

The Challenges of the Twenty-First Century

IN LOOKING AHEAD to future security operations, we retain our focus on the political dynamics that propel UN activities. The political landscape, which reappears in the next two parts of this volume, helps us situate whether and how the world organization can respond to contemporary security challenges that confront both member states and the secretariat, or what we called at the outset "the two United Nations." Before analyzing the overall dynamics, we begin with a lengthy look at September 11, WMD, and the war against Iraq, crucial events for the UN as well as for the United States in the second half of the first decade of the twenty-first century.

AFTER SEPTEMBER 11, WHAT'S NEW?

This future-oriented chapter about the UN and security begins by examining the events since September 11, 2001, and the so-called war on terrorism.¹ A few days after the tragic attacks on New York and Washington, which killed some 3,000 civilians, twice the number of combatants who died in the Japanese attack on Pearl Harbor in 1941, Secretary-General Kofi Annan outlined the relevance of the topic: "Terrorism is a global menace. It calls for a united, global response. To defeat it, all nations must take counsel together, and act in unison. That is why we have the United Nations."²

A person who identifies as a liberal internationalist, like the Secretary-General, would be expected to say that the UN, the organization with the primary responsibility for the maintenance of international peace and security, should be at the forefront of the international response to terrorism.³ A realist, however, who emphasizes national power in the pursuit of national interests, might or might not agree. And an American exceptionalist would probably not agree, since that type of person does not usually believe that on questions of national security the

exceptional United States should be restricted by multilateral considerations. This position prevailed in the U.S. approach to Iraq in 2003.

In addition to drawing the world's attention to the issue of terrorism, the events of September 11 brought into sharper focus the post-Cold War world's problem of disarmament, proliferation, and regulation of weapons of mass destruction. In light of Russia's lack of control over the former Soviet regime's WMD stockpile, the possibility that terrorist groups could get their hands on such weapons emerged as yet another critical security concern on the world body's agenda. Moreover, the possibility of rogue regimes' allying themselves with terrorist groups—exemplified by the United States's tenuous and ultimately erroneous linkage of Hussein and Al Qaeda—renders the issue of WMD even more urgent. At the dawn of the twenty-first century, the security threats posed by terrorism and WMD figure prominently on the radar screens of UN member states.

Terrorism

As for the history of the UN on the issue of terrorism, until the 1990s terrorism was dealt with almost entirely by the General Assembly, which approached the issue as a general problem of international law rather than one relating to specific events or conflicts. The twelve existing UN conventions related to terrorism identify particular forms of outlawed action but contain no definition of terrorism *per se*.⁴ The lack of consensus among member states about the definitional issue exposes a rift in the world organization. It also explains at least in part why the UN has not been central to this problem. The UN can only act when its members allow it to act, on the basis of agreed ends and means.

The struggle over how to define terrorism is affected by many concerns of various states, such as their wanting to protect the option of small-scale and supposedly nongovernmental violent resistance to foreign occupation, like the French resistance against Nazi Germany in the 1940s. Other states want to protect the option of using small-scale and supposedly nongovernmental force to harass what they see as unjust domination, as the American colonists did early on against their British masters.

Reaching broad transnational agreement on the definition of terrorism is no easy matter. Some states may find it useful to oppose the terrorism *du jour*, but they also want to preserve their freedom in choosing force in the future.⁵ There always have been two main sticking points: The first was captured by the expression "your terrorist is my freedom fighter"—that is, many developing countries justify armed violence by those fighting for national liberation. The second was whether "state terrorism" should be included in any definition agreed on by the vast majority of member states—the use of force by Israeli and more recently U.S. forces, for many, is mentioned in the same breath as suicide bombers.

Significantly, the UN's High-level Panel dealing with contemporary security challenges confronted head-on these traditional stumbling blocks: "Attacks that specifically target innocent civilians and non-combatants must be condemned

clearly and unequivocally by all."⁶ The Secretary-General added, "the proposal has clear moral force."⁷ While the final text from the 2005 World Summit lacks a clear definition of terrorism, for the first time in UN history the heads of state and government issued an unqualified condemnation. They agreed to "strongly condemn terrorism in all forms and manifestations, committed by whomever, wherever and for whatever purposes."⁸ However, the final text also eliminated earlier and clearer language that making targets of civilians could not be justified—even for movements resisting occupation. On balance, the summit added momentum to the Secretary-General's evolving counterterrorism strategy. The summit's clear condemnation of violence against civilians is a step forward, fully consistent with the laws of war. It has ethical content, contains the basis for a future treaty that would reinforce existing humanitarian law, and places the UN near the center of the fight against terrorism—at least in terms of important norms if not operational decisions.

Nevertheless, several points have become clear over the years. Attacks on civilians who take no active part in hostilities are prohibited by international humanitarian law, specifically the 1949 Geneva Conventions and Additional Protocols of 1977. Various other treaties prohibit attacks on diplomats, the interference with civilian aircraft, and so forth. Thus, the international community of states can and has reached agreement on prohibited targets of violence, thereby bypassing disagreement on an all-encompassing definition of terrorism.

In the early 1990s the Security Council became more focused on terrorism, primarily at the instigation of the United States and in response to events: several aerial incidents in the late 1980s, including the downing of a Pan American flight over Lockerbie, Scotland; the attempted assassination of Egyptian president Hosni Mubarak in 1995; and the bombings of U.S. embassies in East Africa in 1998. In each case, the Security Council responded by imposing sanctions against certain states: against Libya and Sudan for refusing to extradite suspects, and against the Taliban regime in Afghanistan for supporting terrorist groups and refusing to extradite Osama bin Laden. While sanctions contributed to curbing state terrorism, they were ineffective in altering the behavior of groups—such as the Taliban and Al Qaeda—"that situate themselves outside of the international system and reject its institutions and norms."⁹ Moreover, as illustrated earlier, sanctions regimes in practice are difficult to implement.

The Security Council's approach changed in the aftermath of September 11. Whereas states like Israel, Spain, Germany, and others had experienced terrorism in the past, this time the remaining superpower had been attacked. The council acted immediately and endorsed measures ranging from approval of the use of force in self-defense to requiring member states to undertake wide-ranging and comprehensive measures against terrorism. Previously an issue drawing inconsistent attention from both the General Assembly and the Security Council, terrorism quickly became a persistent and systematic focus at the UN.

The council's responses are noteworthy. Resolution 1368, passed the day after the attacks on U.S. territory, recognized "the inherent right of individual or collective self-defense." This was the first time that the right to self-defense was formally recognized as a legitimate response to nonstate violence. A few weeks later, the Security Council passed a comprehensive resolution outlining a series of wide-ranging measures to be undertaken by states to "prevent and suppress" terrorist acts. Resolution 1373 detailed the requirements to be taken by member states, including changes to national legislation. The resolution established the Counter-Terrorism Committee to monitor member state implementation of these measures. Once again the council shrank the domain of purely domestic affairs, in that national legislation involving tax laws for contributions to charities was subjected to international monitoring and mandates.

The General Assembly's work in developing international conventions on terrorism, while subsequently overshadowed by the Security Council, remains important and may increase as the Secretary-General brings to it his recommendations for a comprehensive counterterrorism strategy as hinted by the World Summit. The codification of emerging norms can perhaps best take place in a forum that is able to take a comprehensive, politically informed, and longer-term view. The most significant advantage of the assembly is that it is an inclusive forum involving all member states. It is also the place where decisions about the allocation of organizational resources are made, thus giving it a direct impact on determining the administrative capability of the world organization to deal with terrorism. Still, this organizational capacity is greatly affected by the political will of member states.

The Secretary-General and the Secretariat also have a role to play. Like the General Assembly, the Secretary-General has the ability to take less reactive, more comprehensive approaches. After September 11, Kofi Annan established a Policy Working Group on terrorism to examine how the UN should deal with the phenomenon.¹⁰ He also remained poised to play a role in dealing with specific situations and responding to events through the use of his good offices.

In spite of much discourse to the contrary, how the United Nations might have dealt with Iraq was only tangentially connected with Washington's so-called war on terrorism. The U.S. decision to go to war with Iraq in March 2003 related more to compliance with Security Council resolutions, the question of Iraq's possible possession of WMDs prohibited by the UN, and the demonstration of U.S. military might than to Iraqi terrorism against the United States. The government of Saddam Hussein had undoubtedly supported violence against the state of Israel via groups like Hamas. Yet, no evidence has surfaced linking Iraq to the attacks on New York and Washington, or indicating any substantial links to Al Qaeda.

WMD

The UN's efforts to grapple with the threats to world peace posed by weapons of mass destruction extend back to the founding of the world body. While absent from the Charter, eliminating atomic weapons arsenals and other weapons

adaptable to mass destruction was the centerpiece of the General Assembly's first-ever resolution passed in 1946.¹¹ The long-standing efforts of the "two" UNs to regulate WMD have met varying degrees of success in at least two ways.

First, the UN is a forum for negotiations among states, for example, through the General Assembly and its First Committee, and the Conference on Disarmament, which is not formally part of the UN but reports to the assembly. Among the major treaties concluded under UN auspices is the 1968 Nuclear Non-Proliferation Treaty (NPT). The only countries that have not joined the regime are India, Pakistan, and Israel; and in 2003 North Korea withdrew. In addition to North Korea, the United States identified Iran and Hussein's Iraq as recalcitrant states—together comprising what George W. Bush termed "the axis of evil."

The NPT rests on an asymmetric agreement between nuclear and nonnuclear states, committing the former to complete disarmament and the latter to forgo the acquisition of nuclear weapons capabilities. The lack of progress on the disarmament side of the equation reveals the overall lack of commitment on the part of nuclear powers to eliminate their stockpiles. September 11 has generated increased emphasis, especially by the United States, on nonproliferation. In particular, it shined a spotlight on the possibility of "rogue regimes" acquiring nuclear capabilities. At the same time the Bush administration is exploring vertical proliferation and new roles for WMD in the fight against terrorism. As Nina Tannenwald has noted, "Arms control, for the time being . . . appears to have trumped disarmament."¹² In addition to the NPT, other major treaties include the 1972 Biological Toxins and Weapons Convention, the 1993 Chemical Weapons Convention, and the Comprehensive Test Ban Treaty, which the General Assembly adopted in 1996 but has not yet entered into force.

The UN also has a limited role in directly implementing arms control and disarmament. It collaborates with the International Atomic Energy Agency (IAEA), which conducts inspections to verify that nuclear materials and activities are not used for military purposes. As well the UN works with the Organisation for the Prohibition of Chemical Weapons and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization.

The UN has also engaged in coercive disarmament, particularly with regard to Iraq. After the Gulf War of 1990–1991, the Security Council passed resolution 687—requiring Iraq to declare its WMD programs and facilities—imposed sanctions, and established intrusive weapons inspections bodies, first the UN Special Commission (UNSCOM). It uncovered nuclear, chemical, and biological weapons programs and oversaw the destruction of Iraq's chemical weapons and facilities as well as the country's biological weapons industry. UNSCOM's activities, however, were compromised by not only Iraqi deception but also its association with the CIA, which led the Hussein regime to expel the commission and ban IAEA inspections in 1998. This brought to the forefront the issue of the autonomy of multilateral monitoring organizations that lack their own intelligence-gathering capacity. Subsequently the UN Monitoring, Verification, and Inspections Commission

(UNMOVIC) was established and began a round of renewed weapons inspections in 2002, after the three-year hiatus.

By the end of 2002, the United States was determined to overthrow Saddam Hussein on the premise that his regime had violated previous council resolutions and was engaging in the development of WMDs—which could potentially fall into the hands of terrorist groups, particularly Al Qaeda. Britain sided with the United States, but France, Russia, and China staunchly opposed the use of force to disarm Iraq without the passage of more time and without an additional resolution from the Security Council.

The debate at the UN about how to appropriately deal with Iraq reflects the nature of power and its reflection in the UN—and world politics more generally. In a world where the sole superpower was attacked by a nonstate actor, the struggle over resolutions in the Security Council and the publication of a new doctrine of a very broad anticipatory self-defense, or preemption, is relevant to assessing the role of international law and the UN. Also relevant is the United States and Great Britain taking forceful action without UN authorization and the U.S. declaration of a goal of “regime change” in Iraq. The interplay of law and politics is part and parcel of understanding how the UN matters in world affairs.

The U.S. invocation of self-defense against terrorism in response to September 11, and its military campaign in Afghanistan to dislodge a government that was intertwined with a terrorist network, was approved by the council. The U.S. focus on WMDs in Iraq that might be put at the disposal of terrorists was placed within the framework of previous UN resolutions, thus indicating that traditional concerns about state security are by no means incompatible with international law and organization. Up to this point, basic U.S. foreign policy was largely consistent with and supportive of international law and the UN. Moreover, President George W. Bush was persuaded by British prime minister Tony Blair and U.S. secretary of state Colin Powell to return to the council in the fall of 2002, even after the United States had started its military buildup in the Persian Gulf during the summer. These actions indicate that the United Nations still matters and that obtaining international legitimacy through UN endorsement still counts for something, even to the United States whose government believes in doctrinaire unilateralism.¹³

The rest of the story about Iraq and the UN in 2003 demonstrates that a fundamental point had not changed since 1945, namely that the members of the Security Council need to be in agreement in order for it to be effective, diplomatically and militarily.¹⁴ The council was in agreement up to a point, demanding Iraqi compliance with previous disarmament resolutions and stating in resolution 1441 that serious consequences would follow upon further noncompliance. The United States tried to get the council to state that the time for diplomacy had ended and that military responses were in order. But Washington was unable to muster the nine votes for its draft resolution (cosponsored by Britain and Spain), much less counter an expected veto of its proposal by France, Russia, and China. In fact, except for the United States, Britain, Spain, and perhaps Bal-

garia, votes for war were hard to find in the council. This was a remarkable development, because in the fall of 2001 the council had endorsed U.S. military strikes on the Taliban government in Afghanistan, which had supported the Al Qaeda network, and in fall 2002, the council had unanimously called for rapid disarmament or “serious consequences.”

States like France and Russia did not believe that the United States had demonstrated a substantial link between Iraq and the terrorist attacks on New York and the Pentagon. The Bush administration's argument that in the future Saddam Hussein might cooperate with terrorists in some type of attack on the United States seemed too amorphous for many states to justify an invasion of Iraq. These dissenting states were troubled by this new Bush doctrine, namely a broad notion of preemptive or anticipatory self-defense. The hesitation by many states is understandable. The Bush administration argued that it alone would determine what government, because of its own actions or through state-supported terrorism, would be targeted by the extremely powerful U.S. military machine. This was too much for council members like Chile and Mexico, even though their governments were basically friendly toward the United States.

The U.S. stance was controversial and departed from the notion in international law of a limited preemption doctrine that might be appropriate when threats were immediate and overwhelming, leaving no time for further diplomacy. This approach, articulated in the nineteenth century in the *Caroline* affair—when Canadian loyalists to the British crown destroyed a U.S. ship that was being used to supply arms and other provisions to Canadian rebels—was replaced by the Bush administration with the much broader standard of a possible and distant threat. This latter standard was not a doctrine that many states wanted the council to endorse in the Iraqi case.¹⁵ These critical states saw the Bush doctrine of preemption as a Pandora's box. Would, for example, Russia have the unilateral right to use force in a neighboring state with no role for other states or the UN?

There were other complications. Based on the reasonably successful earlier efforts at monitoring in Iraq,¹⁶ the council had created a new weapons inspection regime centered on the UN Monitoring, Verification, and Inspection Commission (UNMOVIC) for chemical and biological weapons, and on the International Atomic Energy Agency (IAEA) for nuclear weapons. These two UN agencies, one ad hoc and one permanent, had elicited some cooperation from Saddam Hussein—in the context of a U.S. military buildup in the Persian Gulf that eventually reached about 300,000 soldiers. Many states wanted to avoid war by giving these UN inspection teams more time to work, whereas the United States and its allies, especially Britain, felt that Iraq could always evade the more important inspection efforts. Moreover, Washington was concerned that protracted diplomacy would undercut its military pressure. More than one state also thought the United States had always been more interested in the removal of the Saddam Hussein regime than in making serious arguments about homeland security. Indeed, both Clinton

and Bush administration officials had talked of removing that regime even before the attacks of September 11, 2001.

Many subplots were at work to fracture the Security Council over what to do about Iraq. Some observers thought that France was again deliberately taking anti-American positions and demonstrating a persistent effort to play the role of global power in spite of its limited economic and military capacity. Some thought that Russia was only too happy to make difficulties for a United States that had seemed disdainful of a major Russian role after the Cold War. Moreover, Russia had economic interests both in Iraq and in a continued high price for oil, one of Russia's chief exports. Both France and Russia had businesses that benefited extensively from the \$64 billion Oil-for-Food Programme. Germany, then a nonpermanent member, opposed U.S. policy in order to appeal to domestic public opinion and win elections—at least in the view of many commentators. Some thought the Bush administration was never interested in the type of multilateral diplomacy that constrained decision-making in Washington and that the Bush team simply wanted to use its power superiority to take out a "rogue state" and part of "the axis of evil"—even absent any substantial connection to Al Qaeda or any other group interested in attacks on the United States. After all, most high officials in the Bush administration thought that the United States had lost the war in Southeast Asia (1954–1975) because of a failure to apply its hard power in a determined way. The "Vulcans" or "hawks" or "war cabinet" in the Bush administration were determined not to repeat what they saw as the central mistake of previous administrations.¹⁷

As on the question of Kosovo in 1999, the Security Council could not present a united front regarding Iraq in 2003. Unlike Kosovo, the United States could not fall back on the collective approval of the liberal democratic states making up NATO, because NATO was also divided over Iraq—as was the European Union. The United States could only seek legitimization through a "coalition of the willing," albeit a less impressive one than had been mobilized in 1991 (to push Iraq from Kuwait) and 1999.¹⁸

The 2003 U.S. invasion of Iraq raised the issue of the continued viability of the UN system for the maintenance or restoration of international peace and security. U.S. officials sometimes said that the council had been irresponsible in not maintaining a tough line in keeping with the terms of resolution 1441 on the consequences of the failure of Iraq to disarm. French officials sometimes said that a council that only rubber-stamped the dubious arguments of the United States would have no credibility in the eyes of the world. These views overstated the crisis because both with regard to Kosovo in 1999 and earlier with regard to northern Iraq in the spring of 1991, the United States and its allies had used military force without explicit council approval—and the UN had not collapsed.

The question of the collective authorization of force is a perennial one in international relations, especially when an armed attack against a state has not occurred. In the future the council undoubtedly will be seized of similar questions. The Bush Doctrine of preventive self-defense, when the alleged threat did not

constitute a clear and present danger, is difficult to square with the Charter paradigm for regulating force. In the final analysis, U.S. policy toward Iraq—which was linked to a "war" against terrorism—damaged the UN and international law.¹⁹ Even so, as the Bush team met serious difficulties in the occupation of Iraq and the follow-on transitional period, it became anxious for UN officials and agencies to reenter the picture in order to execute roles such as supervising elections. So U.S. doctrine unilateralism was somewhat tempered by recognition of at least some of the costs from that previous course of action. In a parallel move, the Bush administration welcomed an expanded role for NATO in Afghanistan in late 2005 and 2006, despite having rejected such a role in late 2001.

POLITICAL CHALLENGES

The United Nations faces several daunting political challenges that will determine its effectiveness in the twenty-first century. The first political challenge is that of leadership. U.S. decisions regarding Iraq and President Bush's controversial recess appointment of outspoken UN critic John Bolton in 2005 as the U.S. representative to the UN have raised serious questions about Washington's ability to provide constructive leadership at the UN. Without the support of the sole remaining superpower, the world body faces marginalization on issues relating to international security. Leadership is necessary to build a relative consensus regarding strategies for handling today's security problems: failed states, terrorism by nonstate actors, and secessionist movements dismembering existing states.

The leadership of the organization provided by the Secretary-General is also in question. The administrations of Kofi Annan and Boutros Boutros-Ghali have come under fire for mismanagement of the Oil-for-Food Programme and the alleged corruption of staff and family members. While the scale of corruption was limited, the United States has cited the kickbacks and inept oversight as reasons to end the stand-off between Iraq and the UN in the lead-up to the 2003 war. A strong and independent office of the Secretary-General is crucial for UN legitimacy and for conflict resolution in the future. U.S. efforts to undermine the integrity and independence of the office of the Secretary-General coupled with scandal and mismanagement have done little to strengthen the UN's major representative to the rest of the world. The five-volume report issued in 2005 by the commission headed by former Federal Reserve chairman Paul A. Volcker made for sober reading and cast a shadow over Kofi Annan and his successor beginning in January 2007.²⁰

A second political challenge centers on the safety of UN personnel. Since the 1990s UN workers have been killed, kidnapped, and physically and sexually assaulted in record numbers. United Nations personnel have become targets in Bosnia, Lebanon, Congo, Sudan, Rwanda, Iraq, Afghanistan, Kosovo, and Cambodia. The bombings of the UN headquarters in Iraq in August and September 2003, killing 22 and injuring 162, exacerbated the U.S.-UN relationship, as U.S.



Rwandan refugees returning to Gisenyi from Goma, Zaire, in July 1994. (UN Photo 186788/J. Isaac)

occupying forces have been unable to provide a secure environment for UN personnel. According to the *Report of the Independent Panel on the Safety and Security of UN Personnel in Iraq*, the attacks are "signals of the emergence of a new and more difficult era for the UN system."²¹ The new security environment involving failed states and terrorism requires that the UN move beyond merely guarding against criminal and opportunistic attacks to develop a comprehensive strategy for protecting personnel in conflict areas. The same security problems confront private relief and development agencies that work in tandem with UN programs.

A third political challenge centers on the proliferation of actors, particularly nonstate actors (NSAs).²² The nature and dynamics of peaceful relationships require that the UN pay more attention to NSAs and differentiate among them based on their importance to the issue at hand, especially in the humanitarian arena discussed in Part Two. Conflicts have deeper roots than governments or armed opposition groups hoping to assume power. The origins of armed conflicts as well as their mitigation and management must be conceived broadly enough to include a host of such nongovernmental actors as clans, "terrorist groups," and the ICRC. People make war and people respond to it. Experience in Sudan,²³ for example, suggests that the UN as an intergovernmental organiza-



A mother and child seeking security at the Morini border crossing between Kosovo and Albania in April 1999. (UN/UNHCR Photo/R. Chalasani)

tion is frequently at a disadvantage in dealing with irregular forces and insurgents. Private relief agencies may be better placed than intergovernmental ones for delivery of goods in certain war zones.

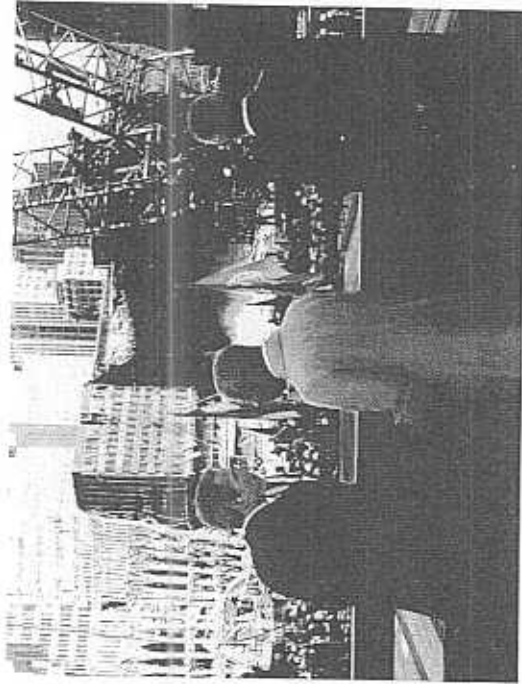
A fourth political challenge centers on resources. The UN simply does not have enough money to properly conduct collective security actions, peacekeeping, peacemaking, or peacebuilding. It does not have adequate resources to properly fight poverty, promote economic and social development, or protect and promote human rights. Many member states, including the United States, are in arrears of their regular and peacekeeping dues, and the UN peacekeeping coffers were over \$1 billion in arrears at the end of 2005. Compared to the annual global defense expenditures of over \$1 trillion, the amount contributed to peacekeeping seems almost trivial. Ten billion dollars would be available if every country devoted one percent of its defense budget to UN efforts. Other measures, such as surcharges on the sale of weaponry and on the use of UN-provided services—for example, ensuring the right of passage for ships—could help provide additional income. The solution supported by an independent group of bankers and politicians is that governments must respect their international treaty obligations to pay the bills for UN security operations.²⁴

INSTITUTIONAL CHALLENGES

In 2003, the UN began in earnest the process of substantive reform. On the management side, staff morale was low as scandals appeared. Moreover, politically everyone was unhappy—the UN could not impede U.S. hegemony, and the UN could not approve requisite action against Saddam Hussein. Secretary-General Annan appointed the High-level Panel of Threats, Challenges and Change. The HLP consisted of sixteen former government officials, including Brent Scowcroft, the former national security advisor for President George H. W. Bush. The HLP was tasked with identifying the principal threats facing the international community in the twenty-first century and developing proposals to reform the UN to meet its new challenges. The HLP issued its final report, *A More Secure World: Our Shared Responsibility*, in December 2004, and the report served as the foundation for the Secretary-General's recommendations, *In Larger Freedom: Towards Development, Security and Human Rights for All*. Both documents, in turn, were used to set the stage for the September 2005 World Summit, dubbed "San Francisco II" for its ambitious task of remaking the UN. The result of the largest ever gathering of presidents, prime ministers, and monarchs was either summarized pessimistically by the lead editorial from the *New York Times* or somewhat more optimistically by the Secretary-General's op-ed in the *Wall Street Journal*. It was either that a "once-in-a-generation opportunity to reform and revive the United Nations has been squandered,"²⁵ or alternatively that the UN's "glass [is] at least half full."²⁶

The distance between the two foundational documents and the report on the 2005 World Summit Outcome reflects the difference between the "two United Nations" concerning what knowledgeable government and UN officials deem necessary and what is politically possible among the 192 member states. A great deal of consensus existed on the threats facing the international community of states; however, important political differences centered on definition, priorities, strategies, and implementation. The interplay between the two United Nations illustrates the complexities of governance on international security issues.

The reform proposals discussed below also highlight several operational changes as the UN adapts to new kinds of armed conflict not imagined when the UN Charter was drafted. The world organization and its member states probably will not often face the classic interstate confrontation that precipitated the collective response in the 1991 Persian Gulf War, because such textbook land grabs are rare. The 2003 war on Iraq was what international lawyers call a classic interstate armed conflict; however, interstate conflict is replacing interstate conflict as the dominant menace to international peace and security. Fueled by ethnic, economic, and nationalist desires for autonomy inside the borders of existing geographic states, civil war is becoming the most common form of armed conflict. Insurgent groups fight existing governments or sometimes other insurgents either for control or for secession. These trends have been confirmed by the

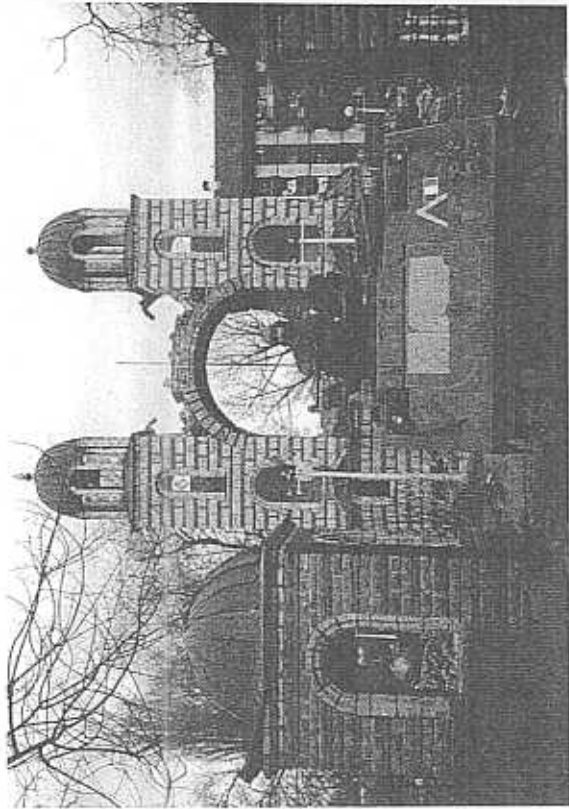


President George W. Bush and Secretary-General Kofi Annan at Ground Zero. (UN/DPI photo)

Human Security Centre, supported by a consortium of Western governments, which tracks international security matters.

The UN's security mechanism is not designed to deal with violence and wars of this kind, and the blue helmets have encountered their most significant problems in attempting to quell internal wars. At the end of 2005, almost 1,800 of the UN's blue-helmeted soldiers had died since 1948, about two-thirds since the Cold War's end.²⁷ Although the ideal of collective security could be applied to interstate activity, the UN Charter was designed to prevent recurrences of World War II—characterized by the invasion of one state by another. The world organization is ill equipped to deal with violent conflicts occurring within internationally recognized borders. Improving its capabilities in this area requires changes in the approach to sovereignty and the operational components of international forces in order to safeguard peace and security.

The extent to which the principle of state sovereignty has been the foundation of the international system should be clear to readers by now. Despite the presence of numerous challenges to their supremacy, states are unwilling as a matter of principle to cede daily sovereignty to improve the functioning of the UN. However, changes in world politics in the past half-century have steadily chipped away at the foundation, and changes since the mid-1980s have created a new potential for multilateral action.²⁸ Sovereignty, of course, has never been a fixed notion—we earlier cited Stephen Krasner's characterization as "organized hypocrisy." Notwithstanding the observers who see national interests and military power as



Kosovo: Italian KFOR tank guarding the destroyed Serbian church in Gjakova in June 1999. Soon after this photo was taken, unidentified Albanian extremists succeeded in demolishing this church with bombs. (JAE/M. Kim)

the only answer to an anarchical international system, recent political changes—the immediate ones after the Cold War and the deeper ones resulting from interdependence—have on occasion and for some countries shifted the balance between the authority of states and the authority of international society.²⁹

The United Nations itself reflects an institutional structure created in one historical period that is trying to cope with the challenges of a different era. A conceptual and operational leap must be made, striking a new balance between state sovereignty and the need for effective UN security operations in the post-Cold War era. A Westphalian vocabulary (territory, authority, and population defining the state) is of doubtful utility for the Somalias, Rwandas, Liberias, Burundis, Timors, and Yugoslavias. A first step would be a straightforward confrontation with the meaning of “consent” when there is no sovereign or when a sovereign acts in an opprobrious way and pursues genocide or crimes against humanity as a policy. If the international community of states is willing through the Security Council to apply, instead of to talk about, the use of overwhelming force, then consent is unnecessary. If not, then the consent of powerful local actors remains the *sine qua non* of successful UN operations.

In particular, the implications of many Chapter VII operations had humanitarian motivations or dimensions. The opening sentence of the report by the Inter-

national Commission on Intervention and State Sovereignty³⁰ essentially endorses what Francis M. Deng, from 1992 to 2004 the special representative of the Secretary-General for internally displaced persons, and his colleague Roberta Cohen have called “sovereignty as responsibility.”³¹ It is primarily state authorities whose citizens are threatened that have “the responsibility to protect.” Yet, a residual responsibility rests with the larger community of states when an aberrant member misbehaves egregiously or simply implodes. The status of state sovereignty is not challenged *per se* but rather reinforced. However, if a state is unwilling or unable to exercise its protective responsibilities for the rights of its own citizens, it temporarily forfeits its moral claim to be treated as legitimate. Its sovereignty, as well as its right to nonintervention, is suspended, and the residual responsibility necessitates vigorous action by outsiders to protect populations at risk. In brief, the three traditional characteristics of a state in the Westphalian system (territory, authority, population) are supplemented by a fourth (respect for human rights).

The HLP report and *In Larger Freedom* identify violence within states, such as civil war, widespread human rights abuses and genocide, and terrorism as clusters of threats. Both reports also reaffirm the principle of the “responsibility to protect,” and Kofi Annan goes further to argue that the UN embrace the principle as a basis for collective action against genocide, ethnic cleansing, and crimes against humanity.³² In other words, the UN should have the formal right to intervene collectively in such instances when national authorities are unwilling and unable to protect their own citizens. And in its final declaration the World Summit agreed.³³

However, conceptual and practical alterations to the UN’s military operations need to parallel those made in the domain of sovereignty. How is the United Nations to operate effectively in intrastate conflicts where the consent of warring parties is likely to be less than that found in traditional operations or where consent evaporates after the parties have agreed to stop fighting but find that elections or other events no longer go their way? The world organization requires military teeth when it runs the risk of encountering active and perilous opposition. Future UN security operations need to be better armed and more able to operate like professional armies. But if political will is not present, it is better to negotiate with powerful parties. Otherwise, the Security Council discredits itself.

The political will behind the responsibility to protect via forceful intervention highlights again the relation between decisions outside and inside the UN. In all member states, including in the Western liberal democracies that pay for and otherwise support most of the UN’s operations, there are circles of opinion that are not very interested in spending national blood and treasure for others. One can think not only of many Americans and Rwanda in 1994, but many Dutch and southern Afghanistan in 2006. The question is widely heard in Chicago and Amsterdam: Why should our soldiers die in foreign places when our vital interests are not at stake? A UN willingness to override claims to sovereignty and to prepare for the effective use of force starts with responsible national leadership. This means above all that prime ministers and presidents have to lead on these

questions, informing legislatures and public opinion about the values and long-term interests at stake.

The organization continues to search for ways and money to upgrade its military capability to meet future needs absent a viable MSC or standby military capability. The financing for peacekeeping lags far behind demand. Both Boutros-Ghali and Annan, like their predecessors, have been categorical in this regard. Boutros-Ghali, for example, lamented, "A chasm has developed between the tasks entrusted to this Organization and the financial means provided to it. The truth of the matter is that our vision cannot really extend to the prospects opening before us as long as our financing remains myopic."³⁴ In spite of increased demand and praise, peacekeeping arrears have grown since the Nobel Peace Prize was awarded to UN peacekeeping forces in 1988. They continue despite Kofi Annan's lame-duck status until the election of the eighth Secretary-General. The HLP and Kofi Annan recommended the UN begin a strategic reserve, but the proposal falls short of what is necessary to do the job right.

UN peacekeeping missions, particularly in West Africa, the Congo, and the Balkans have come under criticism for widespread incidents of sexual abuse by peacekeepers and humanitarian workers against the populations whom they were assigned to protect. The sexual abuse has involved pedophilia, forced prostitution, pornography, and the exchange of humanitarian aid for sexual services. The institutional response of the UN has fallen short as it has no real power to enforce the Code of Conduct for blue helmets. Any disciplinary or prosecutorial action is the responsibility of the troop-contributing state. At best, the UN can recommend the repatriation of peacekeepers for violations; however, the bureaucratic procedures are complicated and cumbersome. In *Larger Freedom* notes that the Secretary-General is "especially troubled by instances in which United Nations peacekeepers are alleged to have sexually exploited minors and other vulnerable people, and I have enacted a policy of 'zero-tolerance' towards such offences that applies to all personnel engaged in United Nations operations. I strongly encourage Member States to do the same with respect to their national contingents."³⁵

In addition to correcting flaws in UN peacekeeping, the HLP and the Secretary-General recommended the creation of a Peacebuilding Commission to enhance the UN role in postconflict societies, which was implemented by the General Assembly in December 2005.³⁶ As the Secretary-General notes, "if we are going to prevent conflict we must ensure that peace agreements are implemented in a sustained and sustainable manner."³⁷ The Peacebuilding Commission, as envisioned, would coordinate aid and postconflict activities among the various actors and agencies involved in reconstruction. This recommendation reflects the conceptual movement behind the evolution of the notion of "post-conflict peacebuilding." The UN's experiences in this regard have been growing, as evidenced most clearly by the operations in Bosnia, Kosovo, East Timor, Afghanistan, and, undoubtedly, sometime in Iraq. Peacebuilding is a work in progress, and the Secretary-General has been cautious to clarify in his 1997 re-

form report that, although peacebuilding must be supported by humanitarian and development activities, it also needs to reorient them in such a way that they become politically relevant in that they can serve to reduce the risk of resumed conflict and promote reconciliation and recovery.³⁸

Relevant here is the combination of actors at work in Afghanistan. Enforcement action against the Taliban and Al Qaeda was carried out by a U.S.-led coalition acting with the green light of the Security Council. The UN then sponsored a peace conference that led to the emergence of an interim government under Hamid Karzai. Various NATO members then took the lead in organizing an international military force—the NATO-led International Security Assistance Force (ISAF)—that maintained some security in Kabul initially and in 2005 and 2006 expanded to some 16,000 troops, which allowed the U.S.'s Operation Enduring Freedom (OEF) to scale down. Granted that, as feared by many observers, all postconflict operations in Afghanistan suffered from lack of political commitment and resources from UN member states, at least there was a division of labor. The United Nations exercised its diplomatic and legitimating functions but left the heavy lifting of coercive action to states and military organizations like NATO. Not by coincidence, the special representative of the secretary-general in Afghanistan was Lakhdar Brahimi, who had chaired a panel that in 2000 had recommended such an approach to security operations.³⁹

Perhaps the most ambitious reform proposals center on adapting the Security Council to meet new and evolving threats. These reforms involve representational changes and clearly defining the circumstances and the conditions under which the council will authorize military force. Representational changes involve complicated issues. In the aftermath of the Cold War, and notwithstanding splits in the council over northern Iraq in 1991, Kosovo in 1999, and Iraq in 2003, the Security Council has tried—at least more so than during the Cold War—to fulfill its duties as a guarantor of international peace and security. Permanent-member goodwill manifested itself in the shelving of the veto for three years beginning in May 1990, and there has been only scarce resort to it since.

The clear threat of a veto, however, greatly affected matters both in 1999 and 2003. Changes in the international climate could render the Security Council less able to provide for peace and security. Neither the United States nor France showed much sensitivity to the damage that they were doing to collective security structures during their open disagreement over how to deal with Iraq in 2003, whether one speaks of the UN Security Council, NATO, or the European Union. A particular problem resides in what former French foreign minister Hubert Védrine calls the "hyperpower" (*hyperpuissance*) of the United States. Washington has always had great trouble in accepting a multilateralism that constrains its national power even if it has played a leadership role on numerous occasions—earlier we cited Edward Luck's characterization of "mixed messages."⁴⁰

The United States as the world's only remaining superpower accentuates problems.⁴¹ At the onset of the post-Cold War era, bipolarity gave way to what was

supposed to be American primacy. But the military prowess in Afghanistan and Iraq—like the conduct of the intervention in Kosovo by NATO in 1999—made crystal clear that “primacy” was a vast understatement. Scholars like Joseph Nye discuss the nuances of economic and cultural leverage resulting from American “soft power,”⁴² but there is no debate about the base hard currency of international politics—military might. As we noted earlier, Washington already was spending more on its military than the next fifteen to twenty-five (depending on who was counting) countries. With additional appropriations for Iraq and Afghanistan, the United States now spends more than the rest of the world’s militaries combined.

The collapse of the Soviet Union left the Security Council with a composition that generally was sympathetic to Washington’s interests and those of the West more generally.⁴³ With the Soviet Union no longer acting as a counterbalance to the United States, states such as Japan, Germany, India, Brazil, Nigeria, South Africa, and Egypt believe that they deserve greater say in the council’s decision-making. The continuing permanent membership of France and Great Britain, whose international influence has declined significantly since 1945, offends Japan and Germany, whose influence in decision-making is in no way commensurate with their funding of the organization’s activities. Countries like Canada that contribute troops routinely to all UN operations complain of being left out of decisions that affect their soldiers.

Reform of the Security Council’s permanent membership is also seemingly a permanent agenda item in New York.⁴⁴ Possibilities for long-term reform involve changes in the Security Council’s permanent membership; shorter-term changes involve longer and more frequent terms on the council for influential countries. However, each major structural reform opens another Pandora’s Box. Which developing countries should be added? Should they be the most powerful or populous? After a civil war, should a splintered state retain its seat? Why should economic powers whose constitutions impede overseas military involvement be given a seat? Should there be three permanent European members? What about the European Union? Which countries should wield vetoes? Should not all regions have at least one permanent member?

The introduction of changes could create additional decision-making problems that could result in stalemates like those faced by the Security Council during the Cold War. Precisely how a “rump” General Assembly would facilitate decision-making is unclear. A larger council would still be too small to represent the membership as a whole but too large to act in a businesslike fashion.⁴⁵ Assuming the continuation of at least some North-South ideological, political, and economic tensions that reflect growing disparities in wealth, decision-making in the council could become as paralyzed in the future as it was in the past. Instead of an automatic Soviet veto, other effective vetoes from dissenters or foot-draggers could thwart the Security Council’s ability to make decisions.

To enhance the decision-making power of the council under these circumstances, reform of the veto system also has been proposed. This system has al-

ways been controversial because the interests or even the whims of a single permanent member can impede effective action when the rest of the international community of states is prepared to act. It is virtually unthinkable that the veto could be eliminated altogether, but proposals have been made to lessen its impact. These include limiting the range of areas in which the veto can be used, allowing it only when an item affects a permanent member’s “supreme national interests,” which presumably would preclude humanitarian disasters; instituting a system of weighted voting that would allow the council to override a veto; and increasing the total number of negative votes needed to veto a resolution.

The founders made the Charter extremely difficult to amend. Such amendments require a two-thirds vote of the General Assembly, then ratification by two-thirds of the parliaments of member states, including affirmative action by all of the permanent five. Hence, given the controversy surrounding all proposals for reform, formal council restructuring is, at best, a long shot even if increases in membership for both the Security Council and the Economic and Social Council (ECOSOC) in 1965 were the only previous Charter amendments.

The High-level Panel took that shot in 2004 by proposing two models for Security Council reform.⁴⁶ Both models are based on regional representation in that they create new council seats (expanding the council from fifteen to twenty-four members) and distribute them between four major regional areas: Africa, Asia/Pacific, Europe, and the Americas. The models do not expand the veto or change the veto among the existing permanent members. The models also address several principles designed to avoid many of the issues discussed above. The first principle is that all members of the council have enhanced financial, military, and diplomatic responsibilities to the UN. Second, the models bring more countries, especially countries from the South, into the decision-making process. Third, the models do not impair the council’s effectiveness. Finally, both models increase democracy and accountability.

Model A proposes creating six new permanent seats, albeit without the veto, and three new nonpermanent (elected for the usual two-year term, renewable), bringing the total membership to twenty-four. Africa would receive two permanent seats and four nonpermanent seats, thereby having six representatives. Asia/Pacific would receive two new permanent and three new nonpermanent seats. Coupled with China’s permanent seat with veto, this region would also have six representatives. Europe would receive one new permanent and two nonpermanent seats. Coupled with the three existing seats (Great Britain, France, and Russia), Europe would have six seats. The Americas would have one new permanent seat and four nonpermanent seats. With the existing seat held by the United States, the region would have its six representatives.

Model B is similar in terms of making the council more representative; however, rather than creating new permanent seats, it establishes an entirely new category of eight seats that have four-year renewable terms and one new nonpermanent seat with a nonrenewable two-year term. In this reform scenario,

each region would receive two of the new, four-year renewable seats, and Africa, Asia/Pacific, Europe, and the Americas would each receive four, three, one, and three nonrenewable two-year seats, respectively. Added to the five existing permanent members, the total membership of the council would be expanded to twenty-four states with each region having six representatives.

The numbers games intensified in the lead-up to the September 2005 gathering in New York to mark the sixtieth anniversary of the world organization. We turn to this story.

THE WORLD SUMMIT 2005

The 2005 World Summit was to celebrate the UN's sixtieth birthday, but, more importantly, it was supposed to transform the organization to meet the challenges of the twenty-first century. After years of laying the groundwork through the work of HLP and others, a preliminary draft included several important interrelated reforms that would affect UN security operations: proposals to enlarge the Security Council; new guidelines for authorizing military action (including international intervention in countries that fail to protect their people against genocide); terrorism; strategies for controlling the proliferation of nuclear weapons; new policies to curb abuses by peacekeepers; and the creation of a new Peacebuilding Commission. Other measures—related to human rights and sustainable development—were also on the table but will be discussed in Parts Two and Three of this book.

Security Council Reform. The HLP was divided and hence proposed two models. The Secretary-General did not express a preference. If sixteen individual members of a panel and the UN's chief could not make a recommendation, how could come to a consensus? The best member states could muster was to reaffirm their desire to make the council more representative and recommend "that the Security Council continue to adapt its working methods so as to increase the involvement of States not members of the Council in its work, as appropriate, enhance its accountability to the membership and increase the transparency of its work."⁴⁷ At least the verbal jousting and rhetoric over the years had created a permissive environment that helped change these procedures. It facilitated pragmatic modifications in working methods. These have injected more openness, accountability, and diverse inputs into council deliberations and should be expanded.⁴⁸

Authorizing Military Force. The controversial aspects of the debate about under what conditions the UN should authorize military force involve what constitutes an imminent threat to international peace and security and situations where governments are unable or unwilling to protect their citizens against genocide. As discussed above, these issues are very contentious and divisive in the best of

times and even more so in the not-so-best of times. An odd alliance emerged between the United States and the many developing countries whereby they would support the status quo by avoiding formal criteria for authorizing force and language that would formally allow for humanitarian intervention in cases of genocide. The former served the interests of the United States whose use of force in Iraq was still widely criticized long after 2003, and the latter served the interests of many developing countries concerned that any right to humanitarian intervention would threaten their hard-won but shaky sovereignty.

The summit outcome reiterated the prohibition against the use of force in international relations except in self-defense, with no reference as to what constitutes an imminent threat as it relates to self-defense. It also reiterated that the primary responsibility to protect is with states, and that the first duty of the international community is to use appropriate nonviolent means to protect populations. The UN may "take collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities are manifestly failing to protect their populations from genocide, war crimes, ethnic cleansing, and crimes against humanity."⁴⁹

In diplomatic-speak, the international community avoided a formal right to humanitarian intervention, yet left open the possibility that military intervention in the above situations was possible if the Security Council had the political will to determine that such situations constituted a threat to international peace and security. The Security Council's role was highlighted, but the reality of action and authorizations from regional organizations and coalitions of the willing reveal real weaknesses.

Terrorism. A clear definition of terrorism has eluded the UN, and thus efforts to confront it have lacked coherence. As we discussed above, international law and norms clearly prohibit deliberate attacks on civilians, and the HLP reinforces the prohibition by describing terrorism as any act "that is intended to cause death or serious bodily harm to civilians or non-combatants, when the purpose of such act, by its nature or context, is to intimidate a population, or to compel a government or an international organization to do or abstain from doing any act."⁵⁰ At the World Summit, a formal definition of terrorism could not be adopted for many of the reasons cited above, but the member states did agree to "condemn terrorism in all its forms and manifestations, committed by whomever, wherever, and for whatever purposes, as it constitutes one of the most serious threats to international peace and security."⁵¹ Member states also committed themselves to reach an agreement regarding a comprehensive treaty on international terrorism and to cooperate to fight terrorism in conformity with international law.

The outcome reflects what is politically possible between states that see violence as necessary for national liberation and a superpower that articulates a right

to fight terrorism as it sees fit. Although debate was heated and inconclusive to some, it nonetheless was significant, as noted earlier, that heads of state and government present in New York agreed that terrorism "in all forms" was a common threat to international stability and was to be condemned.⁵² Whether or not the Secretary-General's evolving counterterrorism strategy is signed, sealed, and delivered anytime soon or whether the General Assembly "concludes a comprehensive convention on international terrorism" within a year as hoped, the summit's clear condemnation of violence against civilians has ethical content, contains the basis for a convention, and places the UN near the center of the fight against terrorism.

Nonproliferation. Perhaps the biggest disappointment at the World Summit was the inability to reach any agreement on the proliferation of WMDs, supposedly one of the main reasons that the summit was organized in the first place. In light of the threat such weapons pose in an era of global terrorism in general and the justification of the 2003 Iraq war on the same grounds, member states should have been able to find common ground for controlling these weapons. The HLP and the Secretary-General identified proliferation as one of the more serious threats to international peace and security. The U.S. blocked the inclusion of nonproliferation in the World Summit document, as many states insisted upon matching nonproliferation measures with steps toward disarmament by existing nuclear states. This is the same dynamic that has characterized virtually all discussions, and so the World Summit's final document is totally silent on disarmament and nonproliferation. This crucial priority for the United States was a victim of last-minute horse-trading—a "disgrace," according to Kofi Annan.⁵³ Washington has since agreed to provide material and technical assistance to India, a nuclear state outside of the nonproliferation treaty, further undercutting U.S. leadership abilities in this important area. All of this is not lost on Iran, which resents Western pressure to alter its nuclear policies, given that particularly Britain, France, and the United States have not paid much attention to the disarmament called for in the NPT agreement and have not criticized the presumed acquisition of nuclear weapons by Israel.

Sexual Abuse by Peacekeepers. Member states included strong language in the World Summit Outcome Document regarding sexual exploitation and abuse by peacekeepers. They urged that UN policies of zero-tolerance and zero-impunity be implemented without delay. The formal procedures developed by the UN to curb sexual abuse represent an important first step in restoring the credibility of UN peacekeeping. However, a formal change in procedures does not translate into a formal change in attitudes. A report issued by Refugees International in October 2005 charges that the procedures are not being implemented because the "boys will be boys" attitude in peacekeeping missions breeds tolerance for exploitation and abuse.⁵⁴ Rapes continue to be dismissed as simple acts of prostitution. Anna Shorton, the author of the report, does state that progress has been made. In the past, the UN had only occasionally repatriated uniform personnel,

but in the last twenty months the UN has completed 221 investigations that resulted in the firing of ten civilian employees and the repatriation of eighty-eight military personnel, including six commanders.⁵⁵ Still, much work remains to be done in prosecuting sex crimes by troop-contributing states and on changing the attitudes among the armed forces involved in peacekeeping.

Peacebuilding. Perhaps the most significant accomplishment of the 2005 World Summit for the security arena was the decision to create a new Peacebuilding Commission, as recommended by the HLP and the Secretary-General. The Peacebuilding Commission is staffed by a supporting office and a standing fund. It was to begin its work no later than December 31, 2005—the only summit decision with a fixed date for entry in force. Indeed, the General Assembly and the Security Council adopted concurrent and identical decisions, in resolutions 60/180 and 1645, respectively.

As mentioned above, the General Assembly acted on this recommendation in December 2005, and we would argue that this commission actually represents a "follow-through," or learning based on previous UN peacekeeping and peace-making activities. Moreover, member states also agreed to a new standing police capacity for UN peacekeeping missions. While the essential details are still to be determined by the General Assembly—including the exact reporting lines to the Security Council, to the General Assembly, to ECOSOC, or to some combination—the standing capacity would enhance the UN's overall performance in peacekeeping in conflict and postconflict societies. And a new Peacebuilding Fund would help if sufficiently funded by donors. Only time will tell whether these new initiatives will be met with the political will to make them effective.

From the outset, the notion that elicited the most enthusiasm and least reticence was a Peacebuilding Commission. It is perhaps a result of learning about Somalia, Sierra Leone, Haiti, Liberia, the Congo, and Rwanda. As they imploded during the 1990s, the term "failed states" came into vogue.⁵⁶ Given the politically incorrect tone, other euphemisms emerged—for example, "weak" or "fragile"—but the HLP identified a felt need whatever the semantics: "there is no place in the United Nations system explicitly designed to avoid State collapse and the slide to war or to assist countries in their transition from war to peace."⁵⁷ The panel was also adamant about improving the ability of the system as a whole to strengthen the capacities of states "to perform their sovereign functions effectively and responsibly."

Intergovernmental and nongovernmental organizations are incapable of managing trusteeships—although such fantasies still exist. It is necessary to rebuild state capacity. This is not nostalgia for the national security state of the past, but a clear recognition that a modicum of state capacity is a prerequisite for peace or development and that the world organization should be better than in the past in pulling together the various moving parts of UN machinery. As the Security Council, reformed or not, is the most important player in this arena, the HLP sensibly recommended that it establish a "commission" (permitted by Charter Article 29—

that is, requiring no amendment) after consultation with ECOSOC. The HLP went on to specify several details including keeping the new commission small, having continuity in the chair, and inviting interested parties (for example the country under discussion and donors) as well as representatives of the Bretton Woods institutions and regional development banks. The commission was also to have a specific support office. Kofi Annan seconded these recommendations.

The September summit moved ahead on this issue, probably more than many observers thought possible. This was not just the only specific deadline to begin work, it also was an area where the second UN was privileged with a decision "to establish a Peacebuilding Commission as an intergovernmental advisory body" that "should meet in various configurations" and whose staff "should draw on the best expertise available."⁵⁸ There is no guarantee, of course, but there are improved chances that the UN system will be closer to filling the substantial gaps in planning, financing, and implementing the civilian components of complex peace operations.⁵⁹

The initial optimism surrounding the potential of the 2005 UN Summit was tempered by the political realities of an international system in an unusual period of transition. However, the summit did reiterate the importance of strengthening the role of regional institutions and the Secretariat in maintaining international peace and security—two issues to which we now turn.

Strengthening Regional Organizations. As demonstrated in the numerous cases above when using regional organizations supplemented the UN's capacities, the division of labor within the collective-security system has now moved beyond the talking stage. Secretary-General Boutros-Ghali proposed that "regional action as a matter of decentralization, delegation, and cooperation with UN efforts could not only lighten the burden of the Council but also contribute to a deeper sense of participation, consensus and democratization in international affairs."⁶⁰ Yet even the world's most highly developed regional organizations usually lack the capacity to serve as effective alternatives to UN military operations.

These organizations can play a helpful role in diplomatic arm-twisting, as was witnessed by the Association of Southeast Asian Nations in Cambodia and by the Contadora Group in Central America. With the exception of the North Atlantic Treaty Organization—which possesses the most authoritative joint force in the world and has used advanced cooperative procedures in northern Iraq, the Balkans, and Afghanistan—regional organizations are and will remain poor sources for supplying international military forces to help quell interstate and local conflicts. The fledgling AU effort with 7,000 troops in Darfur or ECOWAS's controversial efforts in both Sierra Leone and Liberia would seem to provide adequate evidence of the need to strengthen African capacities. The rhetoric about regional organizations flourishes in developing countries, but the hopes placed on them for their contribution to international peace and security seem unduly optimistic, if not altogether misplaced.

Regional organizations' military and financial capacities are lacking, and they inevitably contain states that are so embroiled in conflicts as to make community decisions impossible. The European Community's dithering in the former Yugoslavia at the beginning of the 1990s illustrates the incapacity of even well-endowed organizations to effectively manage conflicts in their locale. The results reflected the lack of political will; nonetheless, observers point to the "indispensability" of the United Nations.⁶¹ NATO, the Western European Union, and the Conference on Security and Co-operation in Europe discussed helping with humanitarian relief in the former Yugoslavia, but political considerations prevented effective action. The NATO troops in Bosnia and Herzegovina were deployed from 1992 until 1995 under a UN flag. The coalitions in the Persian Gulf and Somalia made use of Security Council authorizations, as did ECOWAS in West Africa.

Although the United Nations is the most logical and important convener for future international military operations, the use of coercion poses almost insuperable problems for the world organization, which is why the Brahimi panel basically recommended the UN's retiring from the enforcement business. Thus, if coercion occurs at all, interventions in the near future will have to compensate for the military inadequacies of the United Nations. Experience suggests that UN decisions should trigger interventions to be subcontracted to coalitions of major states that are willing and able to act. Regional powers (for instance, Nigeria within West Africa and Russia within the erstwhile Soviet republics) could take the lead combined with larger regional (that is, the Economic Community of West African States and the Commonwealth of Independent States) or global coalitions of the willing. Perhaps only when regional powers cannot or will not take such a lead should more global powers (for example, France in Rwanda or the United States in Somalia) be expected to do so. However, actually blocking humanitarian intervention, which some powers are willing to conduct when others are reluctant to get involved (for example, the United States vis-à-vis Rwanda between early April and late June 1994), should be ruled out.

The multilateral capacity for coercion will no doubt depend in the future upon ad hoc coalitions, regional powers, and even hegemons. For the United States, former U.S. assistant secretary of state William Maynes dubbed this "benign realpolitik," which amounts to a revival of spheres of influence with UN oversight.⁶² The Security Council is experimenting with a type of great-power politics, which the United Nations had originally been founded to end but which is pertinent in light of some of the inherent difficulties of multilateral mobilization and management of military force.

Boutros-Ghali recognized this reality when calling for "a new division of labour between the United Nations and regional organizations, under which the regional organization carries the main burden but a small United Nations operation supports it and verifies that it is functioning in a manner consistent with positions adopted by the Security Council."⁶³ Elsewhere, in justifying UN monitoring of Nigeria and ECOWAS in Liberia as well as Russia and the CIS in Tajikistan and

Georgia, he had this to say: "Finding the right division of labour between the United Nations and regional organizations is not easy. But such cooperation brings greater legitimacy and support to international efforts. It eases the material and financial burden of the United Nations. It allows for comparative advantage."⁶⁴

An observer might ask, "What's new about this rationalization? Is the Secretary-General not grasping at straws in justifying a contemporary gunboat diplomacy? Is this not simply realpolitik?" Boutros-Ghali was aware of the dangers: "Authorization to serve as a surrogate might strengthen a particular power's sphere of influence and damage the United Nations' standing as an organization intended to coordinate security across regional blocs."⁶⁵

The difference could be that major powers or their coalitions act on their own behalf as well as legitimately on behalf of the Security Council—thus they should be held accountable for their actions by the wider international community of states authorizing outside interventions. Although major powers inevitably flex their military muscles when it is in their perceived interests to do so, they do not necessarily agree in advance to subject themselves to international law and outside monitoring of their behavior. The political and economic advantages attached to an *imprimatur* from the Security Council provide some leverage for the community of states to foster accountability in would-be subcontractors. In light of the incapacity of the United Nations, there is no alternative to making better use of regional organizations, without naïveté and with accountability.

Recognizing the Need for Institutional Change. From the launch of the first peacekeeping operation in 1948 until 1978, only thirteen missions were deployed. For almost a decade thereafter, the Security Council approved no new operations with UN blue helmets. The political realities of the East-West split rendered launching such operations politically impossible. New operations resumed in 1988, when the Soviet Union dramatically altered its foreign policy position toward the world body. Since the thawing of the Cold War, the UN has undertaken forty-seven peacekeeping operations. In 2006, for instance, the world body was in more than fifteen countries, with some 80,000 troops deployed, collectively a larger overseas presence than any country except the United States.⁶⁶

In 2006 the regular budget was about \$ 1.8 billion. This regular budget is debated endlessly regarding control and direction of the United Nations, but it represents only 20 percent of total spending. In 2006, the peacekeeping budget alone amounted to another \$5 billion. This new record, however, represented about one month of the U.S. costs in Iraq.⁶⁷

Despite the frequent criticisms of the UN over the last decade, its operations are larger than the foreign military deployments of any country with the exception of the United States. In the last five years, the number of UN peacekeepers has risen by nearly 500 percent. At the same time, the number of peacekeepers deployed by regional organizations (often seen as the wave of the future) has shrunk by about 55 percent.



Afghanistan: American soldiers at Bagram air base. (JAE/M. Kim)

In many instances, the contemporary international order is in turmoil. In presenting his proposal for institutional modifications to the General Assembly in March 2006, Secretary-General Annan stated the obvious: "Today's United Nations is vastly different from the Organization that emerged from the San Francisco conference more than 60 years ago."⁶⁸ In short, he was pointing to the obvious, namely that a significant shake-up in the way the UN does business is essential to keep pace with the significantly altered circumstances six decades after its founding.

PROFESSIONAL CHANGES: STRENGTHENING THE SECRETARIAT

The 1991 Persian Gulf War represented the first military enforcement action of the post-Cold War era, but the UN Secretary-General and the Secretariat remained virtual outsiders to the process by which the war was waged. This pattern has been repeated, most recently in Afghanistan in 2001 for Operation Enduring Freedom and in NATO's follow-on ISAF. Kosovo in 1999 and Iraq in 2003 are not entirely relevant, since the Security Council did not authorize force in either case, but again it became involved in approving the military forces in subsequent phases in Bosnia, first by NATO then by the EU, and even in Iraq after the occupation began.

Although the initial Security Council authorizations were politically useful in 1991 and 2001, the coalition forces were not accountable to the world organization.

The ability of the Secretariat and thereby of the Security Council to monitor enforcement operations has long been a subject of heated discussions,⁶⁹ which has been exacerbated by the occupation in Iraq. The enormous difficulties surrounding the deployment of the first UN troops with Chapter VII provisions under the command and control of the Secretary-General in Somalia serve to highlight the critical nature of this issue. Observers of UNPROFOR in the Balkans, which eventually was given a Chapter VII mandate by the council, were struck by the muddled nature of UN command and control over that mostly unhappy experience.

Several proposals have been put forth to increase the Secretary-General's influence over Security Council decision-making and subsequent UN military operations. Article 99 of the Charter already empowers the Secretary-General to bring the Security Council's attention to matters that he believes could threaten international peace and security. Greater use of this article could allow the Secretary-General to place issues on the council's agenda that otherwise might be avoided due to their sensitivity. The double standard with which the council has addressed past threats to the peace could be mitigated if the Secretary-General were to use the powers of his office to try to ensure a more consistent consideration of issues even when powerful states might prefer to ignore them. Experience shows, however, from Trygve Lie in the 1950s to Boutros-Ghali in the 1990s, that the Secretary-General who offends a P-5 member cannot be an effective leader of the UN. Indeed, the potential threat of Article 99 is probably more valuable than its actual use.

The Office of the Secretary-General has asked for a mandate to request advisory opinions from the International Court of Justice under Article 96 of the Charter. Such a course of action could allow the organization's head to help refine the legitimate definitions of those situations that present threats to the peace as well as to provide more concrete policy options that are both politically and legally acceptable. One key to advisory opinions is asking a question and getting a specific-enough response. Like all courts, the ICJ oftentimes avoids the substance of an issue and relies upon procedural interpretations to set aside a case. Time is also a problem because the ICJ never acts quickly, and until recently the court only decided a case or two a year. Moreover, given that the United States has made clear that it does not want the new International Criminal Court second-guessing its decisions about choice of weapons and targets in armed conflict, it is highly doubtful that the United States—or Russia or China—would welcome the Secretary-General's raising similar questions of the ICJ.

Agreement on standards may be increasingly necessary, however. Resolutions are often kept vague in order to secure intergovernmental assent ("all necessary means" in the war against Iraq created a host of questions about proportionality, and "all measures necessary" was quintessential UN doublespeak that did not permit sufficient action to help Bosnia's Muslims). The language of international decisions is sometimes too elliptical to allow a determination of which concrete actions and procedures would constitute legitimate follow-up. The Secretary-General—and not just the General Assembly, the Security Council, and other

UN organs—should be authorized to request advisory opinions from the ICJ to help reduce the criticism of selective application by the Security Council of the principles guiding its decision-making. Although seeking the court's opinion would be harmful in the midst of a crisis, it could be useful in anticipating future contingencies.

As part of the reform process, steps have been taken to enhance the Secretary-General's means of fact-finding so that the Secretary-General can improve his access to timely, unbiased, and impartial accounts of dangerous situations. Special units have proliferated that focus exclusively on early warning and prevention. The mandate of these units is to provide greater access to information about potential threats to the peace, thus enhancing the Secretary-General's ability to launch preventive diplomacy and possibly to recommend preventive deployment. Of course, much more could be done, and the Secretary-General's office could and should be equipped and staffed to act as an effective crisis-monitoring center for events that threaten the peace.

Useful suggestions have been made to establish a "national security council" within the Secretariat, complete with independent sources of intelligence and a means for autonomous interpretation of data supplied by governments, in order to provide early warning about crises. A fledgling effort to establish this type of unit, the Office for Research and Collection of Information, was dismantled in 1992 as one of the first changes by newly elected Secretary-General Boutros-Ghali. But the need for a policy-planning unit and a serious whistle-blowing oversight capacity has become more and more obvious. Considerable intelligence could be gleaned from public sources, including leading "think tanks" dealing with international relations.

Finally, the end of the Cold War has permitted the world organization to move toward reviving old-fashioned ideals of an objective and competent international civil service, upon which the organization was supposedly founded.⁷⁰ The success of the organization's activities begins and ends with the people in its employ. A long-ignored reality is the need to overhaul the international civil service, for which qualifications have long been secondary to geographic and political considerations, and within which women have hardly played a role commensurate with their potential.⁷¹

This reality became more obvious with the release of the five reports on the Oil-for-Food Programme whose commission was headed by Paul A. Volcker. Along with the earlier sexual scandals involving peacekeepers, these reports demonstrate serious flaws in the central administration, which is almost universally agreed to be inefficient, politicized, corrupt, and in desperate need of repair. The preface to the fourth Volcker report contained language that could have been written by an American unilateralist: "The inescapable conclusion from the Committee's work is that the United Nations Organization needs thoroughgoing reform—and it needs it urgently."⁷² The oil-for-food findings are not an aberration; such problems are endemic.

After 1997, when Kofi Annan unveiled his strategy of a "quiet revolution" to reform the world organization, he initiated meaningful steps to make the UN a more effective mechanism for administering and managing peacekeeping operations.⁷³ The creation and effective implementation of a rationalized cabinet system, consisting of the Senior Management Group (SMG) comprising division heads and an executive committee system, introduced a much greater degree of horizontal cooperation than had been the case before. Senior officials throughout the organization (including those based in Geneva and Vienna through teleconferencing) meet weekly with the Secretary-General to review and discuss important issues. In addition, the executive committee on peace and security, which brings together those senior officials whose units deal with peacekeeping, holds biweekly discussions. This process is supplemented with a number of issue-specific task forces, including special task forces for each multidisciplinary peace operation, as well as special meetings involving a much wider set of actors who serve as operational partners in the field, including development and humanitarian agencies and international financial institutions.

In regard to headquarters operations, a division of authority has been worked out between the Department of Political Affairs (DPA), the Office for the Coordination of Humanitarian Affairs (OCHA), and the Department of Peacekeeping Operations (DPKO). The former has primary responsibility for preventive diplomacy and peacemaking, the middle one coordinates assistance, and the latter takes the lead in peacekeeping. Although these changes represent important steps in enhancing interdepartmental cooperation and improving the effectiveness of peace operations, the continued splitting of peacemaking and peacekeeping across separate administrative units serves to limit the overall effectiveness of such activities. When it gets off the ground, the support office for the Peacebuilding Commission will need to become an integral part of this core team.

In the field, coordination has been centralized under the special representative of the Secretary-General, who assumes authority over all UN entities in the mission area. In cases where department expertise is especially crucial, such as in the Central African Republic and Liberia, for example, a UNDP resident coordinator (who in peacetime is the UN's point person) may also be appointed to serve as deputy head of mission. Within this structure special emphasis is placed on working in close cooperation with relevant parties, including NGOs.

As mentioned earlier, the scale of the administrative trusteeship operation in Kosovo was in many ways unprecedented. Among its most innovative features was its administrative structure. For the first time non-UN multilateral agencies were integrated directly into the governance structure of a multidimensional peacekeeping operation.

The personnel have of course changed over time, and the EU took over from NATO's military in December 2004, but the division of labor in this administrative arrangement reflects a deeper transformation that has been occurring in peace operations since the beginning of the 1990s. Peacekeeping personnel and

contributing partners are being drawn from an ever-expanding range of institutions—international, national, and local. In addition to UN departments, programs, funds, and other bodies, the civilian and military personnel for peace operations are now being tapped from specialized agencies, international financial institutions, national bureaucracies, military and civilian police forces, regional organizations, NGOs, academia, and the private sector. Each peace mission brings with it a new context with a particular set of historical, cultural, social, and economic conditions, political constraints and requirements, and thus the need for a unique blend of partners and cooperative arrangements.

As the pool of potential partners grows, so does the necessity for developing systematic criteria for determining partnership acceptability. Of course, not all NGOs and other entities from civil society are necessarily constructive forces for building and sustaining peace. Neither may be all regional security organizations, as demonstrated by the numerous allegations of serious human rights violations by members of the Military Observer Group of the Economic Community of West African States (ECOMOG) force in Liberia and Sierra Leone or earlier allegations about Canadian soldiers abusing Somalis. At the same time, however, a broad conception of partnerships is likely to be even more important in the future than it is now. Given the increasing importance placed on creating the requisite social and economic infrastructures for sustaining peace in conflict-torn regions, new and innovative types of partnerships with the private sector, religious groups, local governmental bodies, labor, and others will certainly be needed.

Determining whether to get involved in political-humanitarian crises requires familiarity with a host of actors besides states. Humanitarian action has made possible new coalitions—the media and the public can demand that something be done, the military can respond, and relief agencies can ask for help because on occasion they recognize both the war-fighting and logistical capacities of the armed forces. Commitments by major powers are greatly affected by their leaders' calculations of domestic costs, benefits, and risks. The arithmetic in part reflects the success of domestic and transnational constituencies in mobilizing support for humanitarian action and in altering conceptions of interests and rewards.

One example is Washington's change of tack on Haiti in 1994 after effective lobbying by Jean-Bertrand Aristide and the Congressional Black Caucus.⁷⁴ American leadership in Haiti beginning in September 1994 and in Bosnia after the Dayton accords in November 1995 (a year and two years, respectively, after the October 1993 fiasco in Somalia) suggests that when interests are perceived to be sufficiently involved and foreign policy is framed accordingly, minds can be concentrated and changed. In Kosovo in 1999, humanitarian arguments managed to carry the day even when aerial bombing entailed deterioration in Washington's relations with Moscow and Beijing. As was the case in northern Iraq, and despite the Vietnam and Somalia syndromes, American interests were framed in Haiti, Bosnia, and ultimately Kosovo to merit use of the military with significant humanitarian motivations and certainly significant humanitarian consequences.

The use of force aside, an equally good example of the importance of numerous actors was the "Ottawa process" on antipersonnel land mines. This case is worth examining because of what its dynamics portend for the future, even if the mindset in Washington on this issue remains for the moment impervious to the humanitarian values that have penetrated the foreign policies of other countries. A transnational coalition successfully imbued the domestic politics of a sufficient number of states with enough humanitarian concern to redefine state interests in a way that led to the treaty.⁷⁵ Unlike many cases of transnationalism, this one touches directly on the high politics of military security.

This example suggests the importance of substate and transnational actors in influencing, framing, and ultimately redefining state interests.⁷⁶ The initial impetus in the anti-land mines campaign was provided by a formidable coalition of civil society organizations. The International Campaign to Ban Land Mines grew out of private advocacy organizations whose main orientation was domestic and public (that is, oriented toward change in state behavior). Its success depended on co-opting states (and notably Canada, the Scandinavian countries, and South Africa) to "determine what states want."⁷⁷ Their support depended not only on the moral appeal of the cause but also on the consideration of domestic and international political interests and risks.

State involvement was necessary to translate social pressure into international law. The key to the outcome was to move states and alter definitions of perceived interests by persuading politicians. A basic aspect of the process was to remove land mines from the rarefied realm of technical military strategy and to place the issue firmly in the political realm of domestic constituencies.⁷⁸

Humanitarian values are in the forefront of concerns motivating many societal forces that may inform leaders' perceptions of interest. In commenting on the intervention in Kosovo, the journalist Max Frankel concluded, "It's those pictures of almost unfathomable atrocity that once again drive our politics."⁷⁹ This is not the place to discuss in depth the so-called CNN effect, which influences both the perception of tragedy and the pace of decision-making. However, the increasing reach and efficiency of international communications, along with the related growing influence of transnational and nongovernmental actors, point toward changing domestic environments and decision-making contexts. Armed with graphic images of suffering, these nonstate actors help shape definitions of state interest. We are witnessing a phenomenon not of receding state authority, but of states being influenced by coalitions of actors with humanitarian values. Their agendas to some extent and in some circumstances become those of their governments.⁸⁰ The advances in technology that permitted real-time coverage of the war in Iraq may have changed the equation yet again.

Depending on perspectives, 1999 was either the *annus mirabilis* or the *annus horribilis* for humanitarian action. Kosovo constituted a "humanitarian war." Coercion took place against the Milošević government to stop persecution. In the West, and Washington particularly, intervention for humanitarian purposes

was crucial enough to risk worsened relations with both Russia and China. And in some ways, the international reaction to East Timor was even more remarkable because only area specialists and stamp collectors could have located it on a map a few years earlier. But in spite of official and initially strong objections from the world's fourth most populous country, enough international pressure was exerted that Jakarta "requested" the deployment of the Australian-led coalition in Timor, which was followed by UN trusteeship and a UN peacekeeping force. Pressured or induced consent given by the targeted government is the "first cousin" to humanitarian intervention. Comparable actions are out of the question in Chechnya, Tibet, or Kashmir, but efforts in Indonesia suggest that humanitarian action is an option in more than powerless or failed states, even without formally overriding sovereignty.⁸¹

Member states and peoples across the world are looking toward the United Nations to muster multilateral responses for international and civil strife. In 2003, most states and expressions of public opinion, where the latter could be measured, indicated a preference for military action against Iraq only with the approval of the Security Council. This was true of public opinion even in the United States, where about 60 percent of the public favored the military option. Collective security in its most rigorous form, as directed by UN organs, has yet to be tested, but changing world politics indicate that the United Nations has been given another chance after the Cold War to implement the peace and security provisions of its Charter. It was striking that particularly after the Security Council could not agree on Kosovo in 1999, so much diplomacy and public interest focused on the council regarding Iraq in 2003. In the next big security crisis, the same phenomenon is again likely to happen, despite the widespread disappointment that the P-5 had not been able to agree on how to handle Saddam Hussein.

Human rights and sustainable development play a much less significant role in the Charter than military security. But these "softer" sides of the UN moved forward during the Cold War while collective-security mechanisms stalled. The end of the Cold War had a decided impact on international efforts to constitute working regimes in these areas, too. Moreover, the meaning of "security" has come into question as issues of human rights, democratization, and sustainable human development have worked their way into global discourse about security matters.

EXPLAINING CHANGE

For the security domain, as will be the case in subsequent chapters for human rights and development, it is not easy to deal with matters of presumed knowledge and learning. What are the proper lessons to be drawn from decades of UN peacekeeping, from various efforts at enforcement, from failures to reach a common approach to Kosovo in 1999 and Iraq in 2003? Do different actors learn different things based on their existing ideologies or mindsets, indicating an

absence of scientific certainty on these matters and the persistent presence of ever-changing policy debates?

Disappointingly, so much UN peacekeeping, even of the traditional type, is still unsystematic, still ad hoc in composition and deployment. Many states have not learned that international peace and security could be improved by concluding Article 43 agreements with the UN, which would provide the Secretary-General advance notice of what military units would be available for armed interposition under UN aegis. States like Canada certainly recognize that a UN rapid reaction force could be a significant contribution to stability and humanitarian advance in a world of failed states and small wars. But it seems that many states—including the important ones with the most military wherewithal like the United States, China, and Russia—do not want to transfer much hard power to the UN even if under the ultimate authority of the Security Council, where they have a veto.

Thus, the Secretary-General has to go begging and start from scratch if he advocates a multilateral force for places like Liberia or the Congo. Even for the armed observation of cease-fires, which the UN has been doing consistently well and on a fairly large scale since 1956, there is no UN system that can be activated on short notice, ready for rapid deployment. Indeed, deployments were done more quickly in the 1950s and 1960s than now because of the absence of political will in nastier conflicts. The problem is not intellectual. The problem is the absence of national and international political will. Important states simply do not wish to commit in advance even small, voluntary parts of their armed forces for deployments determined by the council and managed by the Secretariat. Even for traditional peacekeeping, not to mention the more ambitious and complex type of peace operations, there has not been so much "learning lessons" as "spurning lessons." In short, policy changes to make the whole enterprise more streamlined and effective make good sense, just not political sense to key states.

Recent events regarding enforcement indicate the same lack of decisive change, the same lack of policy transformation, which would indicate not much learning. Iraq in 2003 demonstrated starkly what Kosovo had already shown in 1999, namely that the permanent members of the Security Council could be as deeply divided after the Cold War as during it. In both of those cases, one saw a determined hyper-power ready to employ its military superiority, even in the face of opposition within the council. Regarding Iraq in 2003, much of the opposition was well considered and well argued as recent events have borne out even if some of it stemmed from historic ambitions (for example, France) or domestic political calculation (for example, Germany). Iraq had no substantial links with Al Qaeda nor operational chemical or biological weapons, and it did not present a clear and present danger to U.S. security. The United States, being determined to exploit its power advantage over the Saddam Hussein regime, "learned" that the members of the council could not be relied upon to endorse decisive preventive action. Kosovo had already demonstrated that war by multi-

lateral committee was a bad idea. At the same time, what a majority of the council members "learned" about Hussein's Iraq was that diplomacy still had a chance of containing and deterring that regime. So "knowledge" in this case was not a scientific matter but a debatable proposition greatly affected by perceptions of power and norms.

The Security Council, of which ten members are not permanent, may "learn" the benefits of involving the UN in postcombat security measures of occupation, state-building, and nation-building. On the one hand, the United States was encountering many difficulties in trying to transform an occupied Iraq. On the other hand, the UN had demonstrated a certain messy success in administering Bosnia, Kosovo, and East Timor. Afghanistan was a separate case in which the UN was involved immediately after combat in a diplomatic way, but did not have major responsibility for security and other measures on the ground for the Hamid Karzai government. Postcombat Afghanistan was a fractured, dangerous, and deadly place, but the UN Assistance Mission for Afghanistan (UNAMA) was part of the picture in support of both NATO's ISAF and the United States's OEF. Over time even if UNAMA grows and takes certain initiatives, it would still require the cooperation of Brussels and Washington.

The fallout from September 11 and the war on terrorism and Iraq is unclear. But it would be difficult to deny that the UN will be of importance as the United States draws down its presence in Iraq. Postwar (if that is the correct term) activities there have demonstrated that recovery, reconstruction, and rebuilding are not U.S. strong suits. Meanwhile, the UN has accumulated substantial experience over several decades, and this comparative advantage makes the Peacebuilding Commission a sensible idea. Former U.S. assistant secretary of state James Dobbin and a Rand Corporation evaluation team have argued that the world organization's performance in postconflict effectiveness is remarkably good in comparison with Washington's—they say that seven of eight UN operations have been successful versus only four out of eight for the United States.⁸²

Almost all actors, whether state participants or nonstate observers and experts, had "learned" that the UN was not good at the heavy lifting of combat, and that the UN lacked the independent power and management skills to move beyond collective legitimization and the less muscular forms of peacekeeping. There also seemed to be widespread learning regarding "smart" sanctions, which targeted elites rather than the rank-and-file citizen who often had little control over events.

NOTES

1. This discussion draws on Jane Boulden and Thomas G. Weiss, "Whither Terrorism and the United Nations?" in *Terrorism and the United Nations: Before and After September 11*, ed. Jane Boulden and Thomas G. Weiss (Bloomington: Indiana University Press, 2004), 3–26. See further Thomas G. Weiss, Margaret E. Crahan, and John Goering, eds., *War on Terrorism and Iraq: Human Rights, Unilateralism, and U.S. Foreign Policy* (London: Routledge, 2004).

2. UN Press Release, S/SM/7962/Rev.1, September 18, 2001.
3. Many studies of international relations, including our first three editions, gave insufficient attention to terrorism. For example, a well-known anthology about American priorities ignored the topic; see Michael E. Brown, ed., *America's Strategic Choices* (Cambridge, Mass.: MIT Press, 2000). Daniel Philpott points out that religion, certainly one of the factors motivating the terrorist attacks, also was largely ignored by international relations scholars—yet another shortcoming because Al Qaeda's political theology challenges "the Western synthesis, the fundamental authority structure of the international order." "The Challenge of September 11 to Secularism in International Relations," *World Politics* 55, no. 1 (2002): 92. He analyzed four prominent journals from 1980 to 1999 (*International Security*, *International Organization*, *International Studies Quarterly*, and *World Politics*) and found that only six or so of about 1,600 articles featured religion as an important influence in international relations. See Daniel Philpott, *Revolutions in Sovereignty: How Ideas Shaped Modern International Relations* (Princeton: Princeton University Press, 2001), 9.
4. See Adam Roberts, "Terrorism and International Order," in *Terrorism and International Order*, ed. Lawrence Freedman, Christopher Hill, Adam Roberts, R. J. Vincent, Paul Wilkinson, and Philip Windsor (London: Routledge and Kegan Paul/Royal Institute of International Affairs, 1986), 9–10; and M. J. Peterson, "Using the General Assembly," in *Terrorism and the United Nations: Before and After September 11*, ed. Jane Boulden and Thomas G. Weiss (Bloomington: Indiana University Press, 2004), 173–197.
5. Peterson, "Using the General Assembly."
6. United Nations, Report of the High-level Panel on Threats, Challenges and Change, *A More Secure World: Our Shared Responsibility* (New York: UN, 2004), para. 161. For discussions of the reform, see Special Section: "The Report of the High-level Panel on Threats, Challenges and Change," *Security Dialogue* 36, no. 3 (2005): 361–394; and Paul Heinbecker and Patricia Goff, eds., *Irrelevant or Indispensable? The United Nations in the 21st Century* (Waterloo, Ontario: Wilfrid Laurier University Press, 2005).
7. Kofi Annan, *In Larger Freedom: Towards Development, Security and Human Rights for All*, UN document A/59/2005, March 21, 2005, para. 91.
8. General Assembly, 2005 World Summit Outcome, UN document A/60/L.1, September 15, 2005, para. 81.
9. Chantal de Jonge Oudraat, "The Role of the Security Council," in *Terrorism and the UN: Before and After September 11*, ed. Jane Boulden and Thomas G. Weiss (Bloomington: Indiana University Press, 2004).
10. United Nations, *Report of the Policy Working Group on the United Nations and Terrorism*, document A/57/273/S/2002/875.
11. This discussion of the UN's history in grappling with WMD relies on the work of Nina Tannenwald, "The UN and Debates Over Weapons of Mass Destruction," in *The United Nations and Global Security*, ed. Richard M. Price and Mark W. Zacher (New York: Palgrave, 2004), 3–20.
12. *Ibid.*, 6.
13. For an exposition of doctrinaire unilateralism, compared to occasional and pragmatic unilateralism, see the chapter by John Ruggie in David P. Forsythe, Patricia C. MacMahon, and Andrew Wedeman, eds., *American Foreign Policy in a Globalized World* (New York: Routledge, 2006).
14. See further Rosemary Foot, S. Neil MacFarlane, and Michael Mastanduno, eds., *The United States and Multilateral Organizations* (Oxford: Oxford University Press, 2003).

15. Regarding the *Caroline* case and anticipatory self-defense in international law, see Anthony Clark Arend and Robert J. Beck, *International Law and the Use of Force* (London: Routledge, 1993). On the Bush Doctrine as a violation of the UN Charter, see Tom J. Farer, "Beyond the Charter Frame: Unilateralism or Condominium," *American Journal of International Law* 96, no. 2 (2002): 359–364. Israeli scholars, like Yoram Dinstein, in *War, Aggression and Self-Defense*, 2nd ed. (Cambridge: Cambridge University Press, 1994), who endorse the notion of anticipatory self-defense as found in Israel's first use of force in 1967, still say that the threat of imminent attack is necessary in exercises of this form of self-defense.
16. See Jean E. Krasno and James R. Sutterlin, *The United Nations and Iraq: Defining the Viper* (Westport, Conn.: Praeger, 2003).
17. James Mann, *Rise of the Vulcans: The History of Bush's War Cabinet* (London: Penguin, 2004).
18. When the Reagan administration invaded the Caribbean island of Grenada in 1982, it manufactured the collective approval of the Organization of East Caribbean States because any approval by either the UN or OAS was out of the question. So U.S. administrations that believe in doctrinaire unilateralism do understand the desirability of some kind of collective approval, but they are prepared to essentially go it alone while regarding collective approval as a minor matter. After the invasion of Iraq in 2003, the Bush administration made sure to obtain UN approval for the dispatch of UN blue helmets to Haiti.
19. On the great damage that the Bush policy toward Iraq did to the long effort to restrict the first use of force, see especially Michael J. Glennon, "Why the Security Council Failed," *Foreign Affairs* 82, no. 3 (2003): 16–35. On the broad perception that the Iraq war in 2003 weakened the United Nations, see Meg Bortin, "Poll Shows U.S. Isolation," *International Herald Tribune*, June 4, 2003, www.ihl.com/articles/98482.html.
20. The reports by Paul A. Volcker, Richard J. Goldstone, and Mark Pieth are available at www.lic-off.org.
21. The Report of the Independent Panel on the Safety and Security of the UN Personnel in Iraq (October 20, 2003) can be accessed at <http://www.un.org/News/dh/iraq/safety-security-un-personnel-iraq.pdf>.
22. See Thomas G. Weiss and Peter J. Hoffman, "Making Humanitarianism Work," in *Making States Work: State Failure and the Crisis of Governance*, ed. Simon Chesterman, Michael Ignatieff, and Ramesh Thakur (Tokyo: UN University Press, 2005), 296–317.
23. See Larry Minear et al., *Humanitarianism Under Siege: A Critical Review of Operation Lifeline Sudan* (Trenton, N.J.: Red Sea Press, 1991); and Francis M. Deng and Larry Minear, *The Challenge of Famine Relief* (Washington, D.C.: Brookings Institution, 1993).
24. For other ideas about financing, see the thoughts of a group of experts under the chairmanship of Paul Volker and Shijuro Ogata, *Financing an Effective United Nations* (New York: Ford Foundation, 1993).
25. "The Lost UN Summit Meeting," *New York Times*, September 14, 2005.
26. Kofi A. Annan, "A Glass at Least Half Full," *Wall Street Journal*, September 19, 2005.
27. For these and other statistics, see "Fatalities by Year up to 29 December 2005," available at www.un.org/Depts/dpko/fatalities/totals_annual.htm.
28. See James Rosenau, *The United Nations in a Turbulent World* (Boulder, Colo.: Lynne Rienner, 1992).
29. See the classic treatment by Kenneth Waltz, *Man, the State and War* (New York: Columbia University Press, 1968), in contrast with Philip Alott, *Economics: New Order for a New World* (New York: Oxford University Press, 1990).

30. International Commission on Intervention and State Sovereignty, *The Responsibility to Protect* (Ottawa: ICISS, 2001).
31. Francis M. Deng, *Protecting the Dispossessed: A Challenge for the International Community* (Washington, D.C.: Brookings Institution, 1993); Francis M. Deng et al., *Sovereignty as Responsibility* (Washington, D.C.: Brookings Institution, 1995); Francis M. Deng, "Frontiers of Sovereignty," *Leiden Journal of International Law* 8, no. 2 (1995): 249–286; Roberta Cohen and Francis M. Deng, *Masses in Flight: The Global Crisis of Internal Displacement* (Washington, D.C.: Brookings Institution, 1998); Roberta Cohen and Francis M. Deng, eds., *The Forsaken People: Case Studies of the Internally Displaced* (Washington, D.C.: Brookings Institution, 1998); and Francis M. Deng, "Dealing with the Displaced: A Challenge to the International Community," *Global Governance* 1, no. 1 (1995): 45–57. This story is told in detail in Thomas G. Weiss and David A. Korn, *Internal Displacement: Conceptualization and its Consequences* (London: Routledge, 2006).
32. Amman, *Larger Freedom*, 59.
33. General Assembly, 2005 *World Summit Outcome*, paras. 138–139.
34. Boutros-Ghali, *Agenda*, para. 69.
35. Amman, *Larger Freedom*, 31 para 113.
36. For a discussion of the needs, see Oliver Iltersonke and Rolf Schwarz, eds., *Post-Conflict Peacebuilding: Security, Welfare and Representation*, special issue of *Security Dialogue* 36, no. 4 (2005); and Mark T. Berger, ed., *From Nation-Building to State-Building*, special issue of *Third World Quarterly* 27, no. 1 (2006).
37. Amman, *Larger Freedom*, 31 para. 114.
38. Kofi Annan, *Renewing the United Nations: A Programme for Reform* (New York: United Nations, 1997).
39. United Nations, *Report of the Panel on United Nations Peace Operations*, document A/55/305–5/2000/809, August 21, 2000.
40. See also John Gerard Ruggie, *Winning the Peace: America and World Order in the New Era* (New York: Columbia University Press, 1996).
41. For analyses of the implications, see Rosemary Foot, S. Neil MacFarlane, and Michael Mastanduno, eds., *U.S. Hegemony and International Organizations: The United States and Multilateral Organizations* (New York: Oxford University Press, 2003); Stewart Patrick and Shepard Forman, eds., *Multilateralism and U.S. Foreign Policy: Ambivalent Engagement* (Boulder, Colo.: Lynne Rienner, 2002); and David M. Malone and Yuen Foong Khong, eds., *Unilateralism and U.S. Foreign Policy: International Perspectives* (Boulder, Colo.: Lynne Rienner, 2003).
42. Joseph E. Nye Jr., *Soft Power: The Means to Success in World Politics* (New York: Public Affairs, 2004).
43. For a quantitative and qualitative discussion, see Ernest B. Haas, "Collective Conflict Management: Evidence for a New World Order" in Thomas G. Weiss, *Collective Security in a Changing World* (Boulder, Colo.: Lynne Rienner, 1993), 63–117.
44. See Edward C. Luck, *Reforming the United Nations: Lessons from a History in Progress* (New Haven, Conn.: ACUNS, 2003), Occasional Paper No. 1: 7–16. See also Brian Urquhart and Erskine Childers, *A World in Need of Leadership: Tomorrow's United Nations—A Fresh Appraisal* (Uppsala, Sweden: Dag Hammarskjöld Foundation, 1996); Commission on Global Governance, *Our Global Neighborhood* (Oxford: Oxford University Press, 1995); South Centre, *For a Strong and Democratic United Nations: A South Perspective on UN Re-*

- form* (Geneva: South Centre, 1995); and Erskine Childers and Brian Urquhart, *Renewing the United Nations System* (Upland, Penn.: DIANE Publishing Company, 1999).
45. See Thomas G. Weiss, *Overcoming the Security Council Reform Impasse: The Implausible versus the Plausible* (Berlin: Friedrich Ebert Stiftung, 2005), Occasional Paper No. 14.
46. High-level Panel, *More Secure World*, para. 2497–260.
47. General Assembly, 2005 *World Summit Outcome*, para. 154.
48. See Thomas G. Weiss and Karen Young, "Compromise and Credibility: Security Council Reform?" *Security Dialogue* 36, no. 2 (June 2005): 131–154; and Thomas G. Weiss, *Overcoming the Security Council Impasse: Envisioning Reform* (Berlin: Friedrich Ebert Stiftung, 2005), Occasional Paper No. 14.
49. *Ibid.*, para. 139.
50. High-level Panel, *More Secure World*, para 164(d).
51. General Assembly, 2005 *World Summit Outcome*, para 81.
52. *Ibid.*
53. Paragraphs 57–64 of the *Draft Outcome Document*, August 5, 2005, had been devoted to this topic.
54. For an overview of this report see Warren Hoge, "Report Finds U.N. Peacekeeping Isn't Moving to End Sex Abuse by Peacekeepers," *The New York Times*, October 19, 2005.
55. *Ibid.*
56. Gerald B. Helman and Steven R. Ratner, "Saving Failed States," *Foreign Policy*, no. 89 (1992–1993): 3–20.
57. High-level Panel, *A More Secure World*, para. 261.
58. General Assembly, 2005 *World Summit Outcome*, paras. 97, 99, and 104.
59. For the challenges, see Mark T. Berger, ed., *From Nation-Building to State-Building*, special issue of *Third World Quarterly* 27, no. 1 (2006).
60. Boutros-Ghali, *Agenda*, para. 64.
61. John Zameitica, *The Yugoslav Conflict*, *Adelphi Paper 270* (London: International Institute for Strategic Studies, 1992), 67.
62. Charles William Maynes, "A Workable Clinton Doctrine," *Foreign Policy* 93 (1993–1994): 3–20.
63. Boutros-Ghali, *Supplement*, para. 86. For a skeptical view, see Benjamin Rivlin, "Prospects for a Division of Labour between the UN and Regional Bodies in Peace-keeping," in *Agenda for Change*, ed. Klaus Hüfner (Opladen, Germany: Leske and Budrich, 1995), 137–149.
64. Press release SG/SM/5804, November 1, 1995, 2. For an extended argument about a "partnership" between the UN and regional organizations, see Alan K. Henrikson, "The Growth of Regionalism and the Role of the United Nations," in *Regionalism in World Politics: Regional Organizations and World Order*, ed. Louise Fawcett and Andrew Hurrell (Oxford: Oxford University Press, 1996), 122–168.
65. Boutros Boutros-Ghali, "Global Leadership After the Cold War," *Foreign Affairs* 75, no. 2 (1996): 95.
66. For further information, see the UN Department of Peacekeeping Operations, "Background Note: 31 January 2006," available at <http://www.un.org/Depts/dpko/dpko/bnote.htm>, accessed March 6 2006.
67. For an overview of UN operations, including costs and troop contributions, see Ian Johnston, *Annual Review of Global Peace Operations*, 2006 (Boulder, Colo.: Lynne Rienner, 2006).

PART TWO

HUMAN RIGHTS AND
HUMANITARIAN AFFAIRS

68. Kofi Annan, *Investing in the United Nations: For a Stronger Organization Worldwide*, UN document A/60/692, March 7, 2006, 1.

69. See John Mackinlay, "The Requirement for a Multinational Enforcement Capability," in *Collective Security in a Changing World*, ed. Thomas G. Weiss (Boulder, Colo.: Lynne Rienner, 1993), 139–152.

70. The classic treatment of this subject is by Dag Hammarskjöld, "The International Civil Servant in Law and in Fact," *Lecture of May 30, 1961* (Oxford: Clarendon Press, 1961).

71. For further information, see Thomas G. Weiss, *International Bureaucracy* (Lexington, Mass.: Heath, 1975); and Robert S. Jordan, ed., *International Administration: Its Evolution and Contemporary Applications* (New York: Oxford University Press, 1971).

72. For a discussion, see Christine Chinkin and Hilary Charlesworth, *The Boundaries of International Law: A Feminist Analysis* (New York: Juris Publications, 2000).

73. Paul A. Volcker, Richard J. Goldstone, and Mark Pieth, *The Management of the Oil-for-Food Programme*, volume 1, September 7, 2005, 4, available at www.unic.org.

74. Kofi Annan, "The Quiet Revolution," *Global Governance* 4, no. 2 (1998): 123–138.

75. David Malone, *Decision-Making in the UN Security Council: The Case of Haiti, 1990–97* (Oxford: Oxford University Press, 1998).

76. See Stephen Biddle et al., *The Military Utility of Landmines Implications for Arms Control* (Alexandria, Va.: Institute for Defense Analyses, 1994).

77. See Thomas Risse, Stephen C. Ropp, and Kathryn Sikkink, ed., *The Power of Human Rights: International Norms and Domestic Change* (Cambridge: Cambridge University Press, 1999).

78. Richard Price, "Reversing the Gun Sights: Transnational Civil Society Targets Land Mines," *International Organization* 52, no. 3 (1998): 617.

79. For a comparison across cases of NGO, IGO, and governmental partnerships, see Don Hubert, *The Landmine Ban: A Case Study in Humanitarian Advocacy*, Occasional Paper No. 42 (Providence, R.I.: Watson Institute, 2000).

80. Max Frankel, "Our Humanity vs. Their Sovereignty," *New York Times Magazine*, May 2, 1999, 36.

81. See S. Neil MacFarlane and Thomas G. Weiss, "Political Interest and Humanitarian Action," *Security Studies* 10, no. 1 (2000): 166–198.

82. Donald K. Emmerson, "Moralpolitik: The Timor Test," *National Interest*, no. 58 (1999–2000): 57–62.

83. James Dobbins et al., *The UN's Role in Nation-Building: From the Congo to Iraq* (New York: Rand Corporation, 2005), xxvii.