brodsky was talking about life, but he might as well have been discussing international affairs. Rules exist, but the referee? That has been left to the teams and players themselves, and the results have been somewhat predictable: genocide in Rwanda, ethnic cleansing in the former Yugoslavia, millions of impoverished people who can do precious little after being attacked and abused by their own governments. The game has few joys for these players, and the best many can do is simply run, in the hope of joining a better team somewhere else.

But this is changing. As the set of articles devoted to the evolving architecture of international law in this issue of *The Fletcher Forum of World Affairs* points out, states themselves are slowly creating a system of international law that allows, in at least some cases, referees to sort things out. As KINGSLEY MOGHALU and DAVID TOLBERT show, this evolution is perhaps best demonstrated in the international criminal tribunals for Rwanda and the former Yugoslavia, which have cleared new ground in the quest to make previously untouchable individuals accountable for their crimes. The section sheds further light on evolving international legal frameworks, with articles on an international civil court and the potential dangers of proliferating anti-trust law worldwide.

Discovering answers to the world's problems cannot be left to the lawyers alone, of course, and this issue provides readers with an enormous range of opinion from practitioners and theorists involved in development, diplomacy, national security and other fields. Our section on new modes of development emphasizes the interesting relationships between technology, development, and government accountability. GAY MCDUGALL and JERRY LEAPHART, meanwhile, respond to a stinging article in our last issue by CONGRESSMAN TOM LANTOS on the World Conference against Racism in Durban, South Africa. Lastly, a number of country-specific pieces deal with issues being missed by the mainstream media: Hear about Romania's reform successes before their expected invitation to join NATO this fall. Take a look at how Russian society reacted to its own terrorist attacks in September 1999. And find out why the Middle East has, by and large, lost out in its confrontation with the challenges of modernity.

This is a hefty issue of *The Fletcher Forum* with much to satisfy our diverse set of readers. We hope you enjoy it.

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