

U.S.-UN RELATIONS

(with Policy Recommendations)



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Our Mission

The National Committee on American Foreign Policy was founded in 1974 by Professor Hans J. Morgenthau and others. It is a nonprofit activist organization dedicated to the resolution of conflicts that threaten U.S. interests. Toward that end, the National Committee identifies, articulates, and helps advance American foreign policy interests from a nonpartisan perspective within the framework of political realism.

American foreign policy interests include

- preserving and strengthening national security;
- supporting countries committed to the values and the practice of political, religious, and cultural pluralism;
- improving U.S. relations with the developed and developing worlds;
- advancing human rights;
- encouraging realistic arms-control agreements;
- curbing the proliferation of nuclear and other unconventional weapons;
- promoting an open and global economy.

Believing that an informed public is vital to a democratic society, the National Committee offers educational programs that address security challenges facing the United States and publishes a variety of publications, including its bimonthly journal, *American Foreign Policy Interests*, that present keen analyses of all aspects of American foreign policy.



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Foreword

By general consensus UN reform is critical if the only truly global institution is to survive. Numerous articles have appeared during the past two years prescribing remedies for fixing the UN. At the UN itself both the Secretariat and member states' task forces are heavily engaged in describing shortcomings and proposing remedies.

For Americans a few fundamental questions should take precedence: Is the UN of critical importance to the United States? If the answer is yes, why is this so? If U.S. interests are served by the United Nations, how would a more efficient and transparent UN benefit us?

Using this special issue of *American Foreign Policy Interests* as a forum, we invited American authorities on the United Nations to discuss these questions as a contribution to the broader debate.

Of particular interest are the titles of the contributions, which indicate the variety of opinions held by American authorities on the vital issue of U.S.-UN relations: "No More Business as Usual" (John R. Bolton); "Who Needs the United Nations? We All Do." (Joseph R. Biden, Jr.); "The Survivors: The United States and the United Nations in Troubled Times" (Edward C. Luck); "The Rule of Law, the United States, and the United Nations: An Ambiguous Record" (Lawrence S. Finkelstein); "U.S.-UN Relations and the Use of Force After the World Summit" (Thomas G. Weiss); "The U.S.-UN Relationship –A Difficult but Necessary Partnership" (Nancy Soderberg); "America and the United Nations: A Delicate Relationship" (Stephen Schlesinger); "Looking to a Refashioned U.S. Partnership with the United Nations" (William H. Luers); "The United States and the United Nations: One Strand in a Multilateral Strategy" (Shepard L. Forman); "The United States and the United Nations: From Close Relationship to Estrangement" (Fereydoun Hoveyda); and "The United Nations: The Failure of American Leadership" (William J. vanden Heuvel).

We thank Professor Benjamin Rivlin for orchestrating this special issue of *American Foreign Policy Interests*.

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Introduction: How Does the UN System Fit into American Foreign Policy Interests?

Benjamin Rivlin

The UN has existed for more than 60 years as a fixture in the terrestrial firmament, so much so that it is taken for granted both as an ideal of human solidarity and as an overarching resource for the people of the world to invoke in coping with the plethora of problems of interdependence that do not recognize boundaries and call for concerted or institutionalized intergovernmental approaches. Being taken for granted does not mean that the nature and role of the UN are clearly understood. In fact, its activities and its very existence are among the most controversial issues in world affairs.

The UN has both legal and political inherent qualities; the first being a body of rules of conduct embodied in international law and the second being the give and take among the members of the UN community as international public policies and contentious issues are dealt with.

The underpinning of the modern international system is state sovereignty. States participate in multilateral undertakings primarily for selfish reasons—self-preservation through the promotion of policies that enhance the national interest and preserve its sovereignty. This is true for all states in the world, including the United States. Institutionalized cooperation among sovereign states, begun in earnest in the 19th century with the creation of a number of functional international public unions such as the Universal Postal Union (UPU) and the International Telecommunications Union (ITU), has expanded significantly since the development of the United Nations system over the past 60 years.

The cluster of intergovernmental organizations that constitutes the UN system extends beyond the major organs at UN headquarters in New York (notably the General Assembly [GA], the Security Council, the Economic and Social Council, and the Secretariat). It includes a varied assortment of specialized agencies, regional commissions, functional commissions, and special programs plus other subsidiary bodies. Together they cover the gamut of all political, social, and economic issues that beset the globalizing world ranging from the maintenance of peace, economic development, human rights, population growth and displacement, humanitarian relief, health, trade, intellectual property, terrorism, nuclear energy, arms control, and many more. Each of these issues has global dimensions that nation-states cannot deal with unilaterally; hence the growth of intergovernmental agencies and multilateralism. The United States was instrumental in the creation of the UN. Without it there would have been no UN. As the most powerful military and economic power, the United States affects and is affected by developments within each UN entity. It follows that U.S.–UN relations are important in the overall scheme of U.S. foreign policy.

Over the course of the last six decades, a “love-hate” relationship developed between the United States and the UN. From the outset of the UN, the United States has been the dominant if not the dominating force in the system. At times it seemed that the United States exhibited a proprietary claim on the organization. This is not surprising since, as noted, the United States was instrumental in creating the UN. The American vision of the world is reflected in the major ideas and principles in the UN Charter symbolically evidenced by the similarities between the Preamble to the UN Charter and the Preamble to the U.S. Constitution. In connection with the issuance of *The National Security Interests of the United States of America* in September 2002, President George W. Bush declared: “Today, the United States enjoys a position of unparalleled military strength and great economic and political influence. . . . The United States is committed to lasting institutions like the United Nations, the World Trade Organization, the Organization of American States, and NATO as well as other long-standing alliances.”

As the most important member of the UN, the United States has been the dominant force in the system. This has led to resentment of the United States in many quarters of the UN system and to resentment of the UN among many interests in the United States that are reflected in Congress. The atmosphere at the United Nations is charged with anti-American rhetoric and with anti-UN rhetoric in the halls of Congress. This charged atmosphere is not only uncomfortable; it is also detrimental to the nation’s interests, particularly to its world leadership position. The U.S. preemptive war in Iraq and more recently the controversy over UN reform issues such as the Human Rights Council and management of the Secretariat are cases in point. In both these instances, the United States has been unable to carry the majority of UN member-states in support of its position, which ironically was in support of reform proposals made, in the first instance, by Secretary General Kofi Annan. Resistance to these reforms came from strong elements within the developing world, which saw in them an erosion of their “entitlements,” that is, seats on UN bodies, positions in the Secretariat, and the collective strength of their numerical superiority in the General Assembly. Relations between the

United States and the United Nations have never been as strained as they are today. It has become a vexing issue in American foreign policy and a critical challenge to American world leadership.

A set of provocative questions emerges in thinking about U.S.-UN relations. They include the following:

How do U.S.-UN relations fit into the basic mission of the U.S. government to provide for the security of its people? Is there a UN factor in the U.S.'s security equation? What benefits accrue to the United States from its participation in the array of multilateral operations subsumed within the UN system? How should the United States deal with the resentment toward it that exists within the UN system? Can the United States enhance its foreign policy interests without the UN? Can the UN system provide support for U.S. foreign policy? How? These questions and many others provide the context within which the following essays have been prepared by leading practitioners and scholars to constitute a written symposium on U.S.-UN relations.



No More Business as Usual

John R. Bolton

It is not often that one hears a secretary of state call for a “revolution.” That is exactly what happened, though, at the 60th anniversary of the United Nations General Assembly in September 2005. Secretary Rice called for “launching a lasting revolution of reform” for good reason: Without significant and meaningful reforms, the United Nations will be unable to fulfill the multitude of important goals outlined in its charter, whether in promoting international peace and security or helping to alleviate humanitarian crises around the globe.

The term “reform” at the UN can mean many things to different member states. The United States has made clear, though, that our top priority is management reform. Streamlining the structures that govern the myriad of important agencies and programs within the UN system will have ripple effects through the whole system. One need look no further than the Oil-for-Food scandal to see what happens when issues such as the transparency, accountability, and independent oversight of UN operations are ignored.

The magnitude of the Oil-for-Food scandal reflects how daunting a task we face. According to the Independent Inquiry Commission, chaired by Paul Volcker and set up to investigate the scandal, Saddam Hussein’s regime diverted some \$1.8 billion in illicit kickbacks and surcharges. More than 2,000 companies were involved in these illicit payments. The report recently released by the General Accounting Office notes that Saddam Hussein’s regime might have obtained up to \$12.8 billion in illicit revenue in the process. This money went directly into the coffers of one of the most oppressive dictatorships this world has ever known.

Chairman Volcker best described the fundamental reason why a scandal like Oil for Food was allowed to grow into the multiheaded hydra it became during a congressional hearing in October 2005. When asked if there was a “culture of corruption” at the United Nations, Chairman Volcker replied that it was less a “culture of corruption” than a “culture of inaction” that enabled the scandal. It is an apt expression and salient to this day for the following reason: It is not clear that the necessary steps have been taken by the UN to put in place procedures that would prevent another scandal like Oil for Food from taking place again.

The United States is trying to break through this logjam at the UN through a variety of means. It is critical that we do so. Reformation of the management structures within the UN is no guarantee that effective policies will be adopted, but lack of reform will almost certainly doom prudent policies to failure. It is also important to do so because policy failure has very tangible, even tragic consequences in the real world and on the lives of real men, women, and children. In addition to creating an environment that fosters waste and corruption, the lack of effective management structures means that critical services or supplies are not delivered. This means that vulnerable populations might not receive the humanitarian assistance they need. It can also mean that there are delays in providing the necessary equipment, materials, or support services to peacekeeping missions, with the result that such missions cannot fulfill their mandates effectively. When we are discussing management reform, we are ultimately talking about people’s lives.

The United States has joined with others to launch an ambitious agenda of reform—reforms we think are vital to putting the United Nations back on track and fulfilling the goals outlined by President Bush during his address before the General Assembly last September where he noted, “meaningful institutional reforms must include measures to improve internal oversight, identify cost savings, and ensure that precious resources are used for their intended purpose.”

Already, though, we can see sharp divisions emerging and clear battle lines being drawn. Some member states have made it clear they have no interest in reforming the UN. It is not the case that the initiatives for reform have stalled. It would be one thing if we had encountered indifference or a blasé attitude on the part of some member states. This is not the case. What we have encountered is outright intransigence and a large bloc of member states that are making it clear that they are prepared to fight tooth and nail to block the reform agenda we and many others believe is so important.

On one side, there is a group of 50 or so nations whose combined contributions total more than 85 percent of the UN budget. They are pushing an ambitious reform agenda. These nations, of which the United States is part, strongly support many of the elements the secretary general is pushing to reform the managerial structures and processes within the UN. Unfortunately, the G-77 is resisting efforts by the Secretariat to reform and streamline these managerial structures and practices. In March 2006 the secretary general produced a remarkable report that offered a remarkably frank assessment of the situation we face today. His assessment was as follows.

The earlier reforms addressed the symptoms, more than the causes, of our shortcomings. It is now time to reach for deeper, more fundamental change. What is needed, and what we now have a precious opportunity to undertake, is a radical overhaul of the entire Secretariat—its rules, its structure, its systems—to bring it more in line with today’s realities, and enable it to perform the new kinds of operations that Member States now ask and expect of it. . . . Such a radically expanded range of activities calls for a radical overhaul of the United Nations Secretariat—its rules, structure, systems and culture. Up to now, that has not happened.

To be sure, we do not agree with every single reform proposed by the secretary general, but we certainly agree with his diagnosis of the problem. We are prepared to engage seriously with both the Secretariat and other member states to pass a number of ambitious reforms that we think would help revitalize the United Nations. Unfortunately, we have encountered not indifference or a lackadaisical attitude toward these reforms by the G-77. We have encountered outright resistance and hostility to any reform effort at all. Recently the Fifth Committee voted against measures that would have increased the ability of the Secretariat to implement a number of significant reforms. Many member states have pet projects that they will defend—projects that are wasteful and serve little to no purpose.

We are also working to establish a thorough process to review all UN mandates originally adopted more than five years ago. Unfortunately, on this issue as well, we are encountering opposition from the G-77 that is arguing that its review excludes mandates that have been renewed by the General Assembly within the last five years. The G-77 position if adopted would exclude from the review some 75 percent of active mandates and hamper our ability to eliminate significant waste and overlap within the UN system. To date these countries have made clear not only that they are uninterested in reform but that they will actively oppose it and do everything they can to block it.

The United States has identified a number of mandates that are appropriate for early action and is working with other member states to achieve some early results in the review. Implementing an established and routine process to review program mandates is critical because—and what I say is not an exaggeration—there is no systemized process in place to review mandates that might be obsolete or ineffective, nor has there been one at all in the 60-year existence of the UN. We hope to establish an ongoing process that will enable us to review program mandates not just now but in the future as well. Reform of the UN should be done on a continuing basis, not just in an ad hoc fashion.

Although we applaud the recent implementation of whistle-blower protection within the UN system, as well as the creation of an Ethics Office, we remain deeply concerned that other broader reforms are also being blocked. One chief concern is the independence and autonomy of the Office of Internal Oversight Services, or OIOS. OIOS is the inspector general of the UN, the body charged within the UN system to provide internal auditing, investigation, and evaluation of all activities under the authority of the secretary general. Any investigative body must not be beholden to those that it is responsible for investigating.

A number of studies, including one conducted by our own Government Accountability Office and released in a report issued recently, as well as our own experience, give us pause for concern about the ability of OIOS to operate independently and autonomously. There are concerns that the OIOS is funded by those it may be required to investigate, which can obviously create a conflict of interest. Moreover, there have been reports that the Secretariat was pressuring OIOS investigators to take into account political considerations when conducting investigations. This is categorically unacceptable. OIOS should never be pressured by those who fund it to change its conduct or alter its findings. We also encourage OIOS to continue making public any and all findings and conclusions it reaches whenever requested, a requirement the United States succeeded in getting approved in the UN General Assembly. This can serve as a valuable tool for member states to take action or push through reforms that are sorely needed. We will push hard for the creation this year of an Independent Audit Advisory Committee to validate the quality of OIOS’s work and recommend levels of funding and personnel independent of the UN bureaucracy’s audits of OIOS.

Although the picture painted above may be bleak, the United States is pushing ahead on these reforms with an unprecedented seriousness of purpose, one might even say revolutionary zeal. Not to do so would be to invite failure of the world’s most important international institution and to do a grave disservice to the people the United Nations was established to protect in the first place.



Who Needs the United Nations? We All Do.

Joseph R. Biden, Jr.

Sixty years ago 50 countries came together to found the United Nations and charge it to work toward momentous goals: a world free from war and a world in which the basic rights of citizens in all countries would be respected. In its first six decades, the UN has helped to advance freedom and human rights around the world. It also has made a dramatic difference in millions of lives, providing shelter, basic education, and critical health care to people who would otherwise have gone without.

At the same time, it is both timely and appropriate to reflect on our relationship with the United Nations. What does the United States gain from being a member? How does the UN further U.S. foreign policy interests? In short, are we better off with the UN or without it?

Although the broad goals of the UN remain the same as they were in 1945, global threats are dramatically different: terrorism, ethnic and sectarian tensions, the proliferation of weapons of mass destruction, the spread of infectious diseases like HIV/AIDS, and environmental degradation. Not one of these threats has any respect for borders. Not one can be fully met without international cooperation and coordination. By harnessing the resources and collective expertise of its 191 member states, the United Nations is equipped to address global challenges that concern us all and that no single nation, even the United States, can or should handle on its own.

I believe America faces two overriding and connected national security challenges: We must win the struggle between freedom and radical fundamentalism, and we must keep the world's most dangerous weapons away from its most dangerous people. To be sure, other profoundly important developments like the emergence of China, India, and Russia; the shortage of reliable sources of energy; and the growing impact of climate change will shape this century. And Iraq, where I've visited six times, remains a top American priority.

But the most urgent and lethal threat we face is the potential combination of radical fundamentalism and weapons of mass destruction. To prevail we must be strong. But we also must be smart, wielding the power of our ideas and ideals together with the force of our arms and leveraging the power and influence of others.

To succeed we cannot work in isolation. We need effective alliances and international organizations. Far from limiting America's power, they can help us maximize it. Our main enemy is a metastasizing network of terror that could tap into a spreading supply of dangerous weapons. The most powerful military in the world cannot invade, kill, or capture a network or destroy every loose weapon on the planet. The best response to this network of terror is to build a network of our own—a network of like-minded countries and organizations that pools resources, information, ideas, and power. Taking on the radical fundamentalists alone isn't necessary, isn't smart, and won't succeed.

The United Nations is a critical part of this strategy. It can help set the rules of the road for the 21st century. It can establish norms for the conduct of nations, as it has through multilateral treaties and in several Security Council resolutions requiring states to take specific actions to combat terrorism. In a very practical way, through its Counterterrorism Committee, it can help monitor states' cooperation on antiterrorism measures, provide technical assistance, and coordinate international responses.

Building up organizations like the UN is not enough. They have to be effective. As we live by the rules, we must also enforce them. Enforcing the rules that Saddam Hussein systematically violated could have been the basis for taking a common approach to Iraq with the UN and our allies. It was not, and both the United States and the UN are worse off for that failure. It can still be the basis for a common approach to Iran.

As we work to make the UN—and especially the Security Council—more effective in dealing with hard security issues, we should not lose sight of the dramatic difference it is making on humanitarian challenges day in and day out around the world. It's easy to take this work for granted—unless one is one of the millions of beneficiaries. For example, the UN continues to lead relief efforts in the wake of the 2004 tsunami in Southeast Asia, constructing 100,000 new homes, with tens of thousands more to come, and 550 new, permanent schools. Through UNAIDS, the organization coordinates a comprehensive global response to the fight against HIV/AIDS, providing antiretroviral treatment to 1.3 million people globally and working to halt and reverse the epidemic by 2015. The UN Development Program leads democratic governance projects in Afghanistan, Sierra Leone, and Haiti and more than 150 countries worldwide. It was instrumental in organizing two elections and a constitutional referendum in Iraq.

These numbers are impressive, but they don't adequately convey the power of real lives touched and destinies

changed. In May 2005 I visited a refugee camp along the Chad-Sudan border, where the UN High Commissioner for Refugees (UNHCR) is providing food, shelter, and education services for nearly 25,000 refugees. The agency's small aid staff works tirelessly to serve this large population, and I witnessed extraordinary dedication and professionalism. I heard first hand from dozens of mothers and children how the UN effort was, literally, saving their lives.

For 60 years UN peacekeeping operations have been essential to stabilizing war-stricken regions. Currently 19 peacekeeping missions implement mandates from the UN Security Council involving more than 70,000 troops and civilian police from 108 nations—all coordinated by a small staff of 650 in New York. The UN “blue helmets” are literally on the front lines, protecting civilians, monitoring cease-fires, clearing mine fields, and disarming combatants. In most cases, the United States has an important foreign policy interest of its own. UN forces thereby represent a bargain—saving us from deploying our own forces and allowing us to share the cost of their presence with others.

Haiti is a case in point. We have frequently sent troops there to promote stability. A recent report by the U.S. Government Accountability Office found that if the United States were conducting a peacekeeping mission in Haiti, the cost would be \$876 million—twice as much as MINUSTAH, the current UN operation. The U.S. share of the UN mission is \$115 million, and we contribute about 50 civilian police to the 9,000-person multinational force in Haiti.

Finally, the United Nations works close to home. We owe the UN our profound gratitude for the assistance it provided to victims of Hurricane Katrina on our Gulf Coast in 2005. Within days of the disaster, the United Nations launched a campaign to coordinate relief assistance with federal efforts, distributing life-saving supplies, supporting the Centers for Disease Control's surveillance work, registering evacuees, and tracking missing children. Also, the World Health Organization, part of the UN family, is a critical part of the administration's plan to prevent an avian flu pandemic. It is described as the “linchpin of international preparedness and response activities” and has been designated to lead global coordinating efforts.

For all its work, the United Nations is far from perfect. It needs reform. The good news is there is now real consensus—and momentum—in the UN for organizational and structural change. But the devil is in the details, which continue to be negotiated in New York.

Earlier this year the UN created an improved Human Rights Council to replace the discredited Human Rights Commission. The new council will still include some members with little credibility on human rights, but many of the world's worst rights abusers were kept off the Council or pressured not to seek a seat. A Peacebuilding Commission has been established to strengthen the UN's ability to prevent postconflict countries from relapsing into violence. Structurally the UN Secretariat has created sound financial disclosure policies, a top-notch whistle-blower policy, and an independent Ethics Office. It is undertaking a review of thousands of outdated and duplicative programs to make the UN more efficient.

As the United Nations moves into the next chapter of its history, the momentum for substantial reform must continue. The future effectiveness of the United Nations lies in the balance, and I have every expectation that member states can and will deliver—but it won't happen without strong, diplomatic leadership by the United States.

In their 2005 task force report on UN reform, former House Speaker Gingrich and former Senate Majority Leader Mitchell summed up their recommendations by arguing that an effective United Nations is in the best interest of the United States. Maybe the best way to understand its profound value and ongoing relevance is to pose the “It's a Wonderful Life” test: If the UN didn't exist, what would have become of the people and countries whose lives it has touched?

Article One of the United Nations Charter states that the purposes of the organization are to maintain international peace and security; address international social, economic, and cultural problems; and promote fundamental human rights and freedoms. Today although tremendous progress has been made, we still need the UN, perhaps more than ever, to realize the vision of its founders.



The Survivors: The United States and the United Nations in Troubled Times

Edward C. Luck

For more than 60 years relations between the United States and the United Nations have ebbed and flowed. More often than not, periods of high expectations—on both sides—have been followed by longer periods of decline. Doubt, mistrust, and even mutual recrimination have had a way of displacing harmony and mutual confidence over time. Certainly there have been good times such as after the first Gulf War in 1991 and the appointment of Kofi Annan as secretary general in late 1996. But these have proved to be relatively brief and unsustainable.

Today relations between Washington and Turtle Bay are once again at a low ebb. In the latest Gallup Poll, two-thirds of the American respondents—64 to 30—rated UN performance as poor. For more than half a century, Gallup has been posing this question, and this is the most negative response yet. The voting coincidence between the United States and the majority in the General Assembly rose in the early postcold-war years but has fallen steadily since 1995. Once seen as a Teflon secretary general whose charisma kept him out of the line of political fire, Kofi Annan's favorable marks have slipped dramatically in polls since the war in Iraq and the Oil-for-Food scandal. The persistence of violence in Darfur, of the Iranian quest for nuclear weapons capability, and of terrorist threats has reminded Americans of the limitations of the UN's capacities for addressing urgent challenges to international peace and security. Finally, for all of the grand talk of radical UN reform, the results of the latest round have been decidedly modest.

Meanwhile the recent conduct of U.S. foreign policy would undoubtedly receive even lower marks if a candid survey could be undertaken among diplomats from other UN member states and from the UN Secretariat. In contrast, in the months immediately following the terrorist attacks on the United States of 9/11/01, both sympathy in other countries for the United States and U.S. public support for the UN soared, according to a number of surveys. Subsequently, however, the Manichean and unilateralist rhetoric of the Bush administration's version of the war on terrorism, the human rights abuses associated with it, and the unpopular and thus far unsuccessful war in Iraq have all contributed to a dramatic reversal of fortune. According to multinational polls by the Pew Research Center for the People and the Press, among others, the bottom has fallen out of public sympathy in other parts of the world for the current conduct of U.S. foreign policy. As so often happened in the past, a number of spoilers among the disparate ranks of UN member states have been all too ready to fan both anti-American sentiment and fears of U.S. dominance of the world body.

Although these patterns of mutual ambivalence have always tempered the prospects for any dramatic improvement in U.S.-UN relations, the current crisis atmosphere is particularly worrisome because it is so amorphous and unfocused. There are no longer any great ideological struggles to divide the member states. That war was won with the fall of the Berlin Wall and the implosion of the Soviet empire. The United States got its handpicked secretary general in Kofi Annan to succeed Boutros Boutros-Ghali, who had been demonized in Washington as a particularly unpleasant thorn in its side. Although Kofi Annan's current reform effort can be singled out for being ill timed and ill conceived and suffering from a terminal case of grandiosity, over the years the United States has achieved many of the UN management and budgetary reforms it had demanded.

On the other side of this equation, although the Bush administration would never be accused of being a refuge for the poster children of multilateralism, it has worked quietly to defer congressional initiatives to mandate further debilitating financial withholdings from the UN. The administration, moreover, has refuted the president's occasional comments about the UN's fading relevance by returning, again and again, to the world body to get a substantial portion of its foreign policy work done. Many of Washington's current crop of policymakers had little use for the UN when they were on the outside, caricaturing the "assertive multilateralism" proclaimed—for a while—by the Clinton administration. Now that they are responsible for the conception and the implementation of American foreign policy, on the other hand, their appreciation of the utility of the UN system to help get things done appears to have grown appreciably. It is one thing to preach foreign policy, and quite another to carry it out.

Where does this leave us at this juncture, and where do we go from here? Paradoxically, while UN secretaries general have a way of running into trouble in their second terms, U.S. relations with the UN tend to mature and stabilize in an administration's second term. This arguably was the case for the presidencies of Ronald Reagan and Bill Clinton, who otherwise had rather little in common. Americans whether from the left or the right of the political spectrum tend to have a lot of fantasies and ideologically charged misconceptions about

the world body, either badly overestimating or underestimating its capacities. Evidently it takes time and a reality check or two through practical experience to shed such notions.

In that regard it may be that the stars are coming into alignment with a new secretary general to be chosen later this year during the second term of a Republican president. There is a real possibility that a modest honeymoon period will follow. It is worth recalling in this context, however, that Boutros-Ghali, though hardly Washington's first choice, was appointed when President Bush's father was in office. In that case the honeymoon period was remarkably brief, though it extended through the president's last year in office. This time if someone more to Washington's liking is chosen, then the Bush administration may be inclined to facilitate a stronger relationship between Republican legislators on Capitol Hill and the new secretary general. It might give the secretary general the benefit of the doubt at least for a year or two as well.

Any serious candidate for the secretary generalship, on the other hand, ought to be giving close study to why Washington soured on the last two secretaries general. John Bolton's recent comment at Columbia University that the UN now needs more of a "proletarian" secretary general is suggestive. By this intriguing choice of words he meant to convey a strong preference for someone who would focus more energy on carrying out the Charter-given function of chief administrative officer than on the self-appointed roles of global spokesperson for dozens of causes and norm entrepreneur extraordinaire. Fair enough, after the most energetic and ambitious period of international norm and institution building in history, an era of consolidation and implementation should logically follow. Among the Millennium Declaration, the Millennium Development Goals, and the Outcome Document from last September's summit, there is no shortage of unfulfilled pledges and commitments. On the normative side, there is unfinished business on a comprehensive convention on terrorism and on the deteriorating nonproliferation regime, both key to U.S. security interests, and on global warming, something the Bush administration has unwisely resisted. On the whole, however, a new secretary general would do well not to follow the path of his or her two most recent predecessors, who were known in some Washington circles for never having met a norm they did not like.

There is some good news in all of the bad news about U.S.-UN relations. Things are so bad that they are bound to get better. Neither side can afford to let the downward spiral get out of control, for in the final analysis, each needs the other. As much as other member states are wary of U.S. dominance of the UN, they fear U.S. abandonment of the collective enterprise even more. They know that a UN without the United States would lack legitimacy, as well as credibility and capacity. For most American policymakers, an appreciation of the UN comes through lessons learned on the job by trial and error, not through prior inclination or training. It is, at best, a product of experience. For UN officials, not to mention diplomats from smaller, weaker, or less affluent countries, it is uncomfortable to have to deal with one hegemonic superpower in the midst of a political structure designed for multilateral decision making. The asymmetries can be baffling for all concerned. For U.S. policymakers, trying to do business in the exotic chaos of a 191-member UN is frustrating at best, debilitating at worst. This marriage was not made in heaven.

Why, then, do U.S. policymakers keep coming back to the UN? In 2006, as in 1945, the answer lies both in strategic realities and in domestic politics. Even superpowers need partners. For all the talk of primacy these days, it is worth recalling that the U.S. share of the global economy was far larger in 1945 than today. The United States dominated the seas and the air and had at least a temporary monopoly of atomic weapons. But World War II and the fateful events that led up to it had demonstrated the strategic value of alliances and of collective action to deter, prevent, and, if necessary, defeat aggression. The United States could not do it alone then, anymore than it could today win the struggle against terrorism, curb the proliferation of weapons of mass destruction, resolve regional disputes, or secure respect for human rights and democratic values through unilateral action alone. There never was a choice between a strong national defense and a robust commitment to building international law and organization. America needs both if its values, economy, and security are to prosper in an otherwise unpredictable, competitive, and sometimes hostile international environment.

Over time U.S. foreign and security policy cannot succeed without solid and sustained public support. It would be wrong to mistake public criticism of UN performance for a willingness to give up on the collective enterprise and to leave its stewardship to others. Though the Gallup Poll mentioned at the outset showed unprecedented levels of disappointment in how the UN is carrying out its responsibilities, it also found that the public strongly preferred the UN to play a major role in world affairs. Few would have the United States give up its seat in the world body, many polls have confirmed. Historically the American people have been relatively skeptical of governmental bodies, particularly of those at the federal and intergovernmental levels that appear inaccessible and unaccountable. At the same time, they are prone to fixing institutions rather than abandoning them. Year after year, poll after poll, the public shows a strong preference for multilateral over unilateral action, particularly when it comes to the use of

military force. It is reassuring to have others at your side, and unsettling to have to act alone.

President Bush was right when he said that no U.S. President requires a permission slip from the UN to defend American security. But his tortured efforts to try to obtain a Security Council authorization for the intervention in Iraq testified eloquently to his understanding that the action would have gained wider support at home and internationally if it had had a Council mandate. He has recognized as well that efforts to stem the proliferation of nuclear weapons to Iran and North Korea would be bolstered by united Security Council action, whether political, economic, or military. UN peacekeeping and nation-building operations around the world have grown to unprecedented levels since George W. Bush became president.

It is clear that the United States is not about to end this relationship. Though too often a marriage of inconvenience, one that tries to bind the ultimate odd couple, in the end it seems to work. Both partners get enough out of it to keep it going, despite the frustrations. The U.S.-UN relationship, like the UN itself, has, if nothing else, proved to be a survivor.



The Rule of Law, the United States, and the United Nations: An Ambiguous Record

Lawrence S. Finkelstein

The Centrality of the Rule of Law

For a country that takes pride in its belief in the rule of law, the United States surprisingly did not emphasize law as a pillar of the UN system that it had so great a role in designing.¹ Shortly after the San Francisco conference, President Harry Truman reflected the axiomatic American belief in the rule of law. In urging speedy ratification of the Charter, he said, “If there is to be peace, countries must live under law just as our states and individuals do.”² A few days later, he wrote “... the UN Charter is a statement of the laws all governments must obey and enforce, including the United States.”

The Charter does contain important rules that members obligate themselves to carry out. It does not, however, sanctify the rule of law, or worldwide obedience to international law, as an overriding UN purpose. President Truman had it backward. By design, the United States unmistakably gave priority to “international peace and security.” It did not postulate adherence to international law as necessary for peace and security. The United States took the lead in guiding the Charter in the opposite direction. Peace and security were prerequisite to the rule of law.

Moreover, the United States was far from comfortable with the thought that the United Nations should be a source of new laws for the United States to obey. At San Francisco it sought to limit UN jurisdiction over or influence on the domestic affairs of the United States. The United States favored what became the “domestic jurisdiction” clause.³ At San Francisco it succeeded in deleting as too narrow the words *international law* as the criterion for deciding when matters fell within the domestic jurisdiction of a member. There was an active concern that the Senate’s advice and consent to ratification of the Charter could be jeopardized should it empower intrusion into sensitive domestic issues. One such issue was “the race problem.”

Another example was the intense U.S. effort to block reference to “full employment” among the goals to be promoted in what became Article 55 because a proposed full employment bill was being heatedly contested in Congress and the country at that time. The United States lost on that issue.

It also rejected the compulsory jurisdiction of the World Court and successfully insisted on the “optional” alternative. When it actually exercised that option to accept compulsory jurisdiction in 1946, it virtually nullified the positive initiative by attaching conditions, one of which, the famous “Connally Amendment,”⁴ reserved the right to determine itself whether matters essentially fell within its domestic jurisdiction.⁵

The United States also had some positive influence on the UN’s inclination toward the rule of law. President Truman’s remarks above identified the Charter not only as an important legal instrument but also as a source of law. It is the former because it is a treaty of vast reach, vital substance, and virtually universal membership. When ratified, it became binding on all members. It is a source of law because, among other reasons, it establishes the International Court of Justice as the principal judicial organ of the United Nations and incorporates its statute as part of the Charter. Also, in Article 55, it opens up a vast new arena for international rule making about economic, social, and other humanitarian issues.

The San Francisco Conference did not achieve President Truman’s vision of Alfred Lord Tennyson’s “Parliament of man, the Federation of the world” or the “kindly earth . . . lapped in universal law.”⁶ What emerged instead from a mix of Wilsonian idealism, realist understanding, and a strong dash of pragmatism was a system dependent on international cooperation of the member states to manage power in the interest of peace and security.

In 1945 the U.S. view of the role of law was ambiguous. In subsequent years this ambiguity has persisted as officials avoided, sometimes flouted, limitations on their freedom of action to pursue what they believed to be the country’s national interest. In numerous instances this has set the stage for confrontation between the United States and the United Nations.

The Obligation to Pay as Assessed

The Charter requires members to share the costs of the organization as they are apportioned by the General Assembly.⁷ The United States advocated that rule. The Charter is a constitutionally ratified treaty. Legal scholars and legal officers of the government have said that the obligation to pay is binding. Yet for decades the United States has been withholding portions of what it owed, at first amounts targeted at expenditures of

which it disapproved. Increasingly the threat to withhold and actual withholding have been employed as bargaining levers of Congress to force reforms the United States sought or to preempt actions it opposed.⁸ The arrearages became quite substantial and imposed severe cash-flow difficulties on the organization.

Most recently there has been the flare-up over UN reform. Reform is certainly necessary.

The U.S. agenda is a good one, and the achievements thus far are welcome but insufficient. The United States is right, that is, analytically sound and prophetically shrewd, in making it known that how the United States relates to the UN henceforth depends on progress made in achieving reform. The problem is not the goals. It is the strategy as well as the tactics of the United States in pursuing them.

The need for reform and the difficulty of achieving it flow from the same source. The UN consists of 191 member states, all acknowledged as sovereign. They are a large part of the explanation for the UN's sluggishness and inefficiency. They have equal voting rights in the decision body, the General Assembly. A majority, the 132 developing countries, tend to resist reform measures they fear will be disadvantageous to their interests and a chipping away of the many prerogatives their members have accrued over the years in Secretariat positions and committee assignments. In changing times, when the United States is suffering from loss of respect in the world and economic balances are shifting, this group seems to have concluded that its members cannot be bullied into compliance with the wishes of the United States. If they are correct, the alternative is to reassure them and bargain with them.

It remains to be seen whether the abrasive U.S. tactics will overcome this resistance. It can be argued that the hard-nosed tactics identified with Ambassador John Bolton in the reform arena have been counterproductive. A potentially better reform deal might have been available had the United States not blasted what had been achieved before the summit and the 60th General Assembly took up the issues. Support for the Millennium Development Goals (MDGs) might have been a U.S. component of a "big deal" that the bloc of developing countries could have been induced to swallow.

There is an underlying issue about the standing of a treaty obligation in the U.S. constitutional system. Article 6 of the Constitution establishes that a treaty is the supreme law of the land alongside the Constitution itself and laws adopted by Congress. Since paying the UN bill requires a congressional appropriation, this treaty obligation is labeled "nonself-fulfilling," as are other treaty provisions. Therefore, the United States is not obligated to pay unless Congress acts. Some authorities argue that even so, the international obligation remains valid.⁹ The dilemma is apparent. Congress should enable the country to fulfill its obligations in international agreements that have been constitutionally undertaken. Sooner rather than later, a way should be found to remove this obstruction to reasonable relations with the rest of the world.

Disapproval of international legal obligations for this country goes beyond the doctrine of nonself-fulfillment. Ambassador Bolton and the late Senator Jesse Helms said that treaties do not create legal obligations at all, only moral or political ones. This approach challenges the fundamental and common sense principle of international order that agreements entered into have to be carried out (*pacta sunt servanda*) and also weakens the pursuit of American interests abroad because negotiating partners cannot be certain that the United States will fulfill the obligations it ostensibly undertakes.

The Use of Force

The Charter's provisions concerning international peace and security directly impose serious obligations on members. Perhaps the most important clause is Article 2, paragraph 4 that requires members to "refrain from the threat or use of force against the territorial integrity or political independence of any state. . . ." There are two exceptions to that prohibition. One is a Security Council decision to employ or authorize the use of force under its powers of compulsion in Chapter VII. The second is the inherent right of individual or collective self-defense in the event of an armed attack on a UN member, as acknowledged in Article 51.

Twice the United States took the initiative in obtaining Security Council authorization to employ force and then organized and led the coalitions of national units that responded to the need identified by the Security Council. The aggression by North Korea against South Korea in 1950 was repelled, as was Iraq's invasion of Kuwait in 1989.

The United States also was supportive both in the formulation of the concept of peacekeeping and in the Security Council authorization and conduct of UN peacekeeping operations beginning with Suez in 1957. In most instances U.S. logistical and other support is indispensable. Because peacekeeping operations are idiosyncratic—no two are identical—each one is determined on an *ad hoc* basis and confronts American policymakers with difficult decisions. Thus the United States managed to steer a very difficult course in support of the UN mission in the Congo, 1960-1964, despite complex issues both with NATO allies and the Soviet Union, as well as abrasive political contention at home.

When the desperate travails of thousands of Somalis reached into Western homes via television in 1992, a humanitarian dimension stretched the Security Council's peace and security mandate to encompass large-scale, life-threatening domestic disasters amid civil disorder. The linked, parallel UN- and U.S.-led military missions were resoundingly unsuccessful. The grisly killings of U.S. Army Rangers induced the United States to evacuate the country at full speed. Even though this debacle served for some years as a powerful impediment to further UN interventions, the UN's concept of peace and security would never be the same.

In the Rwanda and Bosnia-Herzegovina cases, American leaders, rendered gun-shy by memories of Vietnam and Somalia and sensing no direct U.S. interests at stake, allowed genocidal slaughter to reap ghastly harvests. In Bosnia, NATO, employing U.S. warplanes, brought an end to the violent ethnic cleansing. The use of force without UN Security Council authorization was called illegal (for that reason) but legitimate because there was no other way to end the fierce ethnic violence. In Rwanda, no UN members wanted to stand up to the real need for major UN intervention. In the case of Darfur, the slaughter—President Bush called it genocide—was the main reason to intervene. The United States played a critical role, backing up the UN and other interveners in the endgame negotiation that resulted in an uneasy and precarious agreement for a cessation of fighting and negotiations toward a lasting solution.

The Darfur situation erupted just as a new concept of the UN's mandate was taking hold. "The responsibility to protect" mandates external intervention when the responsible government does not protect its people against major domestic disaster. With the United States helping to push this idea as part of the UN reform package, it was approved by the summit meeting of world leaders in September 2005 and adopted by the 60th General Assembly. The item is headed "Responsibility to protect populations from genocide, war crimes, ethnic cleansing, and crimes against humanity." It spells out the dual mandate: for every state to protect its citizens and for the international community to intervene through the United Nations when national authorities are manifestly failing to provide such protection.

When the Security Council decides that there exists a threat to the peace, a breach of the peace, or an act of aggression, it acquires very wide compulsory authority to deal with the problem.¹⁰ The United States played a helpful role in innovatively interpreting that compulsory authority of the Security Council's as enabling it to create tribunals with case-specific mandates to deal with individual cases against perpetrators of serious crimes against humanity. The United States went along with the initiatives to create such tribunals for Rwanda and the former Yugoslavia and has cooperated with them since.

The United States also participated in the planning to create the International Criminal Court (ICC). The ICC is very different from the other two. Its authority does not depend on the Security Council. It was created by an international treaty. It has authority to deal with cases from any member country. It is a permanent institution. Because of what many believe to be excessive concern that the ICC might be employed against U.S. military personnel, the United States has turned against it. It has refused to join the 100 members. In the case of the ICC, the United States has engaged in a worldwide campaign to obtain assurances from other states that they would oppose decisions to act against Americans. One critic describes the United States as waging "a holy war" against the ICC.¹¹ U.S. hostility to the ICC does not reconcile with its presumed interest in the development of a system of justice to build deterrence against mass destructive violations of human rights.

The United States has demonstrated its contempt for the rule prohibiting the use of force against another state (Article 2/4 of the Charter) by undertaking a string of forceful unilateral interventions—Guatemala, the Bay of Pigs, Vietnam, Grenada, Panama. None of them involved the sort of threat that justified the claim of self-defense.

The Nicaragua case stands out as an especially livid example of this U.S. predilection for force. The fact that the U.S. government disapproved of the Nicaraguan government did not justify the attempt to overturn it by inspiring and supporting the Contra invasion. Article 2/4 clearly outlaws the use of force to achieve regime change. When the United States lost its plea that the International Court of Justice (ICJ) did not have jurisdiction to try the case entered by Nicaragua, it withdrew from the case and did not contest the Nicaraguan claims on the merits. The Court, unable for technical reasons of law to address the charge that the United States had violated Article 2/4, found that the rule had become customary international law and that the United States had violated that.

One consequence of the Nicaragua case was that the United States withdrew its optional acceptance of the Court's compulsory jurisdiction. In its appeal on jurisdiction, it argued that it could not be sued before the Court because its original acceptance was subject to the Connally Amendment condition that the ICJ's jurisdiction could not extend to the domestic affairs of the United States as it itself determined them. Since a rule of reciprocity applied, Nicaragua could claim the same exemption to block the Court's jurisdiction. The Court rejected that argument. The United States also attempted, just days before the trial, to register another qualification with the UN Registrar of treaties, this one to exclude any cases with Latin American or

Caribbean countries. That request was rejected.¹² Many legal authorities believe that the Nicaragua case turned the United States against submitting to international legal proceedings and toward other means of resolving disputes such as arbitration.

After 9/11 the United States invaded Afghanistan in legitimate self-defense endorsed by the Security Council. However, without having such authority to make war against Iraq, the United States did so in the company of a group comprising a coalition of the willing. As the pitfalls became more apparent and the way out more elusive, the United States found itself relying on UN assistance to organize elections and to help install a democratically elected government. As this is written, the outlook remains uncertain. A new government has just been formed. The hopeful/anguished predictions that an Iraqi government in office will result in a more secure and peaceful country remain untested. So are the hopes that reconstruction, to be followed by prosperity, can proceed.

Treaties

Important new treaties emerge with some frequency. Many are UN treaties in the sense that they originate there and are approved by the General Assembly for ratification by states that elect to do so. As a leading great power, the United States often participates in the drafting and approval procedures of UN and other treaties. It ratifies some but not many.

The United States is particularly resistant to human rights accords, most of which it shuns. It has not, for example, ratified the Convention on All Forms of Discrimination Against Women (CEDAW); the Convention on the Rights of the Child and the proposed protocol to ban child soldiers; and the UN Covenant on Economic, Social, and Cultural Rights. The covenant is an interesting case. It is the sibling of the UN Covenant on Political and Civil Rights, which the United States ratified. Both are binding treaty spin-offs of the Universal Declaration of Human Rights with which the name of Eleanor Roosevelt is so closely associated and which the United States supported very strongly. Although it was specifically intended not to be a binding treaty, the Declaration is an authentic statement of relevant rules. In its 58 years, it has come to enjoy very wide respect and acceptance. It has been referred to as “arguably the single most important international instrument ever negotiated.”¹³

The United States has been developing an intense allergy to arms control treaties ranging from the Antiballistic Missile Treaty to the (Small) Arms Trade Treaty. Others include the Biological Weapons Treaty, the Comprehensive Nuclear Test Ban Treaty, the Start III Treaty, and the treaty to ban land mines.

Three U.S. nonratifications are especially well known: the Kyoto Protocol, the Law of the Sea Treaty, the Rome Statute of the International Criminal Court. Finally, the exclamation point: The United States has not ratified the Vienna Convention on the Law of Treaties!

America, Exceptional?

Rhetoric aside, the United States, on balance, has not been a consistent advocate of the rule of law since World War II. Although controversy attaches to the charges that the United States has often violated international rules prohibiting the use of force, that fact speaks for itself. It is evident that the United States has not attached great importance to the UN as a legal instrument or as a source of law applicable to itself. It may well be that as the Charter was shaped in its early stages, the Wilsonian inspiration lost out to the realist perception that power is the driving force in the international system. History lent considerable support to that assertion. FDR and Churchill saw the period from Versailles to World War II as proof that peace depended on sufficient power in its defense. The “Four Policemen” were the heart of the peace and security system they sought.

It is also evident that the United States has not differed from many other states in its persistent compulsion to protect itself against the perceived hazards of rules that might intrude on its freedom of action.

The United States appears to have grown more leery of international law as the decades passed. The cold war frightened Americans, and their leaders did little to assuage their concerns. President Eisenhower, to be sure, was an avuncular, calming figure. Even he, however, saw Castro’s Cuba as threatening enough to warrant planning for the Bay of Pigs invasion, which, as it turned out, President Kennedy undertook. Consequently, freedom not to be bound by such petty restrictions as the “do not attack thy neighbor” rule seemed very important. President Truman observed in 1945 that: “We all have to recognize, no matter how great our strength, that we must deny ourselves the license to do always as we please.”¹⁴

The 9/11 attacks, of course, scared the country. The citizenry was vulnerable to the snake oil packaged in the White House to disguise the strategies that, it seems more and more likely, the inner circle of the national

leadership embraced when they assumed office. They've surely shown that they relish freedom from restraint, domestic and international.

There is good reason to regret that we seem unable to have a longer perspective about the place of law in the international system. We avidly pursue rules that we believe serve our interest in the short term. One scholar charges that the United States seeks to modify international law to accord with its interests by claiming a right of self-defense against terrorists and enunciating the doctrine of "preemptive self-defense." Power has its advantages. Coupled with "deliberate pursuit of normative change" it will stretch, even alter, "the limits of international law."¹⁵ The practice of states indeed can produce "customary law." Will we be happy with the legal environment we are creating?

We believe in the rule of law at home. The world now is as much a part of our environment as the 50 states are. The notion that we would benefit from a more orderly neighborhood should appeal to most Americans. Why do we not understand the long-term national interest in an orderly world ruled by law? The FDR-Churchill image of policemen patrolling their international beats and enforcing the rules is very appealing. Certainly we've had enough experience of policemen who believe they don't need rules.

The national belief in American exceptionalism leads us to claim exemptions from the rules we want others to comply with. The paradox is that we thereby end up being no better than others. It turns out that we are not exceptional at all. Harry Truman was right to believe that we should be.

Notes

¹ The term "international law" appears only once in the Dumbarton Oaks Proposals and then as the determinant of whether or not an issue fell within the "domestic jurisdiction" of a state. In the San Francisco Conference, the United States found that term too confining and succeeded in having it removed from Article 2/7 in order to extend the zone of safeguarded "domestic jurisdiction." The Dumbarton Oaks Proposals can be found in *Charter of the United Nations, Report to the President on the Results of the San Francisco Conference by the Chairman of the United States Delegation, the Secretary of State*, June 26, 1945. Department of State Publication 2349, pp. 176-233 (recto).

² Stephen Schlesinger, *Act of Creation: The Founding of the United Nations*, Boulder, Colorado, 2003, 264.

³ Article 2/7. The UN was not to "intervene in matters . . . essentially within the domestic jurisdiction of any state. . . ."

⁴ Named after Senator Tom Connally of Texas.

⁵ That cautionary measure boomeranged when a U.S. case against Bulgaria before the International Court of Justice came to naught in 1960 because, under the rule of reciprocity, the Bulgarians claimed the same right. Even though the issue plainly did not involve Bulgaria's domestic jurisdiction, the ICJ ruled that Bulgaria could claim it did, thus aborting the American initiative. John F. Murphy, *The United States and the Rule of Law in International Affairs* (Cambridge, England, 2004), 253-55, 279.

⁶ Schlesinger, *op. cit.*, 5-6. Most of his life, Truman carried in a wallet Tennyson's dream of peace stanzas from *Locksley Hall*.

⁷ Article 17.

⁸ Edward C. Luck, *Mixed Messages: American Politics and International Organization, 1919-1999*, 1999, 238 ff.

⁹ The principle is of long standing. It originated in a Supreme Court decision of Chief Justice Marshall in 1829. For more on the problem of nonself-fulfilling treaties, see Murphy, *op. cit.*, 76ff.

¹⁰ Article 39.

¹¹ Murphy, *op. cit.*, 7. See also 319, 357.

¹² *Ibid.*, 255-265.

¹³ Philippe Sands, *Lawless World* (New York, 2005), 12.

¹⁴ Michael Byers cites this in *War Law* (New York, 2005), 3.

¹⁵ *Ibid.*, 11.



U.S. - UN Relations and the Use of Force After the World Summit

Thomas G. Weiss

Right after March 2003 everyone was unhappy—the United Nations could not impede U.S. hegemony, and the UN could not approve requisite action against Saddam Hussein. Kofi Annan’s solution was thus to ask 16 former senior government officials—the High-Level Panel on Threats, Challenges, and Change (HLP)—to describe what ailed the UN and propose a way forward. The blue-ribbon panel’s December 2004 report, *A More Secure World*, contains a laundry list of recommendations—unkindly described as the “101 Dalmatians” for that number in a laundry list of proposals. In March 2005 the HLP’s propositions were endorsed with certain minor modifications in Annan’s own *In Larger Freedom*.¹

Once seen as a window of opportunity to revisit the United Nations in light of changes in world politics since 1945, the September 2005 World Summit negotiations exposed the same debilitating political and bureaucratic conflicts that regularly paralyze the organization and that the summit was supposed to address.² Birthdays are often good moments to take stock. However, the results of the UN’s 50th anniversary in 1995 should have led world leaders and observers to look askance on the prospects for any major overhaul of the UN in 2005, especially without American leadership. “A once-in-a-generation opportunity to reform and revive the United Nations has been squandered,”³ said the lead editorial in *The New York Times* about the largest ever gathering of princes, presidents, and prime ministers.

Even members of the UN fan club had to admit that the overall results constituted considerably less than Annan’s plea that “the UN must undergo the most sweeping overhaul in its 60-year history.”⁴ The main results—depending on future developments, probably the two new institutions (the Peacebuilding Commission and Human Rights Council) along with an endorsement of the “responsibility to protect” (R2P)⁵ civilians in war zones—pale in comparison with the needs.⁶ Kofi Annan struggled hard to see the bright side in arguing in *The Wall Street Journal* that “the glass is at least half full.”⁷ I would argue that at least we have a glass.

Where does that leave U.S.-UN relations especially as regards the politics of high security and the use of force, the main reason the world organization was founded six decades ago? Conventional wisdom now holds that terrorism and 9/11 altered international relations. The crossroad was not born solely of terrorism, however; it is multisourced and of long gestation. It accentuates the implications of the postcold-war trend toward a UN system based on one superpower. The preponderance of the United States—militarily, economically, and culturally—is ever more striking. What kind of collective security organization is possible when Washington’s gear, according to former European Union Commissioner of External Relations Chris Patten, is “unilateralist overdrive”?⁸

UN member states have failed to integrate adequately the full implications of what former French Foreign Minister Hubert Védérine dubbed the *hyper-puissance*. Bipolarity has given way to what was supposed to be U.S. primacy, but the military prowess in Afghanistan and Iraq makes “primacy” an understatement. Scholars speculate about the nuances of economic and cultural leverage in the international system resulting from U.S. soft power,⁹ but the hard currency of international politics undoubtedly remains military might. Before the war on Iraq, the “hyperpower” was already spending more on its military than the next 15–25 countries (depending on who was counting); with additional appropriations for Afghanistan and Iraq, Washington now spends more than the rest of the world’s militaries combined.¹⁰

A good case can be made for the cost-effectiveness of UN peacekeeping—even in the record-breaking year for expenditures of 2005. The UN’s \$5 billion annual expenditure amounts to a month of U.S. expenditures in Iraq.¹¹ But here the point is a political one, namely that Security Council efforts to control U.S. actions increasingly resemble the Roman Senate’s attempts to control the emperor. UN diplomats almost unanimously describe the debate surrounding Iraq as “a referendum not on the means of disarming Iraq but on the American use of power.”¹²

Today there are two world “organizations,” the United Nations (global in membership) and the United States (global in reach). Critics of U.S. hegemony argue that enforcement decisions should be based on UN authority instead of U.S. capacity. But the two are inseparable.

I have my doubts about the imminent approach of “the twilight of the unilateral world”¹³—in any event, what Charles Krauthammer first identified in 1990 as the unilateral “moment” is likely to continue for some time.¹⁴ The stark reality of U.S. military hegemony in the contemporary international system puts a damper on humanitarian intervention or other international decisions to use force until Europeans invest more in an independent military

capacity. To date neither populations nor parliaments on the Continent have demonstrated any willingness to contribute a fair share to the Western defense burden or to reconfigure their forces to make them useful for international deployments.¹⁵ Europe's continued free riding and failure to develop a truly independent capacity—indeed, its military capabilities continue to decline vis-à-vis those of the United States—constrain UN military expansion or humanitarian intervention.

Moreover, the downsizing of the U.S. armed forces over the last 15 years means an insufficient supply of equipment and manpower to meet the demands for UN peace operations. There are bottlenecks in the logistics chain—especially in airlift capacity—that make improbable a rapid international response to a fast-moving, Rwanda-like genocide.¹⁶ With half of the U.S. Army tied down in Iraq and a quarter of its reserves overseas, questions are being raised even about the capacity to respond to a serious national security threat or a natural disaster like Hurricane Katrina let alone minor “distractions” like Haiti or major ones like the Democratic Republic of the Congo (DRC).

Mass starvation, rape, and suffering will reappear in the post-9/11 world, and we will know about them rapidly. For at least some conscience-shocking cases of mass suffering there simply will be no viable alternative to military coercion for human protection purposes. Modest deployments—the British in Sierra Leone in 2000, the French in Ituri in the summer of 2003, the December 2004 European Union (EU) takeover of NATO operation in Bosnia—suggest some flexibility for action in smaller crises.

The EU's *A Secure Europe in a Better World*¹⁷ lacks the crispness of its American counterpart—the *National Security Strategy of the United States of America*.¹⁸ Although spending on hardware falls considerably short of targets, the number of European troops deployed abroad has doubled over the last decade and approaches the so-called Headline Goals, which set EU targets in terms of military and civilian crisis management. As two Europeans have noted: “This incremental approach may move some way further yet, but it will come up against budgetary ceilings, against the unwillingness of some governments to invest in the weapon and support systems needed, and against the resistance of uninformed national publics.”¹⁹

There is little doubt, however, that American air-lift capacity, military muscle, and technology are required for deployments of larger and longer duration such as would be required in the Sudan or the Democratic Republic of the Congo. For better or worse, the United States in the Security Council is what Secretary of State Dean Rusk called the fat boy in the canoe: “When we roll, everyone rolls with us.”²⁰ With Washington's focus elsewhere, the danger is not too much but rather far too little UN security efforts where they are needed.

It is soothing, for example, to those of us who are preoccupied with positive normative developments to point proudly to paragraphs 138-139 about the R2P in the World Summit Outcome Document. On the one hand, that clearly is true. On the other hand, the summit did nothing to change the geopolitical reality that “never again” is inaccurate. “Here we go again” is more like it.

The actual impact of the two new institutions, the Peacebuilding Commission and the Human Rights Council, is unknown at this juncture. Washington's vote against the latter and its refusal to be a candidate hardly augur well—nor does the election of such human rights “stalwarts” as Algeria, China, Russia, Azerbaijan, Pakistan, Saudi Arabia, and Cuba.

In more somber moments, I am afraid that the collective yawn since early 2003 in the face of slow-motion genocide in Darfur could be more destructive of the fabric of international law than the 800,000 deaths in Rwanda. At least in 1994 there was an attempt to maintain the fiction that no such horror was under way because using the G-word would have implied the necessity to act.²¹ “Darfur has shown that the energy spent fighting over whether to call the events there ‘genocide’ was misplaced,” one analyst has written. “[It] is not a magic word that triggers intervention.”²²

The 1948 Convention on the Prevention and Punishment of the Crime of Genocide literally appears not to be worth the paper on which it is reproduced because this time the facts are not disputed. As *New York Times* columnist Nicholas Kristof lamented, “the publishing industry manages to respond more quickly to genocide than the UN and world leaders do.”²³ The U.S. Congress condemned Darfur unanimously, voting 422-0 in July 2004 that Khartoum was committing “genocide.”²⁴ Secretary of State Colin Powell actually used the dreaded term in a speech in September of that year.²⁵ European Union parliamentarians urged Sudan to end actions that could be “construed as tantamount to genocide.”²⁶ Although the International Commission of Inquiry on Darfur waffled somewhat, it concluded that “in some instances individuals, including Government officials, may commit acts with genocidal intent.”²⁷

Military overstretch and giving priority to strategic concerns to the virtual exclusion of humanitarian ones is the sad reality of the post-9/11 world. But there is more possible bad news. Its repeated failure to come to the

rescue mocks the value of the emerging norms and ultimately may further erode public support for the United Nations in spite of the 60th-anniversary celebrations.

Nothing could be more important than getting the United States back on board.

Notes

- ¹ See High-Level Panel on Threats, Challenges, and Change, *A More Secure World: Our Shared Responsibility* (New York, 2004); and Kofi Annan, *In Larger Freedom: Towards Development, Security and Human Rights for All*, UN document A/59/2005, 21 March 2005.
- ² See Thomas G. Weiss and Barbara Crossette, "The United Nations: Post-Summit Outlook," *Great Decisions 2006* (New York, 2006), 9-22. This essay draws on that analysis.
- ³ "The Lost U.N. Summit Meeting," *The New York Times*, September 14, 2005.
- ⁴ Kofi Annan, "In Larger Freedom: Decision Time at the UN," *Foreign Affairs*, vol. 84, no. 3 (2005): 66.
- ⁵ International Commission on Intervention and State Sovereignty, *The Responsibility to Protect* (Ottawa, 2001); and Thomas G. Weiss and Don Hubert, *The Responsibility to Protect: Research, Bibliography, and Background* (Ottawa, 2001).
- ⁶ See Thomas G. Weiss and Barbara Crossette, "The United Nations: The Post-Summit Outlook," *Great Decisions 2006* (New York, 2006), 9-20.
- ⁷ Kofi Annan, "A Glass at Least Half-Full," *The Wall Street Journal*, September 19, 2005.
- ⁸ Chris Patten, "Jaw-Jaw, Not War-War," *Financial Times*, 15 February 2002.
- ⁹ See Joseph E. Nye, Jr., *The Paradox of American Power: Why the World's Only Superpower Can't Go It Alone* (New York, 2002).
- ¹⁰ Center for Defense Information, "U.S. Military Spending, Fiscal Years 1945-2008," available at www.cdi.org/news/mrp/us-military-spending.pdf.
- ¹¹ See Ian Johnstone, ed., *Annual Review of Global Peace Operations 2006* (Boulder, Colo., 2006).
- ¹² James Traub, "The Next Resolution," *The New York Times Magazine*, April 13, 2003, 51.
- ¹³ Cora Bell, "The Twilight of the Unipolar World," *The American Interest* I, no. 2 (2005): 18-29.
- ¹⁴ Charles Krauthammer, "The Unipolar Moment," *Foreign Affairs* 70, no. 1 (1990/1991): 23-33; and "The Unipolar Moment Revisited," *National Interest*, 70 (winter 2002/2003): 5-17.
- ¹⁵ Andrew Moravcsik argues for a division of labor between American enforcement and European peacekeeping in "Striking a New Transatlantic Bargain," *Foreign Affairs* 82, no. 4 (2003): 74-89.
- ¹⁶ See Alan J. Kuperman, *The Limits of Humanitarian Intervention: Genocide in Rwanda* (Washington, D.C., 2001).
- ¹⁷ *A Secure Europe in a Better World*, available at <http://ue.eu.int/pressData/en/reports/78367.pdf>.
- ¹⁸ *National Security Strategy of the United States of America, September 2002*, available at <http://usinfo.state.gov/topical/pol/terror/secstrat/htm>.
- ¹⁹ See Bastian Giegrich and William Wallace, "Not Such a Soft Power: The External Deployment of European Forces," *Survival* 46, no. 2 (2004): 163-182, quote 179.
- ²⁰ Quoted by Lincoln Palmer Bloomfield, *Accidental Encounters with History (and some lessons learned)* (Cohasset, Mass., 2005), 14.
- ²¹ Samantha Power, "A Problem from Hell": *America and the Age of Genocide* (New York, 2001).
- ²² Scott Straus, "Darfur and the Genocide Debate," *Foreign Affairs* 84, no. 1 (2005): 123-133., quotes from 124 and 131.
- ²³ Nicholas D. Kristof, "Genocide in Slow Motion," *New York Review of Books* LIII, no. 2 (February 9, 2006):14. See also Julie Flint and Alex de Waal, *A Short History of a Long War* (London, 2005); and Gérard Prunier, *Darfur: The Ambiguous Genocide* (Ithaca, 2005).
- ²⁴ UN OCHA, "Sudan: US Congress Unanimously Defines Darfur Violence as 'Genocide'," July 23, 2004, available at <http://www.globalsecurity.org/military/library/news/2004/07/mil-040723-irin03.htm>
- ²⁵ "The Crisis in Darfur," Written remarks before the Senate Foreign Relations Committee, Washington, D.C., September 9, 2004, available at <http://www.state.gov/secretary/rm/36032.htm>.
- ²⁶ *Agence France Presse*, "EU Lawmakers Call Darfur 'Crisis Genocide,'" September 16, 2004, available at www.middle-east-online.com/english/sudan/?id=11287.
- ²⁷ *Report of the International Inquiry on Darfur to the United Nations Secretary-General*, Geneva, 25 January 2005, 4, available at www.un.org/News/dh/sudan/com_inq_darfur.pdf.



The U.S.-UN Relationship—A Difficult but Necessary Partnership

Nancy Soderberg

The relationship between the United States and the United Nations over the last five years has been a tense one to say the least. Yet as the Bush administration struggles with the many world challenges it confronts—the war in Iraq, the war against terrorism, the war in Afghanistan, efforts by Iran and North Korea to seek nuclear weapons, and the crisis in Darfur, to name just a few—Washington is increasingly turning to the United Nations for help. Is the shift from UN-bashing to cooperation real? Is the UN up to the job?

The answers to those questions are complex. On the one hand, the early Bush effort to sideline the UN was never realistic. Despite its shortcomings, the UN is an essential partner in today's global challenges—simply because those challenges are just that—global. By definition, no nation—even the great, lone superpower—can meet them on its own. It is less a change of heart than the real world that is pushing the Bush administration away from the dangerous myth that it can go it alone. Whether the UN is up to the task depends less on the UN secretary general than on the willingness of capitals to work with Washington. It is far from clear that the world is prepared to do so.

Secretary General Kofi Annan will likely prove to be one of the body's most effective secretaries general in the UN's history. Despite many problems—poor oversight over the Oil-for-Food program and his son's business activities—his toughest challenge is overcoming member states' reluctance to reform the institution. He has set the path, but the world has declined to take up the challenge. Until it does, the United Nations will not be able to fulfill the goals of its Charter, and the U.S./UN relationship will remain a difficult—but necessary—one.

World Summit Reforms

Last September in New York most of the world's leaders gathered at the United Nations "World Summit" for what was supposed to be a strong endorsement of a visionary plan for global governance in the 21st century. But the ideological clash between the United States and much of the developing world brought the meeting to the brink of failure.

Weary diplomats had been scrambling to come up with face-saving compromises, but in the end, the member states failed to take up the challenge put forward by the secretary general. In brief, he laid out a good deal—for the United States and the developed world: get serious about investing in development, debt relief, and infectious diseases. In exchange, the developing world must get serious about the threats of terrorism and proliferation.

This summit was years in the making. In the aftermath of the international community's grave failures in the Balkans and Rwanda in the 1990s, Secretary General Annan set up several commissions to address the issue of protecting civilians when governments fail to do so and to look at ways to meet the developing world's urgent needs.

After the Iraq war in 2003, he recognized the gap in perceptions of threats between the developing and the developed worlds. For the United States, that threat is primarily terrorism and weapons of mass destruction; for the developing world, it is the threat of underdevelopment, poverty, debt, HIV/AIDS, and other infectious diseases.

Mr. Annan offered sensible proposals in his March report calling for the developed world to commit 0.7 percent of gross national product to development, ease trade barriers, and slash debt in exchange for a commitment by the developing world to implement good governance and get serious about ending support for terrorists and weapons proliferation. Such steps were part of the effort to reach the UN's Millennium Development Goals by 2015.

All summer, diplomats whittled away at draft after draft, making scant progress. Throughout the process much of the developing world had seemed stuck in the 1960s, arguing for the legitimacy of terrorism in liberation struggles, undermining the urgent need for UN management reform, and pathetically showing its inability to agree on how to expand the Security Council. The strongest opposition to the text was led by a collection of undemocratic states, including Pakistan and Algeria, and, increasingly, Russia and China, which have opposed any perceived intrusion on state sovereignty.

The United States also blocked progress. It fought against its own ideological hot buttons, such as the Kyoto Protocol on climate change, the International Criminal Court, specific levels of development aid, disarmament and nonproliferation, and abortion rights. Washington began to engage seriously only in mid-August when John Bolton, as the new U.S. permanent representative to the UN, sought initially to restart the process from scratch—thus annoying many and undermining a number of its own justified positions. The result of so many pressures from so many sides was a convoluted draft with pages of disputed text in brackets that diplomats were still arguing over as their leaders arrived in New York.

The end result was mixed.¹ The United States agreed that the specific targets for development assistance can be mentioned but not specifically endorsed. Diplomats, after much wrangling, agreed to recognize the world's responsibility to protect civilians and improve peacekeeping operations. For example, a new Peacebuilding Commission will focus on the needs of nations in and emerging from conflict. The Commission will succeed only if member states allow it to react to crises quickly and creatively. It will also have to be well staffed and well funded—something member states have not always been willing to do with other bodies.

Another important achievement was the replacement of the discredited Commission on Human Rights, hijacked over the past decade by Syria, Cuba, Libya, Sudan, and others into the club of the repressive. The new Human Rights Council, however, is at risk of simply replicating the problems of its predecessor. Member states still cannot agree that those eligible for election to the Council must at a minimum respect human rights. There is some progress. In the May 9, 2006, election for membership in the new Council, at least human rights violators Iran and Venezuela failed to garner enough votes for membership. Other abusers that had been on the Human Rights Commission, including Sudan, Zimbabwe, Libya, Syria, and Vietnam, were apparently shamed into not running. However, China, Cuba, Pakistan, Russia, and Saudi Arabia were among the 47 nations elected. The United States declined to run for the new body because, as U.S. Ambassador John Bolton aptly put it, “We want a butterfly. We’re not going to put lipstick on a caterpillar and declare it a success.”² Although the new body is far from perfect, the United States is wrong not to be on it. Like the International Criminal Court, the Human Rights Council is now a reality, and the United States should be working for change from within, not ignoring it from the sidelines. With time progress can be made in ensuring that members of the new Council have a strong commitment to the protection and promotion of human rights—and some day even to democracy.

The World Summit document also expressed agreement to some long-overdue updates to the UN Charter such as winding up the Trusteeship Council, marking completion of the UN's historic decolonization role, and deleting antiquated references to “enemy states” in the Charter.

Although important, these achievements are far from sufficient for preparing the UN and the world for the 21st century. They fail to address the toughest peace and security issues: terrorism, use of force, nonproliferation, and Security Council reform. Even after September 11, 2001, a hard-core group continues to block any definition of terrorism, preferring instead to cling to the 1960s mentality of supporting freedom fighters and to an anti-Israel effort to justify the continued terrorism of Hamas and Hezbollah. Until the developing world gets serious about terrorism, the United States cannot count on real help from the UN.

The World Summit also failed to address nonproliferation. That is a particular problem for the United States because of the grave threat that weapons of mass destruction might fall into the hands of terrorists. But the world does not yet agree on the issue. Secretary General Annan was right when he said the issue of nonproliferation is by far the biggest failure of the document. “Some states wanted to give absolute priority to nonproliferation, while others insisted that efforts to strengthen the Nonproliferation Treaty (NPT) must include further steps toward disarmament. Thus the failure of the NPT review conference in May was repeated.” Facing opposition from the United States, coupled with skepticism from the developing world, the proposals regarding disarmament and nonproliferation and criteria for the use of force are essentially dead.

So too is any change in the makeup of the Security Council. Four Security Council aspirant—Japan, India, Brazil, and Germany—failed in their efforts to create six new permanent seats, including two African ones. Africa rejected the proposal. But the members must keep trying. It is simply wrong for the Security Council of 2006 to reflect the world as it was in 1945.

The secretary general, acting on the recommendation of a distinguished panel, proposed two models, neither of which would alter the current veto system held by the five permanent members, the United States, China, Russia, the United Kingdom, and France. The two options were (1) the creation of six new permanent seats (Japan, Germany, one from Latin America [most likely Brazil], two from Africa, and one from Asia [most likely India]; or (2) the creation of a new category of nonpermanent, four-year seats selected from a new configuration of four regional groupings [rather than the current five]. The proposals failed to garner sufficient support. As Kofi Annan admitted, “Here, too, there is agreement on the principle, but the devil is in the details.” The second option was quickly rejected by those most hopeful of permanent membership, especially Germany. The first fell apart when the Africans could not decide which two nations should get the two seats, a task exacerbated by the fact that the Arabs are part of the Africa group. The three leading candidates, Egypt, Nigeria, and South Africa—all have strong cases, and it is not clear how the group will move the issue forward.

The world recognizes the need for a more inclusive body, but it seems unlikely that the five permanent members of the Security Council will agree to a change in the veto. Real progress will most likely not occur

until Britain and France agree to give up their seats in favor of a rotating EU seat. Officials of both countries turn pale at such a suggestion, and the United States certainly supports their continued presence on the Council. But neither country merits its own seat in today's world, and an overrepresentation of Europe will continue to hamper meaningful Security Council expansion.

Management Reform

The United States has rightly been pushing hard for management reform; Ambassador John Bolton has been one of its strongest proponents. Certainly there is a real need for management reform in order to strengthen accountability, ethical conduct, and management performance. There are four broad overarching initiatives. The first revolves around improving the performance of senior management. To address this issue, two new senior committees, chaired by the secretary general, were created in mid-2005—one dealing with policy issues and the other with management issues. These two groups, it is hoped, will increase the quality and expediency of top-level decision making. Furthermore, a new selection system has been developed in an effort to cast a wider net when it comes to the recruitment and selection process for senior officials. Finally, because some ethical lapses have been brought to light through things like the Volcker report, there is a new system in place to ensure that top-level officials are properly briefed on the broader system of UN rules, regulations, codes of conduct, and managerial systems.

One of the most serious shortcomings of the UN is in the area of oversight and accountability. To combat this problem, more rigorous controls have been instituted. These include the Management Performance Board, the Oversight Committee for the UN Secretariat, a comprehensive review of the Office of Internal Oversight Services (OIOS), and an enhanced antifraud and corruption policy. The United States is right to seek assurances that the OIOS will operate fully independently. Steps are also being taken to ensure ethical conduct so that the incidents of sexual exploitation by peacekeepers, in addition to reports of senior official misconduct and harassment, will never be repeated. Also, new ethics modules have been included in all training programs, and a UN-wide ethics training and certification program has been started. New protections have been put in place for whistle-blowers. To address allegations of sexual misconduct by field personnel, last year the General Assembly approved the creation of 19 new OIOS investigator positions as well as additional investigative resources. The UN is also investigating ways to make the organization more transparent.

These steps will certainly help the UN perform better and burnish its image in the world community. The secretary general is doing his part; it is the member states that are not moving on his recommendations for reform—as the vote of May 8 in the General Assembly delaying action yet again on the secretary general's reforms demonstrates.³ Over time that will no doubt change as nations become more democratic and recognize that the promotion of human rights and peace is in their interest. Until that time the UN can offer only limited but important assistance in today's crises. After five years of trial and error, the Bush administration is beginning to recognize where and how the UN is central to U.S. interests. The cases of peacekeeping, Iran, and Iraq are perhaps the most vivid examples of the new more constructive relationship.

Peacekeeping

President Bush came to office deriding peacekeeping and nation building, promoting a unilateral policy of preemption, and pursuing the myth that the United States can defend its interest on its own or with a select group of like-minded nations coming together in common cause. What the administration discovered is that today's global threats require a much more subtle approach, one that includes the difficult art of convincing others to follow us.

Today the United States is undertaking the largest nation-building efforts in history in Iraq and Afghanistan. It has supported large peacekeeping missions in Liberia, the Democratic Republic of the Congo, and Sudan. The UN is already stretched beyond capacity to meet these challenges. And as the weak African force in Darfur has painfully illustrated, African peacekeeping capabilities lag far behind those of the United States and other Western nations. To meet the growing peacekeeping needs in Africa, therefore, the United States should take the lead in pushing for nations with capable forces to build up an intervention capability in Africa that might prevent future genocides. After the Rwandan genocide and out of concern for a possible genocide in Burundi, President Clinton began to enhance the ability of African troops to be the first port of call when crises on the continent erupt. To his credit, President Bush has continued the program, which, since 1996, has been providing training and equipment to African nations that seek to enhance their peacekeeping capabilities and are committed to democratic progress, principles, and civilian rule. The French and British have also started training programs.

The U.S. training program, now called ACOTA—Africa Contingency Operations Training Assistance—includes three components: peacekeeping training for African soldiers; subregional training exercises that bring African troops together; and the equipping of troops. To date these various training programs are taking effect. Although not yet an intervention force, African nations are developing significant capabilities. The program has trained 8,600 peacekeepers from six countries. Senegal, Ghana, Benin, and Mali have deployed to support UN and

regional peacekeeping missions. Senegal, Malawi, and Uganda have all sent troops to participate in peacekeeping training exercises. The program has promoted interoperability, standard communication technology, and a common doctrine among African forces ready for rapid deployment to crises in the region.

Yet, as the failure of the African peacekeeping force in Darfur has painfully demonstrated, the training is too little, too late for today's crises in Africa. Western policymakers must give up the myth that they can ignore Africa's problems. If the West won't intervene itself, it must at least urgently train African forces to do the job. The best way to do so would be to charge NATO formally with the responsibility of creating a capable African intervention force that would ideally deploy under the UN's blessing. NATO successfully deterred the Soviet Union for decades. It now must take up today's challenge: the risk of failed states to its members' security.

Iraq

Having shunned the international community in its war against Iraq, the United States now finds itself virtually alone in the challenge, with nine of ten soldiers in the international coalition American and the United States bearing the burden of rebuilding the country. Although calls for an early withdrawal are gaining political popularity, the truth is that the United States will have to remain in Iraq until two key conditions have been met by the Iraqis: (1) a more stable political system and (2) a security force capable of taking over from U.S. forces the task of maintaining basic stability.

It is time for the United States to use its superpower status to secure international involvement in assisting the Iraqis, thus facilitating a faster U.S. withdrawal and a broader basis of support for the new Iraq. To do so will first involve convincing the regional powers that regardless of their view of the war a stable Iraq is in their interests and that the United States shares that goal—not a desire to control Iraq or its resources in the long term. Second, the United States must relinquish control of the political process and undertake a major diplomatic effort to secure broader international involvement in Iraq. It must now pursue the “Iraqification” of the political process.

To jump-start increased international engagement, the Iraqis should call for a Dayton- or Bonn-style international conference to secure an internal political agreement to end the insurgency and reach agreement with the international community on its role in assisting Iraq. Key issues will have to be put on the table, including perhaps the constitutional balance currently in effect. The UN can play a critical role in the process of gaining consensus among the key players. It can also help form a “contact group” made up of the key players, such as the United Nations, the United States, the United Kingdom, the European Union, the Organization of the Islamic Conference (OIC), Saudi Arabia, Turkey, Iran, and Egypt, which would press the Arab world to support a political compromise in Iraq, an end to the insurgency, and a new commitment by the Arab leaders and the international community to assist Iraq.

Although there is little for the UN to do in the security sector, it can play an important role in other areas. UNSC Resolution 1546 (2004) established the mandate of the UN Assistance Mission for Iraq (UNAMI) as requested by the government of Iraq. Those tasks include

1. assisting in the establishment of the government and holding elections,
2. promoting a national dialogue and consensus building on the national constitution,
3. advising the government of Iraq in effective government,
4. coordinating the delivery of reconstruction, development, and humanitarian assistance,
5. promoting human rights, justice, and national reconciliation; and
6. holding of a consensus.

UNAMI intends to increase its assistance activities in seven key areas: focusing on strengthening management capacity in the ministries, coordinating the provision of basic services, and supporting the restoration of the public infrastructure. On March 15, 2006, Ashraf Jehangir Qazi, special representative of the secretary general for Iraq, again asked for an increase in the number of UNAMI staff operating throughout Iraq. He asked for active UNAMI participation as the political process continued to unfold in the constitutional phase and as amendments were considered and laws enforcing constitutional provisions were drafted by the first parliament. He noted that the work of reconstructing the country's political institutions was only beginning and the United Nations had much to offer in that respect.⁴

In order for the UN to fulfill additional tasks, as well as the six key tasks outlined in UNSC 1546, it will need significant international assistance and enhancement of the necessary capacities within UNAMI. Key nations and organizations, including the United States, the EU, the Arab League, and the OIC, should provide all necessary assistance to UNAMI as it increases its assistance activities. The international community should also generously meet the funding requests of the Donor Committee of the International Reconstruction Fund Facility for Iraq and the UN Development Group Trust Fund. Debt relief will also be important. NATO should immediately grant the

UN's request for more dedicated air assets to assure greater operational mobility and flexibility.

The UN can also help to galvanize the international community to support more generous funding to civil society in Iraq and ensure that democracy programs are fully funded. The international community should focus on quick impact efforts that can demonstrate progress to an already disaffected population.

Iran

Despite the Bush administration's reluctance to negotiate through the United Nations, it has now put the UN front and center in the effort to rein in efforts by Iran to acquire a nuclear weapons program. Abandoning its early labeling of Iran as part of an "axis of evil" with Iraq and North Korea, the Bush administration is giving diplomacy a chance. Although force remains an option, it is no longer a first option. With Russia and China on the Security Council and strongly opposed to any tough sanctions, the United States has little chance of securing tough sanctions from the Security Council. Instead, it is working with the European Union to offer a new incentive package to Iran, including technology to build nuclear power plants for civilian energy, possible entry into the World Trade Organization, and expanded university ties. In order to get the package, however, Iran would have to cease nuclear enrichment first. If the international community can be satisfied that Iran's program is civilian, it will not oppose the country's efforts to acquire such technology for civilian energy uses.⁵ To date Iranian President Mahmoud Ahmadinejad has rejected any deal, asserting in essence that the issue is none of the international community's business.

Although the diplomatic dance to keep Iran's nuclear genie in the bottle will be a long and difficult one, by most estimates, Iran is years away from acquiring a nuclear weapon. With the United States bogged down in Iraq and Afghanistan, it would be hard pressed to rush to any military options. Though the UN Security Council is unlikely to support Washington's call for tough sanctions anytime soon, pressing the effort in the UN has helped to galvanize the European Union to seek a diplomatic solution. Even if that fails, the effort will help to make it harder for China and Russia to continue to oppose any meaningful action in the UN Security Council.

As with most things involving the United Nations, the effort to resolve the crisis with Iran is far from perfect. As always, it tends to involve a bumpy road of lowest-common-denominator decisions among the very different five permanent members (P-5) of the Security Council. But in the end, it always proves worth the effort.

Conclusion

Is the shift from UN bashing to cooperation real? Is the UN up to the job? Only time will tell. But success will depend less on who is the next secretary general than on whether the member states are willing to accept the deal Kofi Annan put forward to them on the 60th anniversary of the founding of the UN last September. The United States must recognize that its biggest challenge is to persuade the world to get serious about stemming the threat from terrorists and proliferators—a deadly combination. It can succeed only if the world follows. The UN may not be able to fight a war, but it can certainly help to persuade the international community to join the United States in that critical effort.

It is time for the United States to abandon the "superpower myth" that it does not need the rest of the world to stay safe and secure. That will require it to do more than demand reforms. It will require the United States to accelerate efforts to meet the concerns of the developing world and to convince them it understands their hopes and fears. It will also require the developing world to move past the debates of the 1960s over freedom fighters and sovereignty and begin to address seriously the threats of proliferation and terrorism. Progress will happen only with strong U.S. leadership on these issues, which has been lacking to date. If Washington understands that fundamental fact, we will all be a lot safer and the UN will be a lot more effective.

Notes

¹ The final report of the 2005 World Summit is available on the UN's Web site: www.un.org.

² ON-THE-RECORD BRIEFING BY UNITED STATES PERMANENT REPRESENTATIVE TO THE UNITED NATIONS JOHN BOLTON, January 25, 2006, Department of State, Washington, D.C. <http://www.un.int/usa/06jrb0125.htm>

³ For instance, on May 8, the General Assembly voted 121 to 50 to adopt a resolution affirming the oversight authority of the Assembly in administrative and budgetary matters, although it also offered support for Secretary General Kofi Annan's commitment to strengthening the UN. In April during a vote in the Administrative and Budgetary (Fifth) Committee, developing nations (the so-called G77) blocked Annan's management reform proposals, fearing they would strip the General Assembly of its oversight authority. The new resolution requests a number of detailed reports on the impact of the proposed reforms, which would likely cause further delays. See <http://www.unausa.org/site/pp.asp?c=fvKR18MPJpF&b=1616559>

⁴ <http://www.un.org/News/Press/docs.2006/sc9661.doc.htm>

⁵ Dan Bilefsky, "Europe to Offer Iran Conditional Incentives," *The New York Times*, May 16, 2006, A3.



America and the United Nations: A Delicate Relationship

Stephen Schlesinger

American presidents have always regarded the United Nations with a mixture of hopefulness and skepticism. Some of our leaders have openly championed the organization; others have downplayed its role. Most, nonetheless, gladly use the body when they feel it will advance their own policies. Moreover, whatever anyone in the White House thinks about the UN at any single point, the organization inevitably has to be bound up in Washington's calculations about international policymaking, for in almost every case in which the United States deals with issues abroad, at some point or other, it bumps up against the work of this global body. In any event, as the sole superpower on the planet, the United States exerts extraordinary influence over what decisions are made by this association of states, making it always strategic from Washington's point of view.

The current government in Washington, however, has carried the historic ambivalence of our leadership over the United Nations to considerable extremes. In his first term, President Bush publicly embraced a unilateralist America-first policy. He opposed or repudiated a number of global treaties and openly derided the United Nations. After the 9/11 attacks, however, he sought and won UN support for his assault on the Taliban and Al Qaeda in Afghanistan and for its help in creating a new government there. But he disowned the organization in 2003 when it failed to support the U.S. invasion of Iraq. Later he swung around again and convinced the UN to oversee three elections in Iraq, as well as assist it in writing its constitution. In his second term, Bush once again turned on the UN, appointing as his UN envoy, John Bolton, who had expressed personal antipathy toward the assembly and who, once in his post, partly derailed the UN reform efforts. Yet, within months, Bush switched gears again and got the UN to back his efforts to compel Syria to leave Lebanon, deal with the Asian tsunami, and pressure Iran to drop its nuclear program.

This checkered Bush record belies the fact that the United Nations actually has been, from the beginning, an American creation—not, as a number of the UN's harshest congressional critics sometimes allege, some alien body imposed from without on our nation. Indeed, it would not exist today without the leadership of two American presidents, Franklin Roosevelt and Harry Truman. The United States was the prime mover behind the creation of the United Nations at the San Francisco Conference in 1945. Both U.S. presidents, with strong bipartisan backing (along with 50 other nations), established the security organization—in place of “coalitions of the willing”—because they believed that following so closely on two disastrous world wars, the United States could no longer act alone to ensure peace in the world and avert the terrible possibility of a third world war except by working with a global body whose animating philosophy was “collective security.”

Still both presidents insisted that the UN body be a careful amalgam of idealistic and realist philosophies or else, they believed, it would surely fail, as had the League of Nations. Thus there was a General Assembly in which every nation had an equal vote and an equal voice, no matter what its size or population, and its domestic sovereignty was inviolate—but Assembly resolutions were to be merely a moral force, not a binding one, on the world community. Then there was a Security Council dealing with all war and peace matters, where only five countries (the United States, the Soviet Union, China, Great Britain, and France) had the veto and its decrees were obligatory for all member states—a recognition of the fact that only those powerful states could provide the troops and financing to uphold UN dictates.

Still Harry Truman, in his speech on the closing day of the San Francisco Conference, warned his own citizenry that there would undoubtedly be tension between the United States and the international body. He said: “We all have to recognize—no matter how great our strength—that we must deny ourselves the license to do always as we please.” Truman's cautionary note, suggesting that some sort of U.S. restraint on its formidable power might be necessary for the greater good of all nations, revealed a shadow cast on America's relationship with the UN, for, as Truman understood, within the American psyche there is an inherent contradiction between the U.S. reluctance to “entangle” itself in “permanent alliances” and, at the same time, our need, in this era of globalization, to seek the help of other nations to help to protect our vital national interests.

With such an age-old track record, it is understandable that every new president, whether a Democrat or a Republican, has looked warily as well as expectantly on the role of the UN, for each leader can see it as potentially limiting the field of maneuver for American foreign policy and possibly thwarting necessary requirements for our defense but can also, at the same time, view it as advancing U.S. policies. Usually, midway through their terms, most chief executives begin to acknowledge that the UN, in a majority of cases, actually helps enhance U.S. security rather than diminish it. The UN can give legitimacy in the world community to American actions abroad.

This was not at first evident at the UN during the early cold-war years when Russia and America blocked each other's actions in the Security Council. Still President Truman was able to get the UN to resist a Communist attack on South Korea. Eisenhower convinced the UN to help thwart the British and French takeover of the Suez Canal as well as send its peacekeeping troops to the canal to enforce a cease-fire. The UN aided Kennedy in resolving the Cuban missile crisis, and Nixon, in his turn, allowed the UN to admit China into the global community and end its isolation.

Both during the cold war and afterward, the UN expanded into many different fields to help to preserve the peace, helping to reduce Washington's role as the world's traffic cop. Despite East-West hostilities, for example, the Charter proved to be an immensely flexible document. Though the following duties were never mentioned in the original Charter, the Security Council, under its responsibility to maintain peace and security, was able to do some or all of the following during this period and even more so after the fall of the Berlin Wall: peacekeeping, peace enforcement, cease-fires, military training, arms inspections, policing, preventative diplomacy, election monitoring, nation building, and constitution writing.

America, as the richest land on Earth, has also found the UN helpful in other ways, especially in dealing with the world's social problems. Though the United States has remained a generous nation in aiding poorer lands, it now shares the burdens of assistance with other countries through such agencies as the United Nations Development Program, the World Health Organization, the Food and Agricultural Organization, UNESCO, the UN Environmental Program, the age-old International Labor Organization, the World Food Program, and the UN Refugee Agency.

The UN also helped to bring about common rules for global behavior, saving the United States from having to act as a world regulatory agency. For example, the UN became a significant lawgiver through World Court decisions and through its own international meetings that have helped to propose global legal standards—like the Rio Conference of 1972, which led to environmental laws, and its conferences on maritime and airline safety regulations. Indeed UN meetings have brought about more than 300 global treaties, which today serve as the foundation of world law. The UN also pushed hard for decolonization, for the most part peacefully. Finally and most important, it has served as a 24-hour diplomatic forum to help prevent the outbreak of more serious conflicts, including nuclear war.

With the end of the cold war, something new and significant happened—the Security Council, which was unable to function during the 1945-1989 era, returned to its proper enforcement role and is now, in fits and starts, beginning to operate as its founders originally wished. The five veto states, for example, acted together for the first time in 1991 to thwart Saddam Hussein's invasion of Kuwait during the First Gulf War. The Council has since sometimes sidestepped other crises such as the bombing of Kosovo. But more and more, in turbulent situations, big and small, the major powers have acted in concert (e.g., Lebanon, Syria, Haiti) to assure peace around the planet.

The UN is not a faultless organization. First, it is difficult to change the ways of doing things in the body—witness the collapse of the recent reform movement that resulted in, at best, only a modest restructuring of UN operations. Second, it is not always well-managed—the Oil-for-Food scandal is a well-publicized example, but there have been other instances of the UN failure of supervision, recently over UN peacekeeping troops. Finally, in major contemporary crises—for example, its current dithering on Darfur—the UN will act only if the member states together exhibit the political will to do something. Still, in the end, it is also clear that in almost all cases strong and determined American leadership can force decisions in the assembly. If the UN won't or can't act, the United States has reserved the right to act outside the UN's purvey.

Would America be able to survive today without the United Nations? Perhaps for a time it might—but over the long run our country would surely risk its survival. For without the UN, all states would eventually be thrown into a totally different kind of world—a world of hegemonic powers, lawless and borderless nations, chronic conflagrations, planetary despoilment, rampant and uncontrolled diseases, burgeoning populations of refugees, and nuclear-armed warlords and terrorists. The capacity of the global community to tackle the challenges of human conflict and world impoverishment would be severely diminished, if not rendered impossible. Democracies would wither in such pernicious climes.

One of the signal facts of life today is that the UN, for all of its responsibilities and undertakings, remains a relatively cheap organization to finance. The United States, as its biggest annual donor, now contributes 22 percent of its budget. That American contribution equals only about two days' worth of our yearly Pentagon outlays. In face of figures like those, one could well argue that the United States gets excellent value for its money.



Looking to a Refashioned U.S. Partnership with the United Nations

William H. Luers

American thinking about the world is changing, and the United Nations could well become an important partner of the United States in this new era.

The American people have always been more concerned about and interested in domestic affairs than in international issues and even less thrilled about the country's getting involved with other nations' problems. In 2005, for example, the Pew Research Center reported that 42 percent of the public felt the United States should "mind its own international business and let other countries get along as best they can on their own." When the Iraq war began in 2003, Americans were eager to support President George W. Bush in the U.S. patriotic duty to topple Saddam Hussein and his appalling regime, but before long they began to pull back their support for the country's remaining involved overseas. At the same time, the majority of Americans have consistently believed in and supported the ideals of the United Nations—with as many as 75 percent approving of the UN's work during the 1990s. More surprising, according to a 2004 Zogby poll, 77 percent of U.S. citizens said they want the government to seek out allies in dealing with global problems; 63 percent desire the promotion of freedom and democracy around the globe; and 88 percent want the United States to be a "friend" to the world.

I believe, therefore, that in the next few years, the American people will move toward new ways of thinking about the world. As Americans become informed about the state of international affairs, they will lean less toward isolationism and more toward pragmatic global engagement. As shown from the Iraq war, they are coming to realize that America must work with others to solve complex global problems. American ambitions regarding the U.S. role in the world are shifting from one based on the forceful projection of U.S. power to one dependent on alliance building and multilateral involvement. Beyond Iraq, this change in American thinking resulting from issues such as energy, the environment, immigration, and terrorism is creating the trend that will only grow stronger as time goes on.

A new engagement with the United Nations is likely to be one byproduct of this change. The UN system offers the best alternative to the United States for managing the many problems the world will face over the coming decades. The UN cannot solve all of these new problems on its own—but neither can the United States. New institutions to deal with such intractable issues as terrorism and illicit trade may be required, and creative American leadership will be the key to such new institution building.

A History of UN Support

"Since wars begin in the minds of men, it is in the minds of men that the defense of peace must begin," wrote American poet Archibald McLeish in the charter preamble of the UN Economic, Social, and Cultural Organization. This statement is one way to characterize the importance of the UN for Americans. U.S. administrations in the post-World War II era were supremely conscious of the importance of McLeish's charge "to build the defenses of peace." Indeed the founding of the UN in 1945 with the creative contribution and power of the U.S. government behind it was the first of many such defenses. Presidents from both political parties at the time consistently and creatively worked to build alliances and partnerships, helping to lead a new international world order.

Yet during that same period of great American statesmanship and vision, the United States failed to comprehend that consistent and constructive engagement in the UN was necessary to continue to "build the defenses of peace." Over the past six decades, the United States has not effectively pursued multilateral diplomacy through the UN or understood how best to engage other cultures. For example, it has not given high priority to understanding and trying to manage—much less accommodate—the needs and frustrations of people on other continents. This insensitivity and impatience have hobbled American strategic thinking about how to keep the peace overall.

It is surprising, as noted above, that American popular attitudes toward the UN have been remarkably positive during the organization's 60-plus-year history. Americans have generally found the idea and goals of the UN appealing, hopeful, and consistent with their own beliefs that through a shared democratic discourse problems can be resolved from the community to the global level.

It is important to point out that since the Iraq war, there has been a disconnect among Americans in understanding the importance of the UN and how it works. This has led to some unfavorable impressions of the world body. For example, most of the world felt that the UN Security Council acted correctly in not approving the U.S. coalition's decision to invade Iraq, whereas the U.S. reaction to that act was extremely negative.

Americans viewed the Council as standing in the way of the U.S. patriotic mission to remove Saddam Hussein from power. Between February and July 2003, when the United States invaded Iraq, polls indicated that the number of Americans who had a favorable impression of the UN dropped from about 74 percent of the population to an unprecedented 50 percent.

This decline was further damaged by the contentious—nearly two-year—investigation of the UN’s mismanagement of the Oil-for-Food program, which was designed to feed starving Iraqis and to limit Saddam Hussein’s importation of equipment for his presumed weapons of mass destruction program. The investigation process by Paul Volcker and a multitude of congressional committees cost well over \$30 million and produced much needed recommendations for improved UN management. Far more revealing, the Volcker report produced a list of thousands of private corporations around the world that operated outside the UN system and had special deals with Saddam Hussein that resulted in nearly \$10 billion in payoffs and illicit gains. But the media focused on what they termed the Oil-for-Food “scandal” and those few UN employees identified as having benefited financially from the program.

Today, however, the role of the UN is infinitely broader than building “defenses of peace in the minds of men” and far more important in managing world affairs than would be suggested by the extended U.S. media attacks over the Oil-for-Food mismanagement. The organization has no sovereign power, a tight budget, and a mandate limited by the UN Charter and by its member states; yet the UN remains a vital organization whose global responsibilities grow daily. Dag Hammarskjöld, arguably the greatest of the secretaries general of the UN, famously referred to this lack of power.

It is not likely that a world organization embracing so many disparate and, at times, antagonistic systems of government and national cultures could be held together on any other basis. The UN, therefore, must rely for the present mainly on the process of negotiation, persuasion, and consent to accomplish its purposes, and, above all, on the exercise of enlightened and moral leadership by those in positions of responsibility.

In a new era of reengagement with the international community, it is hoped that Americans will come to recognize that their perceptions of the UN and its role in the world differ dramatically from those of most other nations. In many parts of the world, where governments are not respected and leaders not honored, the UN is the most respected institution. In fact, a recent poll by the U.S. government found that the leader who commands the most respect around the world is the current secretary general of the UN, Mr. Kofi Annan.

New Top-Level Thinking about the World and the UN

Growing out of a change in public opinion, a number of factors are combining to pressure the U.S. government to adopt a more practical and team-oriented approach to today’s mounting global threats and problems as well. A list of such new factors includes the overextension of American power and ideological ambitions; the relative decline of American economic and political power; and the growing disenchantment of American voters with U.S. go-it-alone policies, not to mention the cost of keeping military forces around the world in pursuit of U.S. interests.

Of course, many obstacles remain to a closer U.S. partnership with the UN, not the least of which is the relative lack of awareness on the part of Congress and the American leadership of what the UN is equipped to do and what it cannot do. Moreover, U.S. confrontational tactics at the UN over the past year have polarized the member states and united nearly 120 states of the developing world in opposition to many of the UN reforms that the United States had hoped to achieve. The result has been a virtual standstill on many of the most critical reforms that could advance both UN and U.S. interests.

Despite these setbacks, a number of reforms are already in place that can equip the UN to work more effectively. A new Peacebuilding Commission has been set up to coordinate the work of all UN agencies and government programs in postconflict regions. A new Human Rights Council, far better than its predecessor—the Human Rights Commission—has been established. Virtually every nation, with the exception of the United States, has joined in its work. A new code of ethics that includes much improved financial disclosure and whistle-blower policies has been approved for all those who work for the UN. Moreover, a stronger deputy secretary general with powers delegated by the secretary general is now overseeing the establishment of greater accountability and clearer lines of responsibility so lacking in the UN of the past. Many other needed management reforms are in the process of being implemented.

Each of these improvements in the UN is likely to garner more U.S. support and leadership at the world organization—even at the highest levels.

The United Nations: America’s Partner to Meet Global Challenges

The real global problems facing the United States and the international community are entirely different from

those that faced the world when the UN was founded. Global warming, infectious disease, natural disasters, terrorists threats, the proliferation of nuclear weapons, genocide, collapsed states, illicit drug trade, and trafficking threaten to undermine international trade and order. Not one of these issues can be dealt with by the United States alone, and the American public and leadership are slowly realizing this fact. There has never been a time when the demands for global teamwork have been greater. The United States can expect much from a strengthened United Nations as a partner in meeting these global challenges. Take a look.

- **A safer Earth.** A range of environmental risks from deforestation to desertification increasingly demand that states work together. No longer can nations, including the United States, ignore efforts to curb climate change such as the Kyoto Protocol. Although countries and even cities and states can work to improve local practices, only the global community working as a whole can begin to limit the damage caused by manmade global warming.
- **A healthier population.** A number of UN agencies and programs, including the World Health Organization, the UN Children's Fund, and the Joint UN Program on HIV/AIDS, are uniquely equipped to deal with the mounting threat posed by pandemics and infectious diseases such as SARS, HIV/AIDS, and Avian Flu. Not only have the eradication of smallpox and the containment of the SARS virus been attributed to the work of doctors and scientists from the World Health Organization, but also the danger of Avian Flu's spread has been greatly diminished in many parts of the world thanks to the UN system.
- **A world respondent to disaster and human rights.** The United Nations Office for the Coordination of Humanitarian Affairs led by Jan Egeland has become the major coordinator of recent natural disasters from the Asian tsunami to the Pakistani earthquake to Darfur's hunger crisis. In addition, refugees and displaced people are the special subjects of UN operations worldwide. The UN High Commission for Refugees is one of the oldest and most effective UN agencies working closely with nongovernmental agencies and the UN High Commissioner for Human Rights to provide food, shelter, medical aid, education, and repatriation to 20 million individuals worldwide. No single nation or group of nations has the experience and professionals to manage what the UN has done—and continues to do—in the field of humanitarian relief.
- **A more peaceful planet.** Peacekeeping and peace building could not be carried out on the present scale without the UN. The organization's forces are deployed in more than 18 nations with some 85,000 blue-helmeted soldiers keeping the peace and rebuilding nations. This is the largest force in the world aside from U.S. forces—and yet the cost to the world for the UN to carry out these essential tasks is about 20 percent of the cost of deploying the U.S. military. Because of its "small footprint" and its geographically and ethnically diverse forces, the UN has been more successful than the United States in establishing long-lasting peace and representative governments. A recent RAND study comparing peace-building missions carried out by the UN and by the United States on its own found that of eight cases in which the United States was involved, only four were successful. Of the eight cases in which the UN led peace efforts, seven were considered successful. The UN will be in even greater demand in future peace-building and peacekeeping efforts.
- **A world that strives toward equality.** The work of the UN agencies such as the UN Children's Fund and Development Program work daily in all regions of the world to promote and protect the health and rights of women, children, the disabled, and the elderly. With focused efforts and programs on the ground, only the UN as coordinating body can address such a wide-scale effort.
- **A more connected globe.** In addition to all of the massive efforts noted above, the UN and its various agencies have a major—though not well-known—impact on a number of things people, including Americans, take for granted on a daily basis. For example, the UN establishes and coordinates global safety standards for air and sea travel, international mail, intellectual property rights, universal immunization, and much more.

Looking ahead, we can see that much work still needs to be done in the areas of strengthening the nonproliferation regime and curbing terrorism and illicit trade. New institutions or dramatically changed approaches may be required. Each of these criminal and violent challenges to world order operates under the radar of nations such as the United States and of the UN. Although the workings of the UN may continue to frustrate the United States, it is hard to imagine how America—and Americans—can think about a better world without reengaging with the UN. With ever more bold subnational groups threatening U.S. security, we need friends, allies, and common ground on which to mount our defenses. Most important, we need a common commitment to work with any and all nations that share our vision of a more orderly and peaceful world.



The United States and the United Nations: One Strand in a Multilateral Strategy

Shepard Forman

Multilateralism has traditionally been a strong if contested strand in the fabric of U.S. foreign policy. Especially as enshrined in the UN Charter, it is a decidedly principled concept intended to achieve the greatest common good through the cooperation of sovereign states. In idealists' terms, it is the post-Westphalian version of utilitarianism,¹ in which states see their overall national interest enhanced in the course of give and take, the trading off between their primary and secondary interests. The United States, for its part, has always taken a utilitarian view of the United Nations. In recent years, however, U.S. administrations have increasingly opted for the sharp edge of that initially ethical concept, utilizing the UN as an instrument to advance narrow U.S. foreign policy interests rather than as a doctrine for collective action designed to achieve "the greatest good for the greatest number of people." Utilitarian means have overtaken "utilitarianism" as a guiding principle and in the case of the UN are undermining broader strategic objectives, as requirements for collective action in Iraq and Iran make crystal clear.

The current administration's definition of the national interest has—in appearance if not in fact—all but ignored the country's historic predilection for creating a set of global and regional political and economic institutions, a predilection most conspicuously articulated in the aftermath of World War II. These institutions, the UN system, were intended to promote the normative and rule based infrastructure for economic integration and growth and regional and global peace and security. Designed to be the institutional pillars of human rights, development, and collective security, they represented a convergence of the defining principles of the global common good and the U.S. national interest in engaging the world without again being drawn into the scourge of war.

Successive U.S. administrations, of course, have utilized a mix of multilateral, bilateral, and unilateral approaches to foreign policy,² with the UN rising and falling in favor as it served U.S. objectives. Although occasionally berating and scapegoating the UN or allowing it to fall prey to adverse congressional interests and the withholding of dues, the administration was where the assumption of a rule based and orderly world could find common ground with allies and even some adversaries. For example, despite some highly visible exceptions,³ the United States has over time played a remarkable leadership role in advocating and underwriting major international conventions and treaties and the international regimes for their implementation, more than 500 of them through the UN. As Secretary-General Kofi Annan stated,

The aspirations of nations and of individuals for a better world governed by clear and predictable rules agreed upon at the international level are reflected in these instruments. The norms of international behavior expressed through these treaties make the modern world a far better place to live in than before.⁴

Would that the UN could serve as the realization of these aspirations!

As multilateral economic instruments coalesced around the Bretton Woods institutions, cold-war rivalries hobbled the UN politically, resting collective security primarily in NATO and in lesser known regional alliances such as the South Atlantic Treaty Organization as well. The UN *per se* was left with the remedial but no less important task of decolonization and a largely rhetorical role in economic development. Prior to the Millennium Summit, it took no active role in the promotion of this "body of treaties most central to the spirit and goals of the Charter, ..." ⁵ fearing that by doing so, it would be engaging in the domestic politics of its member states.

As its membership grew to 191, the UN became an often testy and sometimes destructive forum for diverse regional and national interests. It debated and forged lobbies for a range of "global public goods,"⁶ setting benchmarks and eliciting conference commitments that would go largely unfulfilled. Over time and sequentially, it extended traditional UN peacekeeping efforts across armistice lines to include a broad set of peace-enforcement and peace-building activities for which it lacked experience and resources. In the process of what many believed to be overreach, for which the Secretariat invariably shares some blame with the member states it claims only to serve, the UN itself—as opposed to its specialized agencies or the Bretton Woods institutions—came to suffer a major credibility deficit. The inability of the Security Council to resolve the Iraq crisis and stave off the war exacerbated this crisis of confidence and brought the institution, in the words of Secretary-General Kofi Annan,

... to a fork in the road. This may be a moment no less decisive than 1945 itself, when the United Nations was founded. We must now decide whether it is possible to continue on the basis agreed when the United Nations was first set up, or whether radical changes are needed to deal with threats ranging

from terrorism and weapons of mass destruction to the possibility that some States may act pre-emptively to respond to threats. . . . It is not enough to denounce unilateralism, unless we also face up squarely to the concerns that make some states feel uniquely vulnerable, since it is those concerns that drive them to take unilateral action. We must show that those concerns can, and will, be addressed effectively through collective action.⁷

In the aftermath of 9/11, the administration's preemptive security doctrine and declared war on terrorism came to define the U.S. national interest. Perceived unilateral or narrowly constructed coalition actions diverged sharply from others' ideas about how to achieve the common good, further undercutting confidence in the collective capacity of the UN to guarantee global peace and security. More than ever, the United States now relies on a mix of multilateral, bilateral, and unilateral approaches to achieve its foreign policy objectives. That these objectives may be earnestly viewed by the administration as "best for the common good" does not obviate the fact that the United States as *primus* among sovereign *paes* is a major determiner of the state and conduct of multilateral affairs, including the status and capacity of the United Nations.

A great deal has been made of late of a supposed crisis in multilateralism, conditioned in part by the UN's failure to prevent the war in Iraq. It is important, however, to distinguish between crises in determinate institutions such as the UN and diverse forms of multilateralism *per se*. Overall the multilateral system is dynamic and evolving, characterized by novel interinstitutional (e.g., the Global Environmental Facility) and extrainstitutional (e.g., coalitions of the willing) arrangements, multifaceted public-private efforts (e.g., the Global Alliance for Vaccines and Immunizations), and even private, individual initiatives (George Soros, William Gates, and Ted Turner come immediately to mind) to address a critical set of global problems.

The proliferation of these diverse and oft-times *ad hoc* multilateral initiatives reflect both intergovernmental institutional failings and the changing nature of the international environment in which states now must operate. By opening up opportunities to pick and choose among policymaking venues, they reinforce the individual state interest over the larger common interest. To a greater or lesser degree, those countries that can do so conduct their foreign policies by forum shopping, choosing mechanisms and modalities that seem best suited to the particular purpose at hand. In many respects, the United States has shown them the way.

This narrower conception of utilitarianism, however, is having a profound effect on established multilateral institutions, especially the UN. How many essentially political decisions are taken in the G-8 rather than at the Security Council? If the Security Council fails to agree on a strategy to contain Iran's nuclear ambitions, will the United States and some allies pursue an alternative "multilateral" course of action, thereby making a decisive choice regarding the "fork in the road" that Kofi Annan used to describe the crisis of confidence in the UN in the wake of the Iraq invasion?

The answer—inevitably yes—raises a more fundamental question about how the United States should think of the UN as one and perhaps a central strand of an essential multilateral strategy going forward. It is clear that the administration has recognized the utility of Security Council action with regard to both the Iraq and Iran confrontations, albeit in the latter instance after placing initial hope in the *ad hoc* ministrations of its European allies and Russia. But if it is to have the UN remain a viable alternative—even as a venue of last resort—the United States must cede it a greater measure of trust and support. If the United States wants to rely on the Security Council with regard to matters of nuclear nonproliferation, it will need to have the institutional capacity to make informed, independent decisions about the nuclear state of play, something it was clearly unprepared to do in the face of the U.S. information blitz regarding Iraq's supposed nuclear ambitions.

As for Iraq, if the United States wants a venue for collective action for nation-building there, then the administration should be decisive in its support of the Peacebuilding Commission and the Peacebuilding Support Office, as well as provide financial support to the Peacebuilding Fund. By the same token, if the United States wants to maintain regional peace and security while deploying its own forces in actions it deems central to the war on terrorism, it needs to help bolster the UN's faltering capacity for peace operations. And if it truly believes that state failure and undiminished poverty provide the fertile grounds for terror's growth, then it must pursue with vigor an agreed agenda in support of the global public good, especially in the areas of health, education, and poverty reduction.

Multilateralism in itself is not an unmitigated public good. Indeed, as the history of the UN itself makes evident, the transaction costs are often enormous and all too seldom yield commensurate results. Sometimes bilateral arrangements and even unilateral action can best serve the common agenda. But it is essential to have a credible place where that agenda is set as transparently as possible, where the rules and procedures are established, where legitimacy is derived from broad based and collective decision making, where coordinated and coherent efforts can be mounted, and where monitoring and accountability for the collective effort are

made possible. The UN should be that place. In the end it will require the goodwill and shared interest of at least the majority of the membership to begin to get it there, including the adoption of the critical reform package now languishing in the General Assembly.

But getting the UN to where it should be simply cannot be done without genuine leadership from the *primus inter pares*. If the United States wants to keep the UN ready as a viable and effective actor, it cannot continue to alternate between hectoring and selective use. Certainly it should not act in ways that deliberately weaken the institution. Rather it must take the lead in defining the UN's role and building its capacity to act in areas in which national and global interests coincide, a return to ethical utilitarianism in an otherwise dangerous and fragmented world.

Notes

- ¹ I use “utilitarianism” here in the manner of John Stuart Mill, in which the goal of “greater happiness” determines the means for its achievement. “. . . utility would enjoin, first, that laws and social arrangements should pass the happiness, or (as speaking practically it may be called) the interest, of every individual, as nearly as possible in harmony with the interest of the whole, and, secondly, that education and opinion, which have so vast a power over human character, should so use that power as to establish in the mind of every individual an indissoluble association between his own happiness and the good of the whole. . . .” John Stuart Mill, *Utilitarianism*, Indianapolis/Cambridge, 2001 (1861), 17.
- ² See Stewart Patrick and Shepard Forman, ed., *Multilateralism and U.S. Foreign Policy* (Boulder, Colorado, 2002).
- ³ The Comprehensive Test Ban Treaty, the Kyoto Protocols, the land mine ban, and the International Criminal Court are examples that give the impression that the United States is abandoning its historic adherence to the international rule of law.
- ⁴ “Foreword” by Kofi Annan, Millennium Summit Multilateral Treaty Framework: An Invitation to Universal Participation, United Nations, 6-8 September 2000, ix.
- ⁵ *Ibid.*, vii. Many of these treaties still lack the accessions and ratifications, including those by the United States, necessary for them to enter into force.
- ⁶ UN conferences in the 1990s set broad based and largely unfulfilled goals in the areas of environment, health, education, human rights, economic development, and social welfare.
- ⁷ Secretary General Kofi Annan, during the opening of the 58th plenary session of the General Assembly of the United Nations, Tuesday, September 23, 2003.



The United States and the United Nations: From Close Relationship to Estrangement

Fereydoun Hoveyda

Before becoming an American citizen a quarter of a century ago, I was an Iranian diplomat and for some 12 years an international civil servant with UNESCO in Paris. When I joined the Iranian Foreign Ministry in December 1944, my first assignment was to study and report on the documentation sent by the American Embassy about the forthcoming April 1945 San Francisco Conference on the founding of the United Nations. Thus began my association with the world organization either as an Iranian diplomat or as an international civil servant and the vantage point from which I witnessed the development of close relations between the United States and the UN in the 1950s, as well as their gradual estrangement. My assessment of the reasons for the decline in their cooperation is based on my personal experience.

The enthusiasm that the American ambassador expressed for the UN during his wartime visits to the foreign minister in Tehran should first be noted. He insisted on Iran's active participation and support. According to him, the president of the United States was personally following the matter and believed that the UN would become the guarantor of peace and world cooperation in the postwar years.

In order to understand the innovations in the projected new international organization that would replace the defunct League of Nations, recalling the steps that led to its creation should be useful. The first hint came as early as August 1941, when President Roosevelt and Prime Minister Churchill met aboard the *U.S.S. Augusta* "somewhere in the North Atlantic" and issued the *Atlantic Charter* that set forth a number of "common principles in the national policies of their respective countries on which they base(d) their hopes for a better future for the world." This was followed in January 1942 by the "Declaration by United Nations" signed by 26 countries (and later 21 other nations) that committed themselves to the program laid down in the Atlantic Charter. By October 1943 the leading powers of the wartime alliance agreed on the outlines of a new international organization to replace the League of Nations. In the Moscow Declaration of November 1, 1943, the United Kingdom, the United States, the Soviet Union, and China reaffirmed their common goals and pledged to remain united after the war in an "international organization based on the principles of the sovereign equality of all peace-loving states and open to membership by all such states large and small." In the fall of 1944, the same powers sent representatives to a series of meetings at Dumbarton Oaks where agreements were worked out on the main features of the proposed organization. Those features were finalized in February 1945 at the Yalta summit that also decided that the founding Conference of the UN would meet in San Francisco in April 1945.

As one can see, the question of *basic principles and values* was paramount in the establishment of the UN. References to human rights, equality of men and women, and political freedoms were included in the preamble and several articles of the draft Charter. Moreover, the creation of the projected organization was a constant goal of the Roosevelt administration even before the entry of the United States into World War II. Despite the death of the president shortly before the opening of the San Francisco Conference, as well as after the swearing in of President Truman, the UN remained a priority of U.S. foreign policy. In order to emphasize the importance it attached to the new organization, the United States gave its chief delegate the status of a cabinet member. Until the 1960s Washington sent to the sessions top diplomats and politicians who were among the most active participants in the debates and decisions of the different committees of the General Assembly, not to mention the Security Council. U.S. ambassadors such as Edward Stettinius, Warren Austin, Henry Cabot Lodge, George W. Ball, Adlai Stevenson, Arthur Goldberg (who resigned his seat on the Supreme Court to go to Turtle Bay), George H. W. Bush, Jeane Kirkpatrick, Madeleine Albright, and others were first-rate personalities known to the whole world.

Until the late 1950s the UN played an important role in U.S. foreign policy. Actually in the limited membership of those days, Washington enjoyed a comfortable majority both in the Security Council and the General Assembly. With the start and development of the cold war, the United States was able to stop a number of moves by the Soviet Union. For instance, when in 1950 North Korea invaded the South, the Security Council established a UN force under the command of America in order to defend the Seoul government. In a number of less grave situations, the organization backed Washington. It can therefore be said that the UN, at least during its first decade, played a major role in U.S. foreign policy.

It is not possible in a short article to dwell on all of the instances in which the United States reaped significant benefits from its cooperation with the UN. I would single out the 1948 *Universal Declaration of Human Rights* (UDHR) that was defended by Eleanor Roosevelt and adopted without opposition. In my opinion, this document constitutes the greatest achievement of the new organization. Indeed the havoc wrought by World War II made it urgent to reaffirm and defend the basic rights of human beings against authoritarian rulers.

That was a natural consequence of the confrontation between the democracies and the Axis alliance of Nazi Germany, Fascist Italy, and Imperial Japan. No member of the UN dared to vote against the UDHR. Only a handful of states (including the Soviet Union, South Africa, and Saudi Arabia, which denied most of these rights to their citizens) cast abstentions. In any case, the references to human rights in the Charter made necessary the specification of their nature and scope in a kind of universal bill.

In its 30 articles the Declaration affirms the equality of all human beings. It proclaims that all of them have the right to life, liberty, and the security of person; to freedom from arbitrary arrest; to a fair trial by an independent and impartial tribunal; to be presumed innocent until proved guilty according to the law; to freedom from interference with privacy, home, or correspondence; to asylum; to a nationality; to own property; to freedom of thought, conscience, and religion; to freedom of opinion and expression; to association and peaceful assembly; to elections and participation in government; to social security; to work; to rest and leisure; to a standard of living adequate for health and well being; to education; and to participate in the social life of the community. Mrs. Roosevelt and other representatives remarked during the discussions that the war, after all, had been fought to defend and reaffirm the rights of individuals against the despotism of dictators. The remarkable thing was that these rights and freedoms were declared by the General Assembly to be a “common standard of achievement for all peoples and nations” and that the secretary general and the specialized agencies were asked to help to spread awareness of them throughout the world.

But as the cold war developed and the membership of the UN swelled to include many petty dictatorships, the United States and other democracies put a lid on the human rights drive and courted authoritarian regimes like those in the Middle East and most of the third world. I remember that in the late 1950s, when I was an international civil servant with UNESCO in Paris and the process of decolonization multiplied the number of independent new states, a debate was ongoing in the UN and among American and European foreign policy experts: Should the almost totally inexperienced new independent states of Africa and Asia be immediately and unconditionally admitted to the world organization? Indeed the UN, which replaced the League of Nations, was created on the basis of a series of principles that were meant to oppose tyrannical and autocratic regimes such as Nazi Germany and Imperial Japan. According to some, conditions concerning respect for human rights referred to in the Charter of the UN should be specified and formally accepted and implemented by new members. Others were of the opinion that by signing the Charter, new members were bound by all of its articles, as well as its preamble. In short, the latter were for the universality of the organization, whereas the former envisioned a more selective forum. Most of the experts argued that the world needed a forum where all independent states could meet, discuss, and try to iron out their differences. The United States supported the universality of the United Nations, thus contributing to its present predicaments.

At the same time, the Soviet Union, through local Communist parties and so-called peace or nonaligned movements, tried to enlist “clients” in the third world against the United States and Western democracies. An indirect assault against the UDHR started; it took advantage of new Western philosophies about so-called cultural relativity and multiculturalism (Arabs, for instance, pushed in UNESCO for an Islamic Human Rights Declaration and so on). Those moves contradicted the spirit of the Charter and the Universal Declaration of Human Rights.

In the early 1960s, Washington suddenly faced in the UN a new situation in which a bloc of so-called nonaligned countries voted against its interests in the General Assembly. Because General Assembly resolutions (contrary to those of the Security Council) are not binding and its veto power protected it in the latter organ, the United States did not react strongly. It responded by showing a general contempt for the UN. After George H. W. Bush quit as ambassador in 1972, Washington appointed the journalist John Scali as its chief delegate to the UN without any cabinet ranking. This was construed in the UN as a downgrading of the organization. But after Nixon's resignation, a shift took place in the administration, and it was decided to send a prominent politician, Daniel Patrick Moynihan, who recounted his diplomatic experience in a memoir titled “A Dangerous Place.” In his eight-month term in 1975 and 1976, Moynihan alerted both his country and the international forum “to new forms of assault upon the democratic idea of human rights, which a new majority in the UN was trying to distort and which the developed democracies of the West were unwilling to defend.” In Moynihan's opinion: “At issue were the principles that underlie all political freedom and are basic to the United Nations itself.” Actually this is the rub. The United States contributed to this sorry situation by turning a blind eye on human rights abuses in many member states it needed for the purpose of the cold war, seemingly ignoring the fact that the UN was created on the basis of the principles of human rights and political freedoms.

With the end of the cold war and the implosion of the Soviet Union, the United States returned to its initial policy of defending human rights and democratic freedoms.

By glossing over the basic principles of the organization for many years and by admitting automatically all new nations without even reminding them of the principles that they should respect, a situation was allowed to

develop in which, to give one striking example, some of the most repressive governments entered the Commission on Human Rights and even chaired it. The scandal that ensued underlined the necessity of reforming the organization. But after two years of discussions, the members failed to live up to expectations. I examined the question of reform of the UN in a recent article.¹ I will not repeat my argument here and will simply say that it is up to the secretary general to remind the member states of their duties regarding human rights under the Charter and to report to the Security Council as well as the General Assembly those who are in contravention of the values on which the UN was founded.

At any rate, even with its many shortcomings, the UN is an indispensable tool of international diplomacy, and the United States should continue to use this venue to advance its goals and to protect its interests as well as those of other democracies. Indeed the resentment of the United States manifested at the UN by many member states is, at least in part, a remnant of the intense “anti-imperialist” propaganda conducted by the defunct Soviet Union and picked up by old leftists who have acceded to power in some countries under the guise of “populist” leaders. The cold war died out, but the opposition to human rights and democratic values continues on the part of more or less authoritarian regimes. One striking example can be found in the rise of radical Islamist movements especially in the Arab countries. It is obvious that people like bin Laden and his ilk want to perpetuate ultra-patriarchal institutions in their part of the world. Democratic values trigger basic changes. Hence, their opposition to reforms. The 9/11 attacks on the United States illustrate the extremes to which they are ready to go in order to stop the spread of human rights and democratic principles.

The United States should shelve whatever remains of its cold-war policies, particularly its support of authoritarian regimes in Asia, Africa, and the Middle East, and back the drive for human rights and democracy in the UN, as well as in the world at large.

Note

¹ “The Problem with the United Nations,” *American Foreign Policy Interests*, vol. 27, no. 3 (June 2005): 175-182.



The United Nations: The Failure of American Leadership

William J. vanden Heuvel

On October 21, 1944, President Franklin Delano Roosevelt spoke by radio to the nation about creating the United Nations. The President said:

When the First World War ended, I believed—and I believe now—that enduring peace in the world does not have a chance unless this nation—our America—is willing to cooperate in winning it and maintaining it.

. . . We have to back our American words with American deeds. . . .

FDR confronted the isolationist leadership of the Republican party directly and by name, acknowledging at the same time Republicans like Wendell Willkie and Henry Stimson who understood the bipartisan necessity of planning the United Nations organization. “Peace, like war,” the President said, “can succeed only where there is a will to enforce it, and where there is available power to enforce it. . . . We are not looking for a utopia,” he said. “The task of building the United Nations will need the judgment of a seasoned and a mature people and this the American people have become. . . . We shall bear our full responsibility, exercise our full influence, and bring our full help and encouragement to all who aspire to peace and freedom.” It was an important speech.

For the first time since FDR delivered that speech 62 years ago, the American government—both the White House and Congress—is controlled by forces who reject our historical commitment to the United Nations and deliberately undermine its possibilities. In the presidential election of 2000, the platform adopted by the Republican party of Texas, with 8,000 wildly cheering delegates and every major Republican officeholder in Texas in attendance, stated unconditionally that “all U.S. participation in the United Nations should come to an end.” We used to think that the ideological fringe whose attitude this statement reflected was less than 10 percent of the American public, but whatever the true measure of their political strength, they have a power in the Bush administration that extremists have never had before in American history.

Never before in the history of the world has there been an organization like the UN, which has a universal membership committed to the purposes of peace and social justice. To those who have honest concerns, a basic lesson should be repeated over and over again. The UN is not a sovereign entity. It is an association of sovereign member states. The United Nations is not a government. It is not an executive. It is not a legislature that can command the people of the world. It is not a court that can adjudicate and then enforce its decisions. It has no standing army, no air force, no arsenals kept ready to support its missions.

The United Nations is a mirror of a very imperfect world; it can do only what its 191 members permit it to do. The success of the United Nations depends on America’s constructive leadership. Kofi Annan has said on many occasions that “the idea that a peaceful and prosperous world can be organized without the active engagement and leadership of the United States is not credible.” The national interests of the United States can be advanced if our government has the will and skill to do so, but because of our veto and our power, nothing significant can happen in the UN that adversely affects us.

That is the reality. Most Americans are fair-minded and are willing to listen and learn, but in the complicated field of international relations where the President has primary power, it is the President and his spokesmen who must explain American interests in our participation and leadership of the UN. Absent that powerful advocacy—and it has long been absent—the enemies of the UN, well financed, well organized, and unencumbered by any need, desire, or responsibility to make balanced presentations to their audiences, have changed the political landscape of our country.

Despite the uninterrupted assault on the UN by the neocons for more than 30 years, the astonishing thing is the continuing support of the United Nations by a strong majority of the American people as registered in every poll. President Clinton once analyzed why political leaders pay scant attention to these polls, saying that those who hate the UN, vote their position, whereas those who support the UN have many other priorities that define their vote. But what if a President took a chance and went to the people to explain why it is in our national interest to take certain initiatives, might not this positive, constructive approach find support and encouragement from the clear majority of Americans who want the UN to succeed? Presidential greatness is made from that kind of leadership.

The UN agenda is often dominated by the nonpayment, the partial payment, the conditional payment of America's assessed dues. The problems of American participation in the United Nations have nothing to do with money. The annual assessed share of the United States for the \$1.4 billion annual UN budget amounts to \$310 million, about the cost of one half a day of our presence in Iraq. The United States has a \$2.5 trillion national budget. Its economy produces a gross national product of more than \$9 trillion. In that context certainly an appropriation of \$310 million to fulfill a significant international treaty obligation is not an onerous burden. In fact the money spent on UN assessments is probably the most cost effective dollar spent for our national security. The assault on the UN is not to save money. The objective is to undermine the United Nations, to diminish it as an obstacle to American hegemony in international affairs, to make it marginal and irrelevant to the exercise of American power.

American policy relating to Iraq was profoundly influenced by White House radicals. Richard Perle, as chairman of the Pentagon's Defense Policy Board, played a leading role. On March 21, 2003, the invasion of Iraq having begun, Mr. Perle wrote in *The Guardian*: "Saddam Hussein's reign of terror is about to end. He will go quickly but not alone—he will take the UN down with him. Thank God for the death of the UN."

John Bolton, the first U.S. permanent representative to the UN to be a recess appointment, is in the Perle mold. When the responsibility for managing the UN relationship is given to those who have spent their careers trashing the organization, what conclusion is possible except to understand that the real objective is to destroy the framework of international governance that bipartisan efforts have created over the last 60 years. Aware of what they say publicly, do we have any doubt about the destructive anti-UN discussions these radicals have among themselves and in policymaking sessions protected by the unparalleled secrecy of this government?

The terrorist attacks of September 11 compelled our government to go to the UN, the only place where the necessary international coalition could be organized quickly. The results were impressive—the military defeat and ouster of the Taliban government, the election of President Karzai, the opportunity to defeat Al Qaeda with the economic and political support of an international coalition. France and Germany to this day remain leading countries in supplying forces and resources to help the new Afghanistan resist the constant threat of Taliban resurgence. Our terrorist enemy is deeply rooted in many countries. Al Qaeda is an enemy against whom the strongest army in the world has only a limited effect. It is an enemy that can only be defeated by a universal coalition of nations. The UN enabled Pakistan and other Muslim countries to join us in the disruption and destruction of the Taliban government and the Al Qaeda leadership. The UN response enabled member states to express their overwhelming support for America and Americans in a time of crisis. By closing ranks to break up terrorist cells and the fanatic groups that threaten democracy everywhere, the UN and the United States took a giant step together to strengthen international governance under the rule of law.

As Mr. Perle indicated, those who crafted the unilateral invasion of Iraq anticipated the added dividend of making the UN irrelevant not only in Iraq but in the larger framework of international problems. The government's decision to go to war in Iraq was made recklessly, endangering the very purpose of its action by its disdain of the United Nations. The postwar planning for Iraq was criminally inadequate. We are left as "an occupying power in a bitterly hostile land" and those words of his father should remind his son that George Herbert Walker Bush once led both the United States and the United Nations brilliantly in the Gulf War, a struggle where France as well as the United Kingdom, where Germany as well as Japan, where Arab nations as well as Israel, where Turkey as well as Mexico stood with us and even paid the financial burden of \$100 billion.

The ideologues who control the policies affecting the UN may hear what the majority of Americans express as their hope, but they do not listen, and when all is said and done, they do not care. As James Traub wrote (*The New York Times*, October 26, 2003), "Today's Republican Party is arguably the most extreme—the furthest from the center—of any governing majority in the nation's history."

For those who believe in the ideals of the United Nations, who understand its achievements and possibilities, who are aware of its limitations and prepared to work as did the generations before us to repair its deficiencies and strengthen its structure—for those the time has come to stand up to the extremists with a response that is forceful, tough, truthful, and unrelenting. If we believe in internationalism, in America's role in leading the world toward democratic values, in the United Nations as an important instrument in the age-old struggle to control war and violence, then we must do battle to save the hope that great generations of Americans before us have given to the world.

When all is said and done, if the UN is to be successful, the United States must fulfill the responsibilities of the world's only superpower and lead it not by command and directive but by diplomacy and careful concern for the interests of others.

Presidential leadership is absolutely vital to our role in the UN. Congress can be hostile, the extremists can continue their rhetorical explosions, but if the President is clear in his purpose and willing to exercise the necessary political will, the United States can inspire the world by making the UN a powerful, effective instrument in the governance of a world that pleads for our leadership.

What is so frustrating is to know how eager the world is for America's leadership—and how incapable we seem to be of responding constructively. We are as we have been for the last 60 years, the most powerful military, economic, cultural power the world has ever seen. But if history is our guide, we know that the window of opportunity for the beneficent exercise of our power will not remain unchallenged. Other nations will emerge in this century that will rival us and challenge our dominance. We will deserve the harsh judgment of our grandchildren if we fail to use this extraordinary time and opportunity to create a better world organized on the rule of law with the United Nations as part of that historic achievement.



Policy Recommendations

The analyses in this publication testify to the National Committee on American Foreign Policy's judgment that the U.S. commitment to the UN is a vital interest of state. Such a commitment would not impinge on the freedom of the United States to attain its interests unilaterally if collective means fail to measure up to the task. The UN is structured to protect the sovereign rights of member states.

As an international institution, the UN, though in need of deep reform, does serve the interests of the United States. Among other things, it provides a singular and important arena in which American interests can be promoted. These interests cannot be met exclusively by the geostrategic projection of military might. They can be met by cultivating goodwill between the United States and member states throughout the world.

- The goal of U.S. policy in the UN is to convince the membership to work with the United States to achieve mutually beneficial objectives. This will involve give and take and compromise, as in any political process. In view of the UN's universal sway, a dynamic U.S. foreign policy conducted via the organization would provide an opportunity for the United States to lead by setting an example for others to follow, notably in adhering to the principles of international law, which are necessary for the implementation of essential international policies favoring the public good. Without U.S. leadership, progress in controlling the spread of weaponry, from small arms to nuclear and biological weapons, will be difficult to achieve.
- Similarly, a salutary foreign policy that includes awareness of the sensibilities of the overwhelming majority of developing states represented in the General Assembly can help the United States to obtain necessary changes in the UN body. For example, some *quid pro quo* should be pursued in negotiations with members of the developing world over "management reforms" originally put forward by Secretary-General Kofi Annan and supported by the United States.
- With regard to membership in and enlargement of the Security Council, the United States should press for strict adherence to Article 23 of the Charter that requires in the election of nonpermanent members that "due regard [be] paid in the first instance to the contributions of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organization, and also to equitable geographic distribution." The current practice ignores "the first instance" criteria and focuses entirely on "geographic distribution," resulting in weak states occupying seats on the Council by virtue of the rotation principle used within various regional groups.
- Because human rights are an integral factor in the U.S. foreign policy equation, the United States must insist that the record of the newly created Human Rights Council, replacing the Human Rights Commission, be carefully scrutinized at the conclusion of its first year of operations.

In conclusion, the National Committee on American Foreign Policy reminds policymakers that realism in international relations requires that member states recognize that we cohabit the planet with a diversity of people who may differ in culture, race, religion, language, and social order but who share the common aspirations evoked in the Preamble to the UN Charter: "to promote social progress and better standards of life in larger freedom, and for these ends to practice tolerance and live together in peace with one another as good neighbors."



Contributors

Joseph R. Biden, Jr. (Democrat–Delaware) was first elected to the United States Senate in 1972 at the age of 29 and is recognized as one of the nation’s most powerful and influential voices on foreign relations, terrorism, drug policy, and crime prevention. He has played a pivotal role in shaping U.S. foreign policy for more than three decades. He is the ranking Democrat on the Senate Foreign Relations Committee and is a student of history, respected at home and abroad for his well informed, common-sense approach to the complexities of American foreign policy issues.

John R. Bolton was appointed by President George W. Bush as U.S. permanent representative to the United Nations on August 1, 2005. Prior to his appointment (from May 2001 to May 2005), he served as undersecretary of state for arms control and international security. Ambassador Bolton has spent many years in public service. Previous positions he held are assistant secretary for international organization affairs at the Department of State, 1989-1993; assistant attorney general, Department of Justice, 1985-1989; assistant administrator for programs and policy coordination, U.S. Agency for International Development, 1982-1983; general counsel, U.S. Agency for International Development, 1981-1982.

Lawrence S. Finkelstein, as an intern and junior professional in the U.S. State Department assigned to work with Ralph J. Bunche, attended the Dumbarton Oaks Conversations and the San Francisco Conference on International Organization that drafted the UN Charter in 1945. He served with Bunche in the UN Trusteeship Department. He later was vice president and director of studies at the Carnegie Endowment of International Peace, secretary of Harvard University’s Center for International Affairs, and deputy assistant secretary in the Department of Defense, Office of International Security Affairs. He is the author of scores of articles on international affairs and the editor of *Politics in the United Nations System*. He also served as professor of political science at Northern Illinois University from 1973 to 1995.

Shepard Forman is director of the Center on International Cooperation at New York University. Before founding the Center, he directed the Human Rights and Governance and International Affairs programs at the Ford Foundation, where he also was responsible for developing and implementing its grant-making activities in Eastern Europe, including a field office in Moscow. Dr. Forman has served on the faculties of a number of universities, including the University of Chicago; has done field research in a number of countries, including Brazil and East Timor; has written a number of books and articles; and has edited a number of books, including *Diagnosing America: Anthropology and Public Policy*, which examines the application of anthropological studies to social problems in the United States.

William vanden Heuvel served as deputy U.S. permanent representative to the United Nations and as U.S. representative to the European Office of the UN. Ambassador vanden Heuvel also served as executive assistant to General William J. “Wild Bill” Donovan, special counsel to New York Governor Averell Harriman, and assistant to Attorney General Robert F. Kennedy. Ambassador vanden Heuvel, a former president of the International Rescue Committee, is a lawyer and investment banker in New York. He is chairman of the Franklin and Eleanor Roosevelt Institute and vice chair of the World Federation of United Nations Associations.

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Edward C. Luck is professor of practice in international and public affairs and director of the Center on International Organization of Columbia University. From 1984 to 1994, he served as president of the United

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William H. Luers is president of the United Nations Association of the USA (UNA-USA), a center for innovative programs to engage Americans in issues of global concern. Prior to joining UNA-USA in February 1999, Ambassador Luers served for 13 years as president of the Metropolitan Museum of Art, New York City. Before his move to New York in 1986, he had a 31-year career in the Foreign Service. Ambassador Luers served as U.S. ambassador to Czechoslovakia (1983-1986) and Venezuela (1978-1982) and held numerous posts in Italy, Germany, the Soviet Union, and in the Department of State, where he was the deputy assistant secretary of state for Europe (1977-1978) and for Inter-American affairs (1975-1977). He speaks on foreign affairs, diplomacy, the UN, and the arts and has been widely published on foreign policy issues.

Benjamin Rivlin is the project director of the National Committee on American Foreign Policy's new project, U.S.-UN Relations. He is director emeritus of the Ralph Bunche Institute for International Studies and professor emeritus of political science at the City University of New York, Graduate School and University Center. Dr. Rivlin is a founding member of the Academic Council on the United Nations System (ACUNS). His publications include *Ralph Bunche: The Man and His Times* (ed.) (New York, 1990); *The Challenging Role of the UN Secretary-General* with Leon Gordenker (New York, 1993); and "The UN Reform Conundrum," *American Foreign Policy Interests*, vol. 27., no. 5 (October 2005): 365-384.

Stephen Schlesinger, an attorney, is the director of the World Policy Institute at the New School in New York City. He spent four years as a staff writer at *Time* Magazine. For 12 years he served as Governor Mario Cuomo's speechwriter and foreign policy adviser. In the mid-1990s Mr. Schlesinger worked at the United Nations at Habitat, the agency dealing with global cities. He is the author of three books, including *Act of Creation: The Founding of the United Nations*, for which he won the 2004 Harry S. Truman Book Award; *Bitter Fruit: The Story of the U.S. Coup in Guatemala* (with Stephen Kinzer), and *The New Reformers*.

Nancy Soderberg is a trustee of the National Committee on American Foreign Policy. From 1993 to 1996, she was the third-ranking official at the National Security Council, and from 1997 to 2001, she was a U.S. ambassador to the United Nations. Currently a distinguished visiting scholar at the University of North Florida, Ambassador Soderberg is the author of *The Superpower Myth: The Use and Misuse of American Might*, 2005.

Thomas G. Weiss is presidential professor of political science at the Graduate Center of the City University of New York and director of the Ralph Bunche Institute for International Studies where he is also codirector of the United Nations Intellectual History Project. He has written extensively about international organizations, peace and security, humanitarian action, and development.





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