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Accused of irrelevance and deeply divided over Iraq, the United Nations has never mattered more

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Whatever their stance on a war in Iraq, policymakers and pundits seem to agree on one thing: The present crisis puts the relevance and credibility of the United Nations on the line. Voicing concern about the future of the 58-year-old body has become a central part of the administration's daily campaign to marshal support for its Iraq policy. President Bush made the case again in a speech on Wednesday: "If the [Security] Council responds to Iraq's defiance with more excuses and delays, if all its authority proves to be empty, the United Nations will be severely weakened as a source of stability and order. If the members rise to this moment, then the council will fulfill its founding purpose."

To an international lawyer -- or simply a longtime observer of foreign policy -- what is most striking is just how relevant the United Nations has become. The Security Council sat on the sidelines for so many years during the Cold War that the watching public forgot to take the U.N. Charter seriously. But the U.N. has been at the center of the unfolding drama over Iraq since Bush's speech there in September. Indeed, the charter's vision of a global institution to deal with threats to international peace and security is closer to being realized than at any time since the U.N.'s founding in 1945. And contrary to all the bluster on both sides of the Atlantic, that will continue to be true, regardless of whether the United States and Britain get their second resolution before going to war against Iraq.

The framers of the charter hoped to create an institution that would overcome the defects of the League of Nations, the collective security mechanism championed by President Woodrow Wilson in the aftermath of World War I. The League was founded on the principle of mutual defense; every member pledged to come to the other's aid if attacked. By 1945 -- after an inter-war period marked by Italy's invasion of Ethiopia, Japan's invasion of Manchuria and the re-militarization of the Rhineland -- the League was regarded as a failed product of Wilsonian idealism.

The United Nations, by contrast, was built on a foundation of realism. In the spirit of the League, all nations were to be represented and to have an equal vote in the General Assembly, but the U.N. Security Council was designed to reflect the realities of power -- that is, the power structure as it stood in 1945. The United States, Britain, France, China and the Soviet Union would agree to join an institution with teeth only if they could prevent it from acting against their interests. Hence, each was given a veto. On the positive side, the vote of a majority of the 15-member Security Council, absent a veto, was deemed to express the will of the international community sufficiently to establish the existence of a threat to international security and to authorize the use of force in response.

President Bush has called on the U.N. to fulfill its “founding purpose.” In 1945, that purpose was clear: “to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind.” The U.N.’s founders understood that peace could not simply be proclaimed, that dictators would rise again and that sometimes force simply had to be met by force. But at the dawn of the nuclear age, they also understood that the unrestrained use of force by one nation, or even by a group of nations, could end in catastrophe. Thus they sought to empower and restrain states simultaneously. The charter establishes a concert of great powers with the incentive and wherewithal to act, but requires them to ensure that armed force can only be used “in the common interest.” The inherent tension between these two principles is precisely why we have seen the pushing and pulling of the past few months.

What is happening today is exactly what the U.N. founders envisaged. The world's major powers, through the Security Council, are publicly -- and heatedly -- debating a response to a major threat. Contrast this with the major wars of the past, in which brute force replaced bargaining far sooner. And rather than trading resolutions, the parties brokered backroom deals.

The brawling over Iraq also represents a dramatic change from the standoff that characterized the Security Council during the 40 years of the Cold War. The U.N. has functioned in different ways at different times, and sometimes barely at all. The Korean War was fought under a U.N. banner (with the United States providing most of the troops), but only because the Soviet Union was boycotting the Security Council and thus failed to exercise its veto when the resolution authorizing the use of force against North Korea was presented. Yet, by the end of 1955, the veto had been used 82 times, 79 of them by the Soviet Union.

In the 1960s and 1970s, the U.N. was much more active as an arbiter and peacekeeper in the many conflicts that emerged from decolonization. When superpower rivalries did not get in the way, it was able to send troops to the Congo in 1960, adopt an arms embargo against South Africa, sanction Rhodesia and police the demilitarized zone in Cyprus.

After the end of the Cold War, in the heady days of the early 1990s, the U.N. came into its own, or so it appeared. In 1991, the first President Bush led the U.N. coalition that evicted Iraq from Kuwait. A series of major U.N. missions followed in rapid succession: Somalia, Cambodia, Haiti, Bosnia and Rwanda. This series of actions promoted the false assumption that the U.N. could act on its own -- that a Security Council resolution was itself somehow a solution to the underlying problem. That assumption misconstrues the very nature of the institution. While the U.N. was initially intended to have its own military force, that force never materialized. (The current president is hardly the first leader, either here or abroad, to chafe at the idea of troops under the command of the U.N. flag.) The U.N.’s power derives from its status as a forum for debate and a framework for action. Instead of being a substitute for great powers, it was designed to depend on them.

The U.N. was founded on the premise that some truths transcend politics -- that, in the words of the charter, “the acceptance of principles and institution of methods” could ensure that “armed force shall not be used, save in the common interest.” This belief could be sustained in 1945, after the shared experience of the horrors of World War II. But by 1951, superpower politics

had made the definition of a threat into a subjective, endless debate. Common interest? In the hardening stalemate between the United States and the Soviet Union, there was no such thing.

The Iraq crisis has brought the U.N. back to its beginnings. Today, nations as diverse as Syria, Angola, Russia and the United States again see a common interest. Even France and Germany have declared that “Iraq must disarm” and that “full and effective disarmament remains the imperative objective of the international community.” The vast majority of the nations of the world agree on the underlying problem even when they disagree on the implementation of a solution.

So if the United States goes to war without a second resolution, will the United Nations be irrelevant? Not likely. Consider the bottom line of the draft U.S. resolution now on the table. The administration seeks only to have the council decide “that Iraq has failed to take the final opportunity afforded to it by Resolution 1441” and to “remain seized of the matter.” The United States is not asking for a direct authorization of the use of force; it claims that we already have that authorization under a long string of previous resolutions. The competing French and German resolution seeks to extend the time for inspections. So if neither side gets a majority, as is quite possible, we may still go to war arguing that we are enforcing the will of the international community as expressed through the United Nations. And if the war is successful, the U.N. is very likely to authorize the action after the fact.

In a speech on Wednesday, the president said: “We helped to create the Security Council. We believe in the Security Council -- so much that we want its words to have meaning.” Most Americans will continue to believe in the Security Council, and in the United Nations, even if the Bush administration fails to get a second resolution. Because the United States will need the United Nations more than ever in the aftermath of war -- to provide for refugees, to monitor human rights violations, above all to establish a transitional administration with genuine legitimacy -- all the things we have called on it to do in Afghanistan.

And the U.N. will need us. As its founders, especially Franklin Roosevelt, understood, a global institution without the leading global power cannot work. Indeed, ironically enough, Bush may prove to be the U.N.’s best friend. The more he seeks to use American power to rid the world of threats, at least as he defines them, the more other nations in the world will need a forum in which to engage and restrain the United States. That is exactly what they have done since last September, forcing us to move more slowly than we would like, to make our case more publicly, to give inspections a chance. That forum, now and in the future, can only be the U.N.