

followed very closely. I suspect that recognition of a positive legal duty to intervene is still very far off, even in cases of imminent humanitarian catastrophe, just as, at the other end of the spectrum, we are having serious problems getting aggression defined as a war crime. But between these two poles there is the germ of a political will both to prevent and to punish crimes against humanity and genocide. Intervention does not necessarily involve force; it may consist of a demand for an accounting. Crime, particularly violations of the laws of war that apply to internal armed conflicts, is at the heart of the debate about the legitimacy and legality of either kind of intervention.

I also suspect that the emphasis on holding political and military leaders personally responsible for crimes they claim to have committed on behalf of a state or of a people within a state they repudiate, makes it easier to reject the notion that state sovereignty should prevent such leaders from being called to account by the community targeted by their actions — that is to say, humanity as a whole.

And yet, having stated the need for liberal democracies to place the emphasis on exporting their standards of justice and their commitment to the rule of law, Gary Bass, whom I mentioned earlier, points out the most serious obstacle to the spread of these ideas, which others might consider a kind of legal and law-enforcement imperialism. Bass argues that the liberal democracies involved in these international justice projects consistently decline to make the ultimate commitment on the ground, if such an effort puts the lives of their soldiers at risk. This is where the distinction between the various types of peace officers becomes significant. According to the legal meaning of that expression in Canadian law, police officers who serve in Canada are peace officers; Canadian troops in Bosnia are not. This is an inexplicable lacuna in an international legal order that invests more than \$200 million a year in a criminal justice exercise that still has not resolved its growing pains when it comes to intervention. The moderate use of force to apprehend internationally indicted war criminals rests on a relatively solid bedrock of legitimacy and legality, but it demands that states make a political and operational commitment. It seems to me that this is a reasonable limitation on the extent to which responsibility may be abdicated to non-state actors. It is difficult to imagine how international civil society could organize itself outside the state framework to fill this lacuna. We are all familiar with Doctors Without Borders, Reporters Without Borders and Lawyers Without Borders, but it is harder to envision Police Without Borders. It is these inevitable limitations on the privatization of state functions that should prompt international organizations to