Introduction

On 27 March 2014, the president of the Philippines, Benigno Aquino III, and the Chairman of the Moro Islamic Liberation Front (MILF) signed the Comprehensive Peace Agreement on the Bangsamoro. Facilitated and witnessed by the Malaysian prime minister, Najib Razak, this agreement marked the culmination of eighteen years of negotiations and twelve prior agreements, declarations, annexes and addendums that had sought to bring an end to civil conflict on the island of Mindanao. Starting with the Moro National Liberation Front (MNLF) in the 1960s, various iterations of this separatist movement, including the MILF and the splinter group BIFF (Bangsamoro Islamic Freedom Fighters), have fought to establish the Bangsamoro region of Mindanao as an independent state or an autonomous substate within the Philippines. During the course of what has been one of the twentieth and twenty-first centuries' most intractable conflicts, an estimated 120,000 people have been killed, countless others have suffered serious human rights violations, and since 2000 alone, an estimated 3.5 million people have been displaced from their homes.[1]

At the very heart of the Bangsamoro peace process is the question of how violations of human rights committed during the Mindanao conflict should be addressed. On one hand, the Bangsamoro peace process has

[1] Susan D. Russell and Rey Ty, 'Conflict Transformation Efforts in the Southern Philippines', in Candice C. Carter (ed.), *Conflict Resolution and Peace Education* (Basingstoke: Palgrave, 2010), p. 157; Chester A. Crocker, Fen Osler Hampson and Pamela R. Aall, *Taming Intractable Conflicts: Mediation in the Hardest Cases* (New York: United States Institute of Peace 2004), p. 59; Salvatore Schiavo-Campo and Mary Judd, *The Mindanao Conflict in the Philippines: Roots, Costs, and Potential Peace Dividend,* Social Development Papers 24 (Washington, DC: World Bank, 2005), p. 1; Ploughshares, 'Philippines-Mindanao (1971-first combat deaths)', April 2016, ploughshares.ca/pl_armedconflict/Philippines-mindanao-1971-first-combat-deaths/ (accessed 4 August 2016); Internal Displacement Monitoring Centre, 'Philippines IDP Figures Analysis' www.internal-displacement.org/south-and-south-east-asia/Philippines/ (accessed 4 August 2016).

explicitly identified itself with what some have termed the 'global transitional justice project', made overtures to the burgeoning 'age of accountability' or 'justice cascade' and appeared to accept several key international norms against impunity for human rights crimes.[2] In particular, while the Comprehensive Agreement made an overt commitment to 'uphold the principles of justice', its Annex on Normalization provided for the establishment of a Transitional Justice and Reconciliation Commission (TJRC) mandated to 'address the legitimate grievances of the Bangsamoro people, correct historical injustices, and address human rights violations'.[3]

On the other hand, the Annex on Normalization also made provisions for an amnesty to be granted as a 'confidence-building measure'. It states that 'the Government shall take immediate steps through amnesty, pardon, and other available processes towards the resolution of cases of persons charged with or convicted of crimes and offenses connected to the armed conflict in Mindanao'.[4] This provision, the Annex explains, was included to 'facilitate the healing of the wounds of conflict and the return to normal life'.[5] That is, the Annex on Normalization appears to accept the pragmatic argument that amnesties, and with them some measure of impunity, are 'necessary evils' implemented to achieve a permanent cessation of hostilities.[6]

In broad historical terms, the inclusion of an amnesty in the Bangsamoro peace agreement is wholly unsurprising. Amnesties have always been conceived as instruments of peace. Ever since the Athenian general Thrasybulus offered one of the first recorded amnesties in 403 BCE, they have been routinely employed as bargaining tools and

[2] Rosemary Nagy, 'Transitional Justice as a Global Project: Critical Reflections', *Third World Quarterly* 29, no. 2 (2008): pp. 275–289; Francesca Lessa and Leigh A. Payne (eds.), *Amnesty in the Age of Human Rights Accountability: Comparative and International Perspectives* (Cambridge: Cambridge University Press, 2012); Kathryn Sikkink, *The Justice Cascade: How Human Rights Prosecutions Are Changing World Politics* (New York: Norton, 2011); Max Pensky, 'Amnesty on trial: impunity, accountability and the norms of international law', *Ethics and Global Politics* 1. nos. 1–2 (2008), p. 1.

[3] Annex on Normalization, signed by the Government of the Philippines and the MILF, 25 January 2014, Section H1, http://peacemaker.un.org/sites/peacemaker.un.org/files/PH_140125_AnnexNormalization.pdf (accessed 4 August 2016).

[4] Annex on Normalization (2014), Section J2.

[5] Annex on Normalization (2014), Section J2.

[6] Mark Freeman, *Necessary Evils: Amnesties and the Search for Justice* (Cambridge: Cambridge University Press, 2009); Jack Snyder and Leslie Vinjamuri, 'Trials and Errors: Principle and Pragmatism in Strategies of International Justice', *International Security* 28, no. 3 (2003/2004): pp. 5–44.

incentives to bring violent conflicts to settlement. As acts of legislation or decree foreclosing the possibility of future criminal, and sometimes civil, prosecutions, amnesties are acts of politics instituted to bring about a 'politically desirable effect'.[7] In the context of peace negotiations, they are used as confidence-building measures, incentives, and bargaining chips, to inspire warring parties to sign peace agreements and, in the post-conflict period, to abide by their terms. Viewed as a last resort or as an effective means of halting ongoing violence, amnesties have long been conceived as a 'necessary evil', the unfortunate but often inescapable price to be paid for peace.[8]

Reflecting this view, throughout most of its history, the United Nations (UN) has accepted the use of amnesties as instruments of peace. In the mid-1990s alone, it supported amnesties in Liberia (1993),[9] Haiti (1993),[10] Angola (1994),[11] Bosnia (1995),[12] Sierra Leone (1996–1997)[13] and Tajikistan (1996–1997).[14] Of these, only one amnesty, instituted as part of the Dayton Accords in the Former Yugoslavia, was restricted to exclude human rights violations from its scope.[15] Although some UN officials and bodies were uncomfortable with the idea that perpetrators of gross violations of human rights could be granted impunity, in the main UN practice condoned their use, overtly or tacitly.

In 1999, however, the UN Secretary-General, Kofi Annan, issued a statement prohibiting UN peace negotiators from offering amnesties for

[7] Renée Jeffery, *Amnesties, Accountability and Human Rights* (Philadelphia: University of Pennsylvania Press, 2014), p. 3; Diane F. Orentlicher, 'Settling Accounts: The Duty to Prosecute Human Rights Violations of a Prior Regime', *Yale Law Journal* 100, no. 8 (1990–1991), p. 2543; Pensky, 'Amnesty on Trial', p. 7.

[8] Freeman, *Necessary Evils,* pp. 112–113.

[9] Liberia, Cotonou Agreement, 1993. For a full reference see Peace Agreements reference list.

[10] Haiti, Governor's Island Agreement, 1993.

[11] Angola, Lusaka Protocol, 1994.

[12] Bosnia, Dayton Accords, 1995.

[13] Sierra Leone, Abidjan Agreement 1996; Conakry Peace Plan 1997.

[14] Tajikistan, Agreement between the President of the Republic of Tajikistan and the leader of the United Tajik Opposition, 1996; General Agreement on the Establishment of Peace and National Accord in Tajikistan, 1997; Statute on the Commission on National Reconciliation, 1997.

[15] Dayton Agreement, 1995. Annex 7, the Agreement on Refugees and Displaced Persons, Article VI reads: 'Any returning refugee or displaced person charged with a crime, other than a serious violation of international humanitarian law as defined in the Statute of the International Tribunal for the Former Yugoslavia since January 1, 1991, or a common crime unrelated to the conflict, shall upon return enjoy an amnesty'.

human rights violations, even when the signing of a peace agreement was at stake. The UN, he announced, could no longer 'condone amnesties for war crimes, crimes against humanity, or genocide' in any context.[16] In a speech delivered on Human Rights Day later in the same year, Annan explained that peace agreements would now be expected to conform to the law and to contribute to the 'mainstreaming of human rights'.[17] In doing so, he not only sought to transform UN practice, but to displace a set of deeply embedded norms surrounding the use of amnesties in peace negotiations.

In the years that followed Annan's announcement, efforts to promote the UN's anti-amnesty policy by successive Secretaries-General, their representatives and human rights advocates have produced some encouraging results. Although the rate at which peace agreements included amnesty provisions actually *increased* after 1999, so too did the rate at which those amnesties excluded perpetrators of human rights violations from their terms. In all, a significant number of states that otherwise might have viewed sweeping, unrestricted amnesties as integral parts of their peace processes accepted and embedded provisions prohibiting amnesties for human rights violations in their peace agreements after 1999. An optimistic assessment would thus be justified in arguing that the UN's anti-amnesty policy has not only enjoyed some success in changing the behaviour of states negotiating peace agreements, but has also done so relatively quickly – after all, the significant changes that have taken place in peacemaking practice have occurred over a relatively short period of time (in some cases just a few years). That success has predominantly been focused in Africa, where more and more states are including anti-impunity and human rights accountability measures in their peace agreements.[18]

As the case of the Bangsamoro peace process suggests, however, there is also a more pessimistic story to be told about attempts to eradicate amnesties for human rights violations once and for all.

This is a story in which amnesties, including those that immunise perpetrators of human rights abuses against prosecutions and

[16] Freeman, *Necessary Evils,* p. 89.
[17] Kofi Annan, Speech on Human Rights Day, 10 December 1999.
[18] It is worth noting, however, that this emphasis on Africa is due, in part, to the absence of any formal peace agreements in Europe and Latin America in the decade after 1999. Had peace agreements been reached in either of these two regions we can safely assume, based on recent past practice and overt commitments to human rights accountability principles, that they too would have adopted an anti-amnesty position.

punishment, remain a persistent feature both of peace agreements and the peace processes they are embedded in. This has particularly been the case in the Asia-Pacific region, where peace negotiators have resisted anti-impunity measures, including the UN's anti-amnesty policy, more fervently and successfully than their counterparts in any other part of the world. Most notably, in the decade after 1999, the rate at which Asian peace agreements included amnesty provisions not only increased but, in a continuation of past practice, not one new Asian peace-settlement amnesty excluded human rights violations from its scope. What is more, even in key cases, such as Nepal, where a peace agreement did not include an amnesty provision at all, impunity for human rights violations remains the prevailing norm in the postconflict period. Considered in this context, the inclusion of an amnesty in the Normalization Agreement annexed to the Comprehensive Peace Agreement on the Bangsamoro, while contravening international expectations, is consistent both with other peace agreements concluded in the Asia-Pacific region and with contemporary practice in the region.

In this book, I examine how and why, despite growing international pressure to end impunity for human rights violations once and for all, amnesties remain a prevalent feature of peacemaking practice in Asia. Drawing on a new dataset of 146 peace agreements signed between 1980 and 2015, along with four key cases – Indonesia/Timor-Leste, Aceh (Indonesia), Nepal and the Philippines – I consider the range of legal, political, economic and cultural factors that have contributed to the continued popularity of amnesties for human rights violations in Asian peace processes. In doing so, I identify four key factors that help to explain why Asian states have resisted or ignored the UN's anti-amnesty policy: (i) the continued influence of 'Asian values' in the region; (ii) persistent concerns over state sovereignty and security, especially, but not exclusively, in the context of separatist conflict; (iii) a particular understanding of the nature and purpose of democracy in which impunity is not necessarily inconsistent with democratic values, coupled with the rise of authoritarianism and democratic decline in the region; and (iv) a skeptical approach to multilateralism that has limited Asian states' engagement with regional and international human rights institutions and restricted UN involvement in the region's peace processes. Together with limited judicial capacity in some cases, these factors pose a serious challenge to the effectiveness of the UN's anti-amnesty policy, its implementation and efforts by key actors in the global community to eradicate impunity for human rights violations once and for all.

The Development of the United Nations' Anti-Amnesty Policy

The UN's anti-amnesty stance is what Susan Park and Antje Vetterlein refer to as a 'policy norm'.[19] In their most basic form, norms are standards of social behaviour. They are 'social facts' that demarcate the bounds of what is considered normal in a given social context, prescribe sets of behavioural expectations, and represent 'intersubjective or shared understandings' about social interactions.[20] In contrast to 'treaty norms', which are explicitly embedded in international treaties or agreements, or 'principle norms', which reflect shared but uncodified understandings between states, 'policy norms' are 'shared expectations for all relevant actors within a community about what constitutes appropriate behaviour, which is encapsulated in . . . policy'.[21] They are norms that 'shape how policies are devised in certain ways and not others'.[22] More circumscribed than broadly based social or 'global' norms, they primarily refer to the behaviour of international organisations, their staff and their members.

Although the UN's anti-amnesty policy provides guidelines specifying which forms of behaviour are deemed appropriate and inappropriate for its own peace negotiators, the implications of this policy stretch well beyond the organisation's staff. First, due to the presence of UN representatives at many peace negotiations and their inclusion as third-party signatories in many peace agreements, the implementation of its anti-amnesty policy effectively prevents other parties from including amnesties for human rights violations in their agreements. Second, the practice of lodging peace agreements with the UN Secretary-General and,

[19] Susan Park and Antje Vetterlein, 'Owning Development: Creating Policy Norms in the IMF and the World Bank', in Susan Park and Antje Vetterlein (eds.), *Owning Development: Creating Policy Norms in the IMF and World Bank* (Cambridge: Cambridge University Press, 2010), p. 4.

[20] John Gerard Ruggie, *Constructing the World Polity: Essays on International Instiutionalization* (New York: Routledge, 1998); Mona Lena Krook and Jacqui True, 'Rethinking the Life Cycles of International Norms: The United Nations and the Global Promotion of Gender Equality', *European Journal of International Relations* 18, no. 1, (2010), p. 104; Ronald L. Jepperson, Alexander Wendt and Peter J. Katzenstein in Peter J. Katzenstein (ed.), *The Culture of National Security* (New York: Columbia University Press, 1996), p. 54.

[21] Alexander Betts and Phil Orchard, 'Introduction: The Normative Institutionalization-Implementation Gap', in Alexander Betts and Phil Orchard (eds.), *Implementation and World Politics: How International Norms Change Practice* (Oxford: Oxford University Press, 2014), p. 10; Park and Vetterlein, 'Owning development', p. 4.

[22] Park and Vetterlein, 'Owning Development', p. 4.

in many cases, circulating the text among the members of the UN General Assembly, means that even agreements reached in the absence of its officials are subject to UN scrutiny.[23] In this context, expectations surrounding the use of amnesties in peace agreements apply not just to UN staff but to peacemakers seeking UN endorsement of the agreements they reach. Where those agreements are seen to uphold the UN's anti-impunity norms, they receive rhetorical support; where they do not, they face censure.

Third, although they are distinct from treaty norms, policy norms often reflect the interpretation of treaty and principle norms and their implementation by international organisations.[24] In the case of the UN's anti-amnesty policy, that association was forged by reference to a suite of existing anti-impunity norms. Foremost among these are the norm of individual criminal accountability, which first emerged in the context of the Nuremberg Trials, a customary norm establishing the obligations of states to prosecute and punish perpetrators of human rights violations, and widespread acceptance of the idea that the victims of gross violations of human rights and humanitarian law have the right to a remedy, conceived in part as 'equal and effective access to justice'.[25] That is, the UN's anti-amnesty policy reflects the view that granting impunity to perpetrators of human rights violations contravenes other more well-established treaty and principle norms. That view found its most prominent form in the context of the 'peace versus justice debate' of the 1990s.

Theorising Peace versus Justice

Underpinning the UN's anti-amnesty policy is a set of theoretical arguments about the relationship between peace and justice, and the role of amnesties in achieving each. Like other theoretical accounts, these

[23] Christine Bell, *On the Law of Peace Agreements and the Lex Pacificatoria* (Oxford: Oxford University Press, 2008), p. 54.

[24] Urvashi Aneja, 'International NGOs and the Implementation of the Norm for Need-Based Humanitarian Assistance in Sri Lanka', in Alexander Betts and Phil Orchard (eds.), *Implementation and World Politics: How International Norms Change Practice* (Oxford: Oxford University Press, 2014), p. 88.

[25] Sikkink, *The Justice Cascade*, p. 5; Orentlicher, 'Settling Accounts', p. 2585; Basic Principles and Guidelines on the Right to a Remedy and Reparations for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, UN General Assembly Red.60/147 (16 December 2005), www.ohchr.org/EN/ProfessionalInterest/Pages/RemedyAndReparation.aspx (accessed 6 September 2016).

arguments were the 'product ... of practical disputes arising out of specific actions'.[26] In the case of the UN's anti-amnesty norm, the institution of amnesty laws in Chile (1978), Brazil (1979), Guatemala (1982), Argentina (1983; 1986–1987) and Uruguay (1986), gave rise to a dispute about the moral, legal and practical legitimacy of granting outgoing authoritarian leaders amnesties for human rights violations. That dispute formed the basis of the so-called peace versus justice debate and took two main forms, arguments from principle, and arguments based on outcomes or consequences.

Arguing from principle, critics of amnesties presented two main arguments, both of which were underpinned by the idea that 'moral conduct ... is a matter of rule following'.[27] The first argument from principle was essentially a moral argument that promoted a 'just deserts' position. Its proponents maintained that regardless of their utility in facilitating transitions to democracy or securing peace, the use of amnesties was wrong because human rights crimes ought to be punished.[28] The second argument reflected growing acceptance of the idea that the duty to prosecute and punish perpetrators of 'grave violations of physical integrity' established in numerous legal instruments including the Convention on the Prevention and Punishment of the Crime of Genocide (Genocide Convention), the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Torture Convention), the American Convention on Human Rights, and the European Convention on Human Rights was beginning to emerge as a 'customary norm'.[29] It argued that granting amnesties to perpetrators of

[26] Wayne Sandholtz, 'Dynamics of International Norm Change: Rules against Wartime Plunder', *European Journal of International Relations* 14, no. 1 (2008), p. 103.

[27] Judith Shklar, *Legalism* (Cambridge, MA: Harvard University Press, 1964), p. 1; Leslie Vinjamuri and Jack Snyder, 'Advocacy and Scholarship in the Study of International War Crimes Tribunals and Transitional Justice', *Annual Review of Political Science* 7 (2004), p. 346.

[28] Paige Arthur, 'How "Transitions" Reshaped Human Rights: A Conceptual History of Transitional Justice', *Human Rights Quarterly* 31, no. 2 (2009), p. 354.

[29] Orentlicher, 'Settling Accounts', p. 2540; United Nations General Assembly, *Convention on the Prevention and Punishment of the Crime of Genocide* (9 December 1948), United Nations, Treaty Series Vol. 78. www.refworld.org/docid/3ae6b3ac0.html (accessed 22 February 2016); United Nations General Assembly, *Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,* (10 December 1984), United Nations Treaty Series Vol. 1465. www.refworld.org/docid/3ae6b3a94.html (accessed 22 February 2016); American Convention on Human Rights, 'Pact of San Jose, Costa Rica' (22 November 1969), www.oas.org/dil/treaties_b-32_american_convention_on_human_rights.htm (accessed 4 August 2016). While the Genocide Convention

human rights violations contravenes these specific treaty obligations and the customary norm embedded in them, and therefore cannot be justified in international legal or normative terms. This association, which tied an anti-amnesty stance to existing accountability norms, soon found form in UN statements and documents. As early as 1992, for example, the UN Human Rights Committee had declared that '[a]mnesties are generally incompatible with the duty of States to investigate' allegations of torture.[30] In doing so, it foreshadowed a key element of what would, by the end of the decade, be an explicit UN policy norm.

At the same time, the Inter-American Court of Human Rights was emerging as 'one of the first international human rights monitoring bodies to find amnesty laws contrary to basic human rights principles'.[31] As early as 1988, in the case of *Velásquez Rodríguez v. Honduras*, the court had ruled not only that the state has an obligation under the American Convention on Human Rights to investigate, prosecute, and punish human rights violations, but that in cases where the state has sought to prevent the punishment of such violations it 'has failed to comply with its duty'.[32] By 1992, the Inter-American Commission on Human Rights had condemned an amnesty law instituted by Uruguay as being 'contrary to the obligation to investigate and punish human rights violations', and the Inter-American Court had issued a similar ruling in

states that 'Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and punish'. United Nations General Assembly 1948, Art. 1. The Torture Convention 'does not explicitly require a prosecution to take place'. Orentlicher, 'Settling Accounts', p. 2604. Nonetheless, it is widely accepted that the 'manifest intent' of the Convention's requirements that states 'ensure that all acts of torture are offences under its criminal law' and 'make these offences punishable by appropriate penalties' United Nations General Assembly 1984, Art. 4(1), 4(2). was to "ensure that persons convicted of . . . torture serve harsh sentences'. Michael P. Scharf, 'Swapping Amnesty for Peace: Was There a Duty to Prosecute International Crimes in Haiti?', *Texas International Law Journal* 31, no. 1 (1996), pp. 6–7. On the relationship between the 'duty to criminalize and prosecute' and 'a corresponding individual right' to criminal justice, see Anja Seibert-Fohr, *Prosecuting Serious Human Rights Violations* (Oxford: Oxford University Press, 2009), p. 208.

[30] United Nations Human Rights Committee, *General Comment No. 20 replaces General Comment 7 Concerning Prohibition of Torture and Cruel Treatment or Punishment* (Article 7), (10 March 1992). Available at: https://www1.umn.edu/humanrts/gencomm/hrcom20.htm (accessed 22 February 2016).

[31] Lisa J. Laplante, 'Outlawing Amnesty: The Return of Criminal Justice in Transitional Justice Schemes', *Virginia Journal of International Law* 49, no. 4 (2009), pp. 938–939.

[32] *Velásquez Rodríguez v. Honduras,* Inter-American Court of Human Rights, 29 July 1988, www1.umn.edu/humanrts/iachr/b_11_12d.htm, para. 176.

its judgment on the case of *Hugo Leonard de los Santos Mendoz et al. v. Uruguay* that followed.[33] Thus began a long tradition of legal argument at the court advocating the establishment of an anti-amnesty norm that culminated in its ruling in the 2001 case of *Barrios Altos v. Peru* that 'all amnesty provisions ... are inadmissible, because they are intended to prevent the investigation and punishment of those responsible for serious human rights violations such as torture, extrajudicial, summary or arbitrary execution and forced disappearance'.[34]

Despite these arguments, however, supporters of amnesties framed the second version of the 'peace versus justice' debate, not in terms of moral or legal principles but in terms of outcomes.[35] They theorised that amnesties may help facilitate transitions from authoritarian rule to democracy, neutralise potential spoilers, and protect 'fledgling democracies' from the dangers associated with mounting 'prosecutions that they may not yet have the power to survive'.[36] That is, amnesties were conceived as effective tools for the attainment of desirable ends, namely, the establishment and consolidation of democracy, and the achievement of peace.

As the study and practice of transitional justice widened its focus to also encompass transitions from war to peace, amnesties became conceived as an unfortunate necessity. In this context, amnesties were viewed as the means of ending a 'grave situation' or 'avert[ing] mass violence'.[37] Essentially a pragmatic position, this account of amnesties holds that 'a rejection of amnesty and an insistence on criminal prosecutions "can prolong ... conflict, resulting in more deaths, destruction, and human suffering."'[38] The 'necessary evils' theory of amnesties thus maintains that however repulsive the idea of granting immunity to perpetrators of human rights violations might be in absolute terms, there are situations

[33] Geoffrey Robertson, *Crimes against Humanity* (London: Penguin 2006), p. 306.
[34] *Barrios Altos v. Peru,* Inter-American Court of Human Rights, 14 March 2001, www.corteidh.or.cr/docs/casos/articulos/seriec_75_ing.pdf, para. 41.
[35] Leslie Vinjamuri, 'Deterrence, Democracy, and the Pursuit of International Justice', *Ethics and International Affairs* 24, no. 2 (2010), p. 200.
[36] Orentlicher, '"Settling Accounts" Revisited', 12–13; See also, Jaime Malamud-Goti, 'Transitional Governments in the Breach: Why Punish State Criminals?', *Human Rights Quarterly* 12, no. 1 (1990); pp. 1–16; José Zalaquett, 'Balancing Ethical Imperatives and Political Constraints': The Dilemma of New Democracies Confronting Past Human Rights Violations', *Hastings Law Journal* 43 (1991–1992), pp. 1435–1428.
[37] Freeman, *Necessary Evils,* pp. 112–113.
[38] Scharf in Jack Goldsmith and Stephen D. Krasner, 'The Limits of Idealism', *Daedalus* 132, no. 1 (2003), p. 51.