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Cleaning Up the UN in an Age of U.S. Hegemony

Radek Sikorski

In this issue...

In an age of U.S. hegemony and the global ascendancy of democracy, the United Nations can best be reformed by a nascent caucus of democracies acting in concert. To that end, Canada can promote more effective multilateralism through increased support of the 100-country UN Community of Democracies.

The Study in Brief

Because of the overwhelming strength of the United States, less powerful countries often try to offset its influence by working within international institutions, with the United Nations being the forum of choice. Far from coming into its own, however, the UN is in crisis. The organization's inaction in the face of genocide, the antics of its Human Rights Commission and the oil-for-food scandal, have all sapped the UN's authority. Forthcoming arguments over the enlargement of the Security Council and the election of the next Secretary General will do little to restore its reputation. Nor can the UN hope to exercise the influence it aspires to unless it addresses the security concerns of the country that hosts it and pays the largest share of its bills.

Some commentators have argued that coalitions of the willing — that is, groups of countries that share values, threat perceptions and a demonstrated willingness to act — can supersede the useless talking shop that the UN has become. Powerful voices in the U.S. Administration and Congress have argued that the template for the future is the Proliferation Security Initiative — a voluntary, non-bureaucratic agreement among like-minded states to interdict ships that may carry weapons of mass destruction.

However, even empires find more demonstrable legitimacy useful on occasion. One of the reasons the Afghans acquiesced in the presence of foreign troops was the international agreement that sanctioned them. Politicians the world over find it more palatable to engage transnational threats when action is approved by a wider community. The challenge, therefore, is to move the UN from its disappointing state closer to its Kantian ideal.

Arguably, the agent of such evolution could be the Community of Democracies, a group founded in June 2000 in Warsaw by 100 democracies, including Canada. Transcending as it does the UN's notorious system of continental blocs, the Community can influence the organization in limited but sensible ways. It has already proposed the common-sense rule that only countries that are not themselves human rights violators should sit on the UN Human Rights Commission. It could also ensure that the next Secretary General is a genuine democrat and that the UN establishes accountable procedures and meritocratic appointments policies. By more actively supporting the Community of Democracies, Canada would further its own values, while helping to re-engage the United Sates in multilateralism that works.

The Author of This Issue

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Responding to the unprecedented power of the United States, countries have sought to influence its behavior through multilateral institutions such as the United Nations. A realization is dawning, however, that the UN must help deal with the grave security concerns of the most powerful country on earth. It also should abandon its Third World ethos and embrace the democratic spirit of the age. Multilateralism can only become effective if the organization recaptures some moral authority. For that to happen, the worst outrages of the UN system, such as its Human Rights Commission, must be tackled. Democratic countries like Canada should more energetically support the fledgling Community of Democracies — a group founded in 2000 in Warsaw by 100 democratic nations — the most promising initiative for reform within the UN today.

For those who craft foreign policy, there is no more important issue than how to respond to the unprecedented military, economic and diplomatic power of the United States. The U.S. enjoys a preponderance of might over other countries in the international arena that is unique in all of history. It is the first truly global empire, extending its influence to all corners of the globe and into outer space. It has an impact upon the domestic economies of every country. Its military power measured in spending surpasses that of all of its major rivals combined (Malone 2003). As the conventional phase of the war in Iraq proved, the U.S. can defeat its enemies on the other side of the globe in a blitzkrieg that claims a small proportion of its resources.

Because of the United States' global position, it is impossible to conceive of a foreign policy that does not take account of U.S. power. This reality is particularly urgent for medium-size powers and especially acute for Canada, where the economy is so integrated with that of the U.S.

No person, and no country, wants to live at the mercy of another. Weaker powers have always tried to devise ways to secure their existence and interests through institutional and political arrangements that constrain the strong. And indeed, it is easy to make the intellectual case for the existence of an international body that can mediate conflicts between states and prevent the strong from tyrannizing the weak. The U.S. itself supported and helped to write the Charter of the United Nations, as well as that of the League of Nations before it. Both were clear expressions of the Wilsonian tradition of U.S. foreign policy.

More recently, in the aftermath of the Cold War, many countries renewed their hope in this tradition, and in UN institutions. For a few years in the 1990s, the UN looked as though it might be the most important organization in preventing conflicts, promoting democracy and human rights and intervening on behalf of the disenfranchised. In the wake of September 11, 2001, the UN should have come into its own in dealing with rogue states, transnational terrorist networks and lawlessness in areas beyond any sovereign control.

Indeed, the UN is more than useful, it is indispensable, says former U.S. Secretary of State and Ambassador to the UN, Madeleine Albright: "Legitimacy still has meaning, even for empires," she has written (Albright 2003).

Some have tried to go even further. Not content to be an organization that facilitates international cooperation, the UN has begun to see itself as something far more than that. UN Undersecretary-General Shashi Tharoor, for example, has

argued that the UN is not just an organization that can help get things done, it is the only body with a right to intervene in the affairs of sovereign states:

"It is precisely because the UN is the chief guardian of both of these sacrosanct principles [sovereign equality of states and the inadmissibility of interference in their internal affairs] that it alone is allowed to approve derogations from them," he says. To underline the point, Tharoor adds that the difference between a UN peacekeeping operation and a "coalition of the willing" led by a single power "is similar to the difference between a police squad and a posse" (Tharoor 2003).

Tharoor's ambitious rhetoric has been coupled with a form of UN nostalgia for the somewhat less adversarial early 1990s, best reflected in the words of the Secretary-General himself. In his address to the General Assembly on September, 23, 2003, for example, Kofi Annan spoke of a (shared) "vision, a vision of global solidarity and collective security, expressed in the Millennium Declaration (United Nations 2003).

This nostalgia depends on selective memory. During most of the 50 years of its existence, with the exception of the early 1990s, the United Nations was hardly a model of international cooperation and has never been universally accepted as a legitimate authority. Although it had some important successes, it was more often a theatre of Cold War competition than a place where minds met. For one brief moment, during the Persian Gulf War, the Security Council provided legitimacy and encouragement for a U.S.-led invasion — but only because Russia was weak, Europe and the Middle East happened to side with the United States, and China didn't care. During the intervention in Kosovo and the subsequent bombardment of Serbia, the United Nations stood aside.

In fact, many of the claims that its enthusiasts make on behalf of the UN seem to apply not to the organization as it is, but to a UN as it should be.

United Nations in Crisis

In a perfect world, the United Nations would be an association of nations that would:

- Be a court of global public opinion in which competing views could be heard;
- Moderate and adjudicate disputes among nations;
- Take care of issues that go beyond the scope of any nation state, such as environmental hazards or transnational terrorism;
- Be a global watchdog of the minimum standards of human rights, decent government and international behavior, and
- Vigorously enforce its decisions through its own agencies or by delegating to mandated nation states.

Unfortunately, the existing United Nations is far from this ideal — and the Bush administration is not alone in saying so. A realistic re-examination of the UN has to begin, not with rhetoric, but with facts on the ground. For all the beautiful words pronounced during meetings of the General Assembly, the United Nations is far more famous around the world for its bureaucratic inertia, wastefulness and

sheer ideological prejudice. The UN has done itself no favor by first refusing U.S. protection in Baghdad and then withdrawing its staff when terrorists managed to explode a truck under the window of the Secretary General's Special Representative, Sergio de Mello. Afghanistan's presidential election on October 6, 2004, was marred by the UN staff's incompetent handling of the ink used to prevent double voting, which nearly subverted the legitimacy of the most hopeful development in the country in 25 years.

As details of the investigation of the UN's mammoth oil-for-food program in Iraq in the 1990s seep out, integrity of procedures and even of senior UN staff have been questioned. Canada, as a substantial contributor to UN peace missions, is no doubt aware not only of their successes but also of their shameful failures. In Bosnia, in Rwanda and in Congo, UN troops — partly due to paralysis at the top — stood by as atrocities took place.

The organization's leadership problems, stemming from a Security Council that reflects the balance of power in the middle of the last century, are pervasive. But the problems of its day-to-day operations are in some ways more acute. Within the organization, jobs are distributed not according to merit, but according to strict rules of affirmative action, which reserve top positions for particular geographic regions. Once created, a UN institution never dies. Over time, it has also become UN practice rarely to criticize or even mention the undemocratic, even genocidal, behavior of a member state, a rule that undermines its human rights rhetoric.

Sometimes, the results of these internal procedures are absurd. Decades after the end of colonial rule around the world, for example, UN institutions continue to call for the end of colonialism. Not everybody knows, for example, that we live in the Second International Decade for the Eradication of Colonialism, a celebration declared by the General Assembly in 2000. However, by "colonialism", the UN does not mean the subjugation of foreign peoples, or even genocide, of which there is no shortage around the world.

Instead, colonialism for the UN is only a problem of non self-governing territories that the UN itself has defined on the basis of archaic criteria. These nations do not include Tibetans, the Matabele in Zimbabwe, the Kurds in Iraq and Turkey, the Chechens in Russia or the Tamils in Sri Lanka, all peoples which might easily be described as living under foreign rule. Only bits of territory that were formal colonies of Western countries in the 18th, 19th and 20th centuries qualify. The UN would be wise to consider whether we really need to mourn the fate of the people of Bermuda (purchasing power parity per capita income of US$35,200) and Gibraltar, who famously have no wish to be de-colonized.

At other times, the UN's procedures create situations that are morally repugnant and politically counterproductive. The annual meeting of the UN Human Rights Commission in Geneva in 2003 was typical. With the votes of countries such as Saudi Arabia, Zimbabwe, Syria, China, Pakistan, Sudan and others, the UN's Economic and Social Council (ECOSOC) re-elected Cuba to serve on the UN Human Rights Commission just a few days after the Castro regime summarily executed several people whose only crime was attempted emigration. The meeting was chaired by Libya. In 2004, Sudan was elected to serve, just as its government faced allegations of genocide in Darfur.

Rarely have members of the Commission been criticized for their own human rights behavior, with the result that the world's tyrannies expend much energy trying to become Commission members. An organization that was set up with the aim of promoting human rights has become a body that protects those who abuse human rights. Despite the best efforts of Western democracies, it has so far proved impossible to reform it. Eleanor Roosevelt, who helped found it, would not be proud of how her creation has evolved.

Arguably, the UN Human Rights Commission is the United Nations in a nutshell and the votes for substantial reform will never be there.

It can be said, of course, that the Human Rights Commission has nothing to do with the Security Council, and that the waste endemic to UN development programs should not necessarily reflect badly on the UN's political programs. But, inevitably, they do. The organization's reputation encompasses not only its successes, such as East Timor, but its failures, such as Bosnia. The very letters UN represent, in many places, ineffectiveness.

Madeleine Albright, who defends the UN, has argued that "political correctness often trumps substance at the United Nations" (Albright 2003). She asserts that pre-emptive wars may be fought even though they are not explicitly authorized by the UN charter and she agrees that the UN Security Council no longer reflects the global correlation of forces. On September 23, 2003, in a speech to the General Assembly, Secretary General Kofi Annan himself told delegates that change was urgently needed: "Excellencies, we have come to a fork in the road. This may be a moment no less decisive than 1945 itself, when the United Nations was founded. It is not enough to denounce unilateralism, unless we also face up squarely to the concerns that make some states feel uniquely vulnerable and thus drive them to take unilateral action" (Annan 2003).

Kofi Annan further acknowledged in that speech that the UN Security Council in particular has to "regain the confidence of states and of world public opinion" and he formed a high-level panel of eminent people to make recommendations. In its report, the panel called for a restoration of the credibility of the Human Rights Commission, indicating that it, too, recognizes a problem. The report also endorsed the principle of humanitarian intervention: "When a state fails to protect its civilians, the international community then has a further responsibility to act, through humanitarian operations, monitoring missions and diplomatic pressure — and with force if necessary, though only as a last resort" (United Nations 2004).

The panel proposed a new Peace-Building Commission, a second Deputy Secretary-General for peace and security and an enlarged role for the UN in nation-building:

> Successful peace-building requires the deployment of peacekeepers with the right mandates and sufficient capacity to deter would-be spoilers; funds for demobilization and disarmament, built into peacekeeping budgets; a new trust fund to fill critical gaps in rehabilitation and reintegration of combatants, as well as other early reconstruction tasks, and a focus on building state institutions and capacity, especially in the rule of law sector (United Nations 2004).

However, in a nod to the traditional preoccupation of Third World elites, the panel tried to redefine security to mean important, though soft, issues of battling

poverty, disease prevention and general development. This may be a rhetorical success and will appeal to the concerns of the many poorer UN members and the global NGO-cracy, but it will do little to build the UN's prestige in the hard security sphere, or to reassure the public in the developed world. At the same time, the panel proposed little that would force UN members to improve their record on human rights. Predictably, the proposals to enlarge the Security Council have already been protested by each candidate country's regional rivals and are therefore unlikely to succeed.

As David Malone (2003) commented, those who hope for more fundamental internal change will hope for a long time. At base, the trouble is that few countries have sufficient incentives to change the system. The Security Council cannot be reformed because existing permanent members have no intention of abandoning their vetoes, and they cannot be compelled to do so. The rules that govern the rest of the organization cannot be changed because those who benefit from them do not want to change them.

Many influential people say that the UN, as it exists, is too flawed for reasonable people to continue to endorse it because:

1. It is morally defective in that non-democracies get their way too often and the UN strays too far from the ideals of its founders;
2. The system is obsolete in defending the principle of non-interference in members' internal affairs, even when those members fail to uphold minimum standards of respect for their citizens;
3. It is ineffective because the UN is organized on the basis of regional blocs, and horse-trading over political positions and spoils usually trumps principle, effectiveness or meritocratic personnel proposals, and
4. For the same reason, it is incapable of reform because current arrangements work to the advantage of many members, particularly non-democracies.

Coalitions of Principle

Because the defects are so ingrained, many people have turned their backs on multinational institutions altogether. It is not by accident that the League of Nations and other toothless bodies, such as the Council of Europe and the Organization of Security and Cooperation in Europe, so often fail to bring about the peace they were designed to maintain. Opponents and proponents of the UN system agree that international organizations have only as much power as their members are willing to give them. Perhaps the UN's limitations reflect the fact that people are prepared to fight and die for many things, including religions, ideologies and for the nation state, but not for international organizations, however well-meaning. As a result, when the going gets tough, and real action is required, it is states that have to act. States that share the same core values or interests form coalitions that focus on one issue at a time, and concentrate on dealing energetically with threats rather than injustices. Over time, argue the proponents of ignoring the UN, such coalitions tend to form habits of cooperation

and gel into coalitions of principle that generate trust among participants, as well as a predilection for common action in future.

Arguably, we have recent examples of such coalitions outside the UN system. Under the Proliferation Security Initiative (PSI), announced by George Bush in May 2003 in Cracow, 11 founding states agreed to joint principles on interdiction of suspected weapons of mass destruction (WMD) shipments (White House 2003). The PSI has no members, no secretariat and no treaty to govern its activities, and perhaps that is why it has already made a material contribution to controlling the flow of WMD technologies around the world. Another such arrangement is the Container Security Initiative, which deals with items intended for shipment into the United States. Their apparent success so far may provide a template for dealing with transnational threats without the usual bureaucratic overhead.

However, it is unlikely that coalitions of principle will suffice. Whatever doubts exist about transnational organizations, the fact is that the public in many countries regards them as critical for generating consensus. Particularly in those cases where threats to peace are not immediate, politicians find it domestically expedient to justify action when it springs from institutions and procedures that their publics regard as legitimate. And legitimacy is not something that a country or even an ad hoc group of countries can assume. For action to be seen to be legitimate, power has to transmute into authority through the medium of rule and procedure.

Some people say that the UN cannot be reformed and bold new thinking is required. The idea of looking to systems outside the UN seems to be spreading both geographically and across the political spectrum. Currently, however, there seems no desire in the international community to create a new multilateral institution and no stomach for the controversy that would follow an attempt to sidestep the UN. And going outside the UN would not resolve bitter differences among democracies themselves. In the recent Iraq War controversy, it was not only China or Arab dictatorships, or a newly authoritarian Russia, that objected to the forcible removal of Saddam Hussein, but established democracies, such as France and Germany.

Community of Democracies

There is a middle way between leaving things as they are and rejecting the UN altogether. One of the most thoughtful attempts to carry out reform of the organization started when Madeleine Albright, as U.S. Secretary of State, supported an idea originally launched by the bi-partisan U.S. foundation, Freedom House, and tried to organize the UN's many democracies into a faction that could act in concert. Her point was that the geographical caucuses that traditionally played a big part in the running of the UN's institutions make no sense in a world where geography no longer determines political values. With her active support and under Polish chairmanship, 100 countries, including Canada, signed the Warsaw Declaration in June 2000, calling for the creation of a Community of Democracies. Secretary General Kofi Annan, who attended the meeting, welcomed the development.

Since then, there has been some progress. Ministerial meetings have been held in Seoul, where delegates agreed to an action plan, and in Santiago. On September 22, 2004, the Democratic Caucus met at the UN for the first time in anticipation of the annual General Assembly meeting, specifically to iron out a common front of democracies in voting qualification criteria for the UN Human Rights Commission. That action followed the Caucus's earlier success in May 2004 in Geneva, where it criticized Cuba for its human rights record. After initial misgivings, France has joined the process, while Hungary has proposed being host to a Democracy Transition Center. A foundation, Council for the Community of Democracies, has been launched to promote the idea. While some members of the Bush administration were suspicious of a project bequeathed to them by their political predecessors, others, such as Undersecretary of State Paula Dobriansky, embraced it wholeheartedly.

The Community naturally faces the usual problems of any multilateral body of this sort. Who decides, for example, which countries are democracies? The Warsaw declaration gives a comprehensive definition of democratic principle and practice (Box 1). In addition, Freedom House runs an index of freedom around the world, classifying countries as free, partially free and not-free on the basis of quite precise and verifiable criteria.

However, states are unlikely to submit themselves to the judgment of a private U.S. foundation. A combination of rules contained in the founding charter, internal arbitration and external pressures would have to be applied to avoid the UN Human Rights Commission syndrome. Admission would have to be strict and borderline cases would have to wait in the anteroom. In an interesting precedent, Egypt was invited to the original meeting of the Community of Democracies, but not to subsequent ones. Nepal was excluded from the ministerial meeting in Santiago, though Russia, despite evident backsliding on democracy, participated.

Ultimately, the credibility of the organization will depend on the statesmanship and integrity of the convening group. The Czech Republic's Ambassador to the U.S., Martin Palous, has proposed that the issue of membership should be inoculated from the usual political pressures by handing it over to a committee composed of former heads of state and major NGOs.

Still, the Community of Democracies can do much to address the UN's failings. The Community's UN caucus's immediate objective is institutionally modest, though possibly globally significant: to reform that embarrassment of the whole UN system, the UN Human Rights Commission. With the Secretary General's support, the caucus is working to establish the common-sense rule that only countries that are not themselves in breach of human rights can serve as members of the Commission. What is apparently a technical change of procedure would of course have a dramatic effect on the composition, agenda and moral authority of such a new Commission. If successful, this would address the UN's ethical deficit and bring about a revolution in the international community's approach to human rights. This is a purpose that should be of interest for such countries as Canada that support multilateral institutions, while being frustrated by their perverse outcomes.

As well, democracies have passed the point of granting dictators the right to oppress or even exterminate their own people within their own borders.

Box 1: *Definition of democratic principle and practice from the Warsaw Declaration, June 27, 2000*

- The will of the people shall be the basis of the authority of government, as expressed by exercise of the right and civic duties of citizens to choose their representatives through regular, free and fair elections with universal and equal suffrage, open to multiple parties, conducted by secret ballot, monitored by independent electoral authorities, and free of fraud and intimidation.
- The right of every person to equal access to public service and to take part in the conduct of public affairs, directly or through freely chosen representatives.
- The right of every person to equal protection of the law, without any discrimination as to race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.
- The right of every person to freedom of opinion and of expression, including to exchange and receive ideas and information through any media, regardless of frontiers.
- The right of every person to freedom of thought, conscience and religion.
- The right of every person to equal access to education.
- The right of the press to collect, report and disseminate information, news and opinions, subject only to restrictions necessary in a democratic society and prescribed by law, while bearing in mind evolving international practices in this field.
- The right of every person to respect for private family life, home, correspondence, including electronic communications, free of arbitrary or unlawful interference.
- The right of every person to freedom of peaceful assembly and association, including to establish or join their own political parties, civic groups, trade unions or other organizations with the necessary legal guarantees to allow them to operate freely on a basis of equal treatment before the law.
- The right of persons belonging to minorities or disadvantaged groups to equal protection of the law, and the freedom to enjoy their own culture, to profess and practice their own religion, and use their own language.
- The right of every person to be free from arbitrary arrest or detention; to be free from torture and other cruel, inhumane or degrading treatment or punishment; and to receive due process of law, including to be presumed innocent until proven guilty in a court of law.
- That the aforementioned rights, which are essential to full and effective participation in a democratic society, be enforced by a competent, independent and impartial judiciary open to the public, established and protected by law.
- That elected leaders uphold the law and function strictly in accordance with the constitution of the country concerned and procedures established by law.
- The right of those duly elected to form a government, assume office and fulfill the term of office as legally established.
- The obligation of an elected government to refrain from extra-constitutional actions, to allow the holding of periodic elections and to respect their results, and to relinquish power when its legal mandate ends.
- That government institutions be transparent, participatory and fully accountable to the citizenry of the country and take steps to combat corruption, which corrodes democracy.
- That the legislature be duly elected and transparent and accountable to the people.
- That civilian, democratic control over the military be established and preserved. That all human rights — civil, cultural, economic, political and social — be promoted and protected as set forth in the Universal Declaration of Human Rights and other relevant human rights instruments.

Democracies imposed no-fly zones on Iraq after Saddam Hussein gassed the Kurds and democracies intervened in Kosovo, when ethnic cleansing there seemed imminent, even though it was internationally recognized Serb territory. Intervention in the internal affairs of other states should be the last resort, but dictatorships should not be given veto power, particularly when speaking in their own defence. On critical issues of humanitarian intervention, particularly when it involves the use of force, democracies are uniquely qualified to pronounce and the Community of Democracies would be an important forum for generating consensus.

For another thing, representatives of democratic governments, disciplined as they are in their own behavior by voters' demands for the effective provision of public goods, are more likely to adopt effective procedures, honest accounting and meritocratic personnel policies. The Community of Democracies, which makes up the majority of UN members, should be able to generate consensus on budgets, administrative structures and appointments that would stand the test of evaluation by the public.

It is only by overcoming the current bloc voting within the UN that reform, including the reform of the Security Council, might be possible. If the Community of Democracies were to continue to hold its conference before each General Assembly meeting, it could, at the very least, agree to block harmful proposals from being passed. Democracies, if they vote in unison, have a power that the world's remaining dictatorships would find impossible to resist. The Community of Democracies is a vehicle for empowering the biggest faction at the UN, which has become voiceless. The Community subsumes the differences of interest among countries under an ideological principle common to them all, thus potentially generating trust and a sense of purpose that might help countries overcome narrow motivations.

Restoring moral authority to the UN, regularizing the decision-making process for humanitarian interventions, improving the UN's management and making more general reform possible would all be excellent developments in their own right, particularly from the point of view of a country like Canada, which has always supported a more effective organization. As an additional benefit, such developments could start to change the attitudes toward the UN in the United States and produce policy spillovers into multilateral approaches by the U.S., a process that Canada favors.

Canadian Prime Minister Paul Martin has been an advocate of creating the L20, a group of 20 leading nations from both the developed and the developing world. He has had trouble drumming up support for it, particularly from the U.S.

The Community of Democracies, however, has a clear agenda and it is one that fits well with the democratic spirit of the age. Incidentally, it also coincides with the messianic call for the spread of democracy by President George W. Bush. After the elections in Afghanistan, Ukraine, Palestine and Iraq, another wave of democracy seems to be swelling and it will be an important theme of international discourse in the coming years. Canada can anticipate heightened interest in the Community of Democracies, particularly from the U.S.

Canada was a founding member of the Community of Democracies, and it could be a more active one. It is a body with a teleological theme that the

Canadian public is likely to support. For one thing, Canada could line up to host a subsequent ministerial meeting of the Community. Ottawa could instruct its diplomatic service to promote the Community both at the UN and in member countries. And it could join the Democracy Transition Center in Budapest to help countries emerging from dictatorship craft better economic and social policies. Support for the Community of Democracies is a risk-free, inexpensive way in which medium-sized powers can wield soft power, increase their profile and make a difference.

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