The Kosovo Report
Independent International Commission on Kosovo
Published in print: 2000 Published Online: November 2003
Item type: book

The Kosovo Report is a final product of the work by the Independent International Commission on Kosovo, established to examine key developments prior to, during, and after the Kosovo war, including systematic violations of human rights in the region. The report assesses effectiveness of diplomatic efforts to prevent the war, legality of the NATO bombing campaign against Yugoslavia, and the progress of the United Nations in post-conflict reconstruction. The Report makes a recommendation for the future status of Kosovo and proposes a new general framework for humanitarian intervention based on principles of legitimacy. It argues that the intervention by the international community in the Kosovo conflict did not so much create a precedent for intervention elsewhere as raise vital question about the legitimacy and practicability of the use of military force to defend human rights. The intervention, the Report concludes, exposed the limitations of the current international law on the balance between the rights of citizens and the rights of states; it demonstrated the difficulties that ensue when even the most sophisticated and professional military forces are deployed to achieve humanitarian goals; and it showed the immense obstacles that lie in the path of creating multi-ethnic cooperation in societies torn apart by ethnic war.

Patronage
Matthew Flinders and Matthew Denton
in Delegated Governance and the British State: Walking without Order
Published in print: 2008 Published Online: September 2008
Item type: chapter
This chapter focuses on the issue of public appointments and patronage. Contrary to media suggestions and the public's perception, research suggests that the sphere of delegated governance is no longer a patronage resource for ministers, or that it is replete with financially lucrative and under-demanding positions. In fact, research reveals a gradual but very clear ‘shrinking reach’ in terms of the breadth and nature of ministerial appointment capacity.

Introduction
The Independent International Commission on Kosovo

in The Kosovo Report: Conflict, International Response, Lessons Learned

Published in print: 2000 Published Online: November 2003
Item type: chapter

Poses the unresolved questions about the Kosovo conflict that motivated the establishment of the Independent International Commission on Kosovo. Among others, the questions include the role of the United Nations and NATO, and the general purpose of international intervention in preventing armed conflicts. The introduction also presents the Commission’s mission statement and lists its members. It outlines the contents of the report, dividing it into a narrative and an analysis.

The United Kingdom Comes of Age: The British Electoral Reform “Revolution” Of the 1990S
David M. Farrell

in Mixed-Member Electoral Systems: The Best of Both Worlds?

Published in print: 2003 Published Online: November 2003
Item type: chapter

In the field of electoral systems, Britain has long held out as a bastion of stability, as the country seen as least likely to undergo fundamental electoral reform, but this picture was rudely shattered in the late spring of 1997, with the election of a new Labour government. The central argument of this chapter is that the current debate over British electoral reform should be viewed as part of a wider process of the coming of age of British politics. A review of the historical debate reveals a series of failed initiatives to reform the electoral system, suggesting that the matter has never been entirely put to rest, and that there has always been the prospect of its re-emergence. The current episode, dating
from the election of the new government in 1997, provides reason to expect that electoral reform may really happen this time, and indeed already has happened in a number of British electoral arenas (European Parliament; London mayor; Northern Ireland, Scottish, Welsh and London Assemblies). The chapter is arranged as follows: the first section summarizes the historical record from 1860 to 1970, and provides evidence of a political elite willing at least to countenance the idea of experimenting with change, even if not yet prepared to embrace it; the second section explores possible explanations for why the issue re-emerged in the 1990s and describes the reforms implemented in that period (up to 2000); this is followed by an outline of the deliberations and proposals of the Independent Commission on the Voting System for the British House of Commons (the Jenkins Commission), which was established by the new Labour prime minister, Tony Blair, in December 1997, whose report was published in October 1998 and suggested 'alternative vote plus (AV+)' as the new electoral system; the concluding section discusses the current prospects for electoral reform in the UK.

Corruption and Human Rights in India
C. Raj Kumar

The malaise of corruption has become deeply embedded in the political and social fabric of the Indian society. The increased scale and frequency of corruption has negatively affected human rights, as well as development initiatives, economic growth, and access to justice. This work adopts a new approach for analysing corruption — corruption as a violation of human rights. It proposes the adoption of a multi-pronged strategy for eliminating corruption, including the creation of a new legislative framework, a new and independent empowered commission against corruption, and an effective institutional mechanism. It also compares India's experiences in fighting corruption with other governments in Asia including Singapore and Hong Kong.

Democratic Legitimacy
Pierre Rosanvallon

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It's a commonplace occurrence that citizens in Western democracies are disaffected with their political leaders and traditional democratic institutions. But this book argues that this crisis of confidence is partly a crisis of understanding. The book makes the case that the sources of democratic legitimacy have shifted and multiplied over the past thirty years and that we need to comprehend and make better use of these new sources of legitimacy in order to strengthen our political self-belief and commitment to democracy. Drawing on examples from France and the United States, the book notes that there has been a major expansion of independent commissions, NGOs, regulatory authorities, and watchdogs in recent decades. At the same time, constitutional courts have become more willing and able to challenge legislatures. These institutional developments, which serve the democratic values of impartiality and reflexivity, have been accompanied by a new attentiveness to what the book calls the value of proximity, as governing structures have sought to find new spaces for minorities, the particular, and the local. To improve our democracies, we need to use these new sources of legitimacy more effectively and we need to incorporate them into our accounts of democratic government. This book is an original contribution to the vigorous international debate about democratic authority and legitimacy.

The Modern Regulatory State
Samuel DeCanio
in Democracy and the Origins of the American Regulatory State
Published in print: 2015 Published Online: May 2016
Item type: chapter

This chapter discusses the historical transformation of the modern regulatory state and suggests that the expansion of bureaucratic authority is an institutional innovation rather than a result of changes in the American economy. It examines three novel characteristics that distinguish the postbellum state from prior forms of American government. First, the level of government was altered, and new forms of authority were placed in the hands of federal officials. Second, there was a shift in power from legislatures and courts to executive bureaucrats and independent commissions. Third, the federal state pursued regulatory objectives that increasingly focused on the market price system. The chapter considers this institutional shift within the context of party ideologies before the Civil War, with particular emphasis on the political parties' positions on issues ranging from federal power to
the role of respective branches of government, along with the types of government action they endorsed.

Independent television producers and media rights
Richard Haynes

in Media Rights and Intellectual Property

Published in print: 2005 Published Online: September 2012
Publisher: Edinburgh University Press
DOI: 10.3366/edinburgh/9780748618804.003.0006
Item type: chapter

The arrival of digital television across three platforms — terrestrial, satellite and cable — in 1998 augured a new era of broadcasting in the United Kingdom. The UK comes a distant second to the United States in the export of television programmes worldwide, but does dominate the rest of the world in its ability to innovate new programmes that have a resonance with international audiences. The rise of television formats has provided new impetus in the UK television market, and the exploitation of secondary and tertiary rights to these programme ideas has given a welcome fillip to UK distributors. This chapter focuses on independent television producers and media rights. It first explores digital television and global media markets and then discusses state intervention in television rights markets. It also looks at the Independent Television Commission's Programme Review and the Communications Act 2003 in the UK and the rise of television formats.

The UN Investigation of the Hariri Assassination
Amal Alamuddin and Anna Bonini

in The Special Tribunal for Lebanon: Law and Practice

Published in print: 2014 Published Online: May 2014
Publisher: Oxford University Press
DOI: 10.1093/acprof:oso/9780199687459.003.0004
Item type: chapter

This chapter focuses on UN Commission created to investigate the assassination of former Lebanese Prime Minister, Rafiq Hariri, known as the UN International Independent Investigation Commission (UNIIIC). The UNIIIC paved the way for the Special Tribunal for Lebanon and established the foundations of the prosecution case. The discussions cover the UNIIIC's operations; the Commission in context; and the challenges and lessons learned for similar commissions in the future.
This chapter summarises the report of the Independent Commission on Policing chaired by Lord Patten, published in September 1999. It explains the significance of the report for the subsequent transformation of policing in Northern Ireland. It sets out the key elements to what was seen as the new beginning for policing in Northern Ireland including human rights policing, accountability to be delivered through the new Policing Board, District Policing Partnerships, policing with the community, human resource issues including 50:50 recruitment, culture, ethos and symbols. The chapter notes the choice of title Policing Board as providing a wider responsibility than just overseeing the Police. The chapter concludes with reflections on the report.

The Organization of Islamic Cooperation as Interpreter of Human Rights in the Context of Islam

Ioana Cismas

This chapter seeks to unearth what drives the OIC’s codification of human rights: cultural relativism as exceptions to universal norms, or a regionalism that provides context-sensitive approaches to applying shared standards? The Cairo Declaration on Human Rights in Islam is critically examined against the background of OIC members’ human rights treaty obligations. The Declaration subjects the rights therein to sharia, and fails to reflect the majority of OIC members’ understanding of human rights and to guide their conduct in this area. The chapter also exposes the non-accommodation by international law of claims to religious exceptionalism and examines the accountability of the OIC as an international organization. The Covenant on the Rights of the Child in Islam and the Statute of the OIC human rights commission present a certain potential for a context-sensitive application of human rights,
provided they are read in light of existing international obligations of OIC members.

Deregulation and Quality Television
Verity Lambert

in Television Policy: The MacTaggart Lectures
Published in print: 2005 Published Online: September 2012
Item type: chapter

In this lecture, the author, a producer and director who has worked at the BBC and ITV, examines what can be done to preserve quality in the context of a broadcasting system experiencing deregulation, reflecting both government policy and the emergence of multichannel broadcasting. She begins with definitions but acknowledges that the notion of ‘quality’ is contested, and suggests that money is central since it allows high production values, well-researched television programmes, a good programme mix and funds innovation, risks and the occasional mistake. The inclusion of a ‘quality threshold’ in the Broadcasting Act 1990 is a significant amendment for Britain, but the Independent Television Commission must hold ITV companies to their programming commitments, especially the production and airing of documentaries and current affairs in prime time and the BBC and Channel 4 must ‘not lose their nerve’ when confronted by falling ratings. The author concludes by considering the role of programme makers (in-house and independents) in sustaining quality, focusing on independent production. Establishing an association for independents would help eliminate the fragmentation and competition between them which can reduce programme quality.

Good governance
Mark Hampton

in Hong Kong and British Culture, 1945-97
Published in print: 2015 Published Online: May 2016
Item type: chapter

As Britain prepared for the 1997 change of sovereignty, it became common to cite Hong Kong as an example of the British talent for “good governance”, and to name the establishment of rule of law and governing institutions as one of Britain’s most important legacies. Yet this emphasis on good governance was not only a parting reflection,
but was a constant theme throughout the post-war period. Before the late 1960s, commentary emphasized minimal government and indirect rule, with magistrate Austin Coates likening himself to a Confucian “mandarin”. After the 1967-68 riots, the Government emphasized more proactive attempts to connect to their subjects, and to close the “gap” that had emerged between rulers and ruled. In this context, especially under Governor Murray MacLehose, it pursued numerous administrative and social reforms, established the Independent Commission Against Corruption, and significantly expanded its public relations efforts, while steadily avoiding any move toward democratization, even as such activists as Elsie Elliott called for it. Only once the change of sovereignty was inevitable did the British countenance serious democratic reforms, as the Christopher Patten government sought to leave a legacy. Throughout all these changes, the discourse of “good governance” constantly emphasized its pragmatic character.

Organised Crime and the Independent Monitoring Commission
Desmond Rea and Robin Masefield

This chapter deals with two main topics – dealing with organised crime in Northern Ireland, which was inevitably an issue for the Policing Board as well as for the PSNI and the Northern Ireland Office (NIO), and the work of the Independent Monitoring Commission (IMC) set up by the British and Irish Governments in 2003. As the reports of the British Government-instituted Organised Crime Task Force (OCTF) on which the NIO did not give the Board a seat noted in its organised crime threat assessments, organised crime in Northern Ireland was much more linked to paramilitary groups than elsewhere. The chapter describes both the dealings between the Board and the NIO over the former’s role which led after some years to the creation of a Stakeholder Group of the OCTF on which the Board had two seats, and initiatives by the Board such as sponsoring seminars on organised crime as well as regular coverage at public sessions of the Board. The second section is about the role and work of the IMC with reference to its 25 published reports.
Introduction
Desmond Rea and Robin Masefield

in Policing in Northern Ireland: Delivering the New Beginning?

Published in print: 2015 Published Online: January 2016
Publisher: Liverpool University Press
Item type: chapter

The introduction begins with the provision of the 1998 Belfast Agreement in relation to policing and the subsequent Independent Commission on policing for Northern Ireland. It sets out the central issue tackled in the book as to whether the new beginning to policing, as envisaged in the report of the Independent Commission has indeed been delivered. The introduction credits three other expert contributors to the book – Edgar Jardine, Dr Sydney Elliott and Fraser Sampson each of whom wrote part or all of a chapter. It stresses how the work of the Policing Board positively influenced both the peace and political processes in Northern Ireland. Further, it highlights four themes in the book – representativeness in the police service’s composition, human rights policing, holding a police service effectively to account, and dealing with the legacy of over 3,500 deaths during the Troubles. It notes that the detailed issues relating to and arising from the Police Ombudsman’s investigation of the 1998 Omagh bombing, as well as the Ombudsman’s Office are matters for another book. The introduction records that the book is largely written on the basis of the Policing Board’s papers, and should be seen as a tribute to all who have played a part in the progress of policing over the past 15 years.

The Protection of Human Rights in the Palestinian Territories
Eugene Cotran and Emma Brown

in Constitutionalism in Islamic Countries: Between Upheaval and Continuity

Published in print: 2012 Published Online: April 2015
Publisher: Oxford University Press
Item type: chapter

This chapter discusses the protection given to fundamental freedoms and human rights in the Palestinian Territories and the work of the Palestinian Independent Commission for Human Rights in converting legislative intention into practical reality within Palestine. An understanding of the context in which the Commission operates is essential to understand the significance of the Commission’s role in not only protecting fundamental freedoms and human rights in Palestine, but also in the ongoing process of developing democracy in the Palestinian Territories.

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Regulation
Paul Langley

in Liquidity Lost: The Governance of the Global Financial Crisis

Published in print: 2014 Published Online: January 2015
Publisher: Oxford University Press
DOI: 10.1093/acprof:oso/9780199683789.003.0007
Item type: chapter

This chapter analyses how the global financial crisis was governed as a problem of regulation from 2009 onwards, with particular focus on the structural regulation of banking in the US and UK. It covers the content and legislative passage of the ‘Glass–Steagall lite’ Volcker rule in the US and the Vickers’ ring-fence that was proposed by the Independent Commission on Banking (ICB) in the UK, and shows how the rendering of the crisis as a problem of structural regulation was framed through discourses on the size and substance of banking, where permissive regulation was blamed for creating speculative banks that were ‘too-big-to-fail’ when the crisis came. It also explains how structural regulation enrols and restructures sovereign regulatory techniques in order to differentiate between the circulations of banking, rather to prohibit ‘casino-like’ circulations which are deemed dangerous to financial stability.