

**Presentation by Paul Heinbecker\***

**at the**

***Atlantik Brücke Conference***

*Banff, Alberta*

*October 15-17, 2004*

***Re-Engineering Global Linkages***

(Check Against Delivery)

\*Paul Heinbecker is Director of the Centre for Global Relations, Governance and Policy at Wilfrid Laurier University and Distinguished Research Fellow at the Centre for International Governance Innovation. He recently retired after 38 years with Canada's Department of Foreign Affairs, most recently serving as Ambassador to the United Nations (2000- 2003). This paper does not necessarily reflect the views of the institutions above.

# Re-engineering Global Linkages

## *Introduction*

I have been asked to speak about re-engineering global linkages. That is entirely appropriate because when I first met him in Bonn as Canadian Ambassador, General Klaus Naumann, who was then chief of the German defence staff greeted me saying “Botschafter, I hope you are an engineer because the Atlantic Ocean is widening and we need to get to work on the bridge”.

To re-engineer, we need first to ask ourselves why are we re-engineering? What are the problems for which we need to re-engineer? What has to be done to achieve that change. Finally and not least, do we stand a chance of success?

## *Why Re-engineer*

The answer to why we should re-engineer is that the current multilateral system is not working well enough, particularly regarding international security. At the same time, there is no effective alternative to multilateral cooperation for dealing with over-arching global problems. Further, at the heart of the multilateral system is the rule of law, specifically, albeit not exclusively the UN Charter.

The choice we face, bluntly, is to improve the system of international law, making it progressively more effective, or to regress to the law of the jungle. My judgment is that multilateral cooperation will continue because it must. Woodrow Wilson, Franklin Roosevelt and the past 50 years of cooperative international institution-building, treaty-making and network-developing have changed the way the world thinks about managing international relations. The combination of integrating economies and of burgeoning technology, of shrinking distance and time, has changed how the world runs its affairs. The US has long been an ambivalent multilateral partner. The world has learned to work with the US where it can and to work around it where it must. For example on the Convention to Eliminate All Forms of Discrimination Against Women, the Anti-Personnel Land Mines Treaty, the International Criminal Court, it is possible in these cases as it has been on the Law of the Sea that the US will come to change its mind.

The attack on 9/11 did not change everything. The most glaring problem with the 2002 US National Security Strategy, and with the illegal US attack on Iraq, is the unrealistic assessment that the US can go it alone effectively. The second most glaring problem is that the National Security Strategy has no answer to the question of what happens if others follow suit and also attack others outside of existing law. That way lies chaos.

The world has become too complex for any one country to run it or to go it alone. Further, the United States has become too dependent, not least financially, on others (as others are on the US), to transcend the system or to determine, itself, outcomes. Moreover, the US is the

world's greatest debtor, going progressively and quickly deeper into debt; the historical evidence on the long term viability of debtor-empires is not encouraging.

### ***The Problems the World Faces: A Perfect Storm?***

Conditions have been forming for a perfect storm between the West and Islam. Extremists on both sides believe they are defending their civilizations against the other, which would destroy them if it could. Three main elements have been creating the conditions that could trigger this storm:

- An at once fearful, xenophobic and aggressive America, led currently, by a President with little international experience office, possessing unmatched power and a disposition to use it.
- An Islamic world that both fears that it is being left behind and feels it is under attack.
- And a multilateral system that is necessary but not sufficient to mediate those problems and that does not satisfy people on either side of this divide or those in between.

### ***On the Islamic side:***

There are countless contributing factors, including:

- The political and economic stagnation of the Islamic world, with a small handful, only, of mostly non-Arab countries making significant strides.
- A sense of being hated and under siege by the West, from the Israeli-Palestinian conflict, to Iraq, to Afghanistan
- The “atomized” character of the Islamic world, which has lacked coherence since the end of the Ottoman caliphate, and in which the Arab states are together somehow less than the sum of their parts.
- The rise of Islamic extremism and a culture of martyrdom
- A growing recognition that asymmetrical warfare is effective against open societies, and by a culture of martyrdom
- An Islamic mainstream that eschews violence itself but which undoubtedly sympathizes with the cause espoused by the terrorists, if not the tactics, and is often, at least privately, glad to see its antagonists getting some of their own back.

### ***On the US side:***

- The 9/11 bolt from the blue attack on New York and Washington, the worst attack on the US mainland since 1812.
- the disappearance of external checks and balances on American power
- the rise of American exceptionalism
- the 2002 National Security Strategy, which is portrayed as a post 9/11 new grand strategy, a combination of the 19<sup>th</sup> Century American unilateralism of John Quincy Adams and the 20<sup>th</sup> century principles and proselytizing of Woodrow Wilson.
- the cultural war in the US between conservatives and progressives, which is starkly evident in the current election campaign, and which generates oftentimes aggressive foreign policy prescriptions.
- the growing gap between American self-perception and the perception of others about the United States and about US foreign policy.

At the Democratic convention, candidate Kerry said: “The USA never goes to war because it wants to. We only go to war because we have to.” President Bush said not long before that at a Memorial Day commemoration: “It is not in our nature to seek out wars and conflicts. We only get involved when adversaries have left us no alternative.” History cannot carry the weight of these arguments. There were the Barbary Wars, the Mexican War, Central America (several times), the Spanish American War, the Philippines War, China, Cuba (several times), the Dominican Republic and Grenada.

In more contemporary history, there was Iran in the ‘50’s, and the overthrow of Mossadeq, the democratically elected leader, an act still being paid for today; the Congo in the 60’s and the overthrow of Patrice Lumumba, its democratically elected leader; Chile in the 70’s and the overthrow of Allende, its democratically elected leader; Haiti, several times; and Viet Nam and Cambodia. For Americans, this is all ancient history, if they have been taught about it at all. For others, the experience is an enduring part of their national narrative, and most, not a positive part.

### ***Iraq, the National Security Strategy and International Law***

A week or so ago, the Duelfer report confirmed that Iraq had no weapons of mass destruction (WMD) and had had no program to make them since the early 90’s. Secretary Rumsfeld admitted to New York Council on Foreign Relations that “[he had] not seen any strong, hard evidence that links the two”. Inconvenient truths when you are defending a decision to go to war fought because of a claimed imminent threat. From the perspective of international law and the UN charter, this is an exceptionally troubling development.

President Bush has given the policy of prevention (not pre-emption, which has the much more demanding tests) announced in the 2002 National Security Strategy an even weaker trigger — the suspected knowledge of how to make WMD and the presumed intent to do so. This is a long way from article 51 of the UN charter and equally far from customary

international law, which foresees pre-emption in circumstances of imminent danger. It is not anti-American, even in Canada, to worry that American policy is becoming, literally, lawless.

### ***The Significance of the US Election***

There remain two last checks on US foreign policy—the American electorate and intractable reality. If the majority of American voters do not care that the US has attacked another country without adequate cause, and they re-elect President Bush, the rest of us will have to cope with a leader who will feel vindicated, and possibly emboldened, in his use of American military power. This President is now effectively saying that it is enough for him to perceive a gathering danger for the US to attack another country. If he is re-elected, there will be little constraint left on the American use of power.

### ***Intractable Reality***

Except intractable reality. The US is the most powerful country in history. But the lesson of Iraq is that the US is not so strong that it can, itself, determine the course of world events. The US is too powerful to be coerced but not powerful enough to coerce everyone else. In an age of asymmetric warfare the US is invincible but not invulnerable. The US cannot go it alone and be secure.

### ***The US and the UN***

Happily, notwithstanding the aspirations of a few hard-hearted, soft-handed neo-cons, simple-minded commentators, misplaced Canadian speech-writers and vicarious academic imperialists, there is scant evidence that most Americans want to go it alone.

Recent surveys, including that of the Chicago Council on Foreign Relations, show that large majorities of Americans believe that a lesson of 9/11 is that the US should work more closely with others, not more unilaterally. Equally, the Chicago poll reveals a readiness to act collectively through the United Nations and to support international treaties, including the nuclear test ban treaty, Kyoto, the land mines ban and the International Criminal Court!

### ***Kerry Versus Bush on the UN***

Judging by the debates, Senator Kerry sees the war on terror very differently than President Bush, even that “the war on terror” is actually, to quote our mutual friend Richard Holbrooke, a metaphor rather than an actual war. In classical wars, the enemy is another nation-state. Now, when the enemies are non-state actors. Kerry’s view strikes me as more in touch with reality. For Kerry, “the war on terror is not a clash of civilizations”, but “a clash of civilization against chaos”. For Bush, security comes via the exercise of power and establishing democracy abroad, especially in the Middle East, by force if necessary. For him, the UN is an instrument of US foreign policy.

A recent New York Times profile portrayed Kerry as a kind of Ambassador-President, who wants to restore “America’s reputation as a country that listens”. From the perspective of

advancing international law, of reforming the UN, the issue of who wins the US election is crucially important.

### **The Multilateral System: Reformation and Innovation**

The title of the panel appointed by Secretary General Annan is the High Level Panel on Security Threats, Challenges and Change”. The word “reform” does not appear! But reform is overdue.

### ***The New Threats***

The UN Charter was written in another age and addressed the problems that plagued that age. In the wake of World War II, the most destructive interstate war in history, prohibiting interference in the internal affairs of states was the key to peace. Now, in a time of intrastate conflict and proliferating weapons of mass destruction, of non-state actors, especially terrorists, but also of organized crime and of failing states, intervention may be the new key to peace, provided that it is done corporately not unilaterally and, unlike the Iraq war, that it passes “the global test”, to paraphrase candidate Kerry.

- The international community will need to agree to qualify the sovereignty of states in order to act legally
- to stop humanitarian catastrophes within countries,
- to deny terrorists safe haven
- to fight organized crime
- to prevent the proliferation of weapons of mass destruction
- to deal with other threats to human security, including poverty, disease and environmental breakdown

The high level panel will shortly make recommendations to the UN membership to assist the organization to meet these new challenges. There is a strong argument for getting the substance issue right first, i.e., what the UN does, and dealing subsequently with the structural issues, i.e., who does it.

### ***The structural issue***

The panel will likely make proposals on

- The structure and operation of the Security Council
- institutional machinery to deal with fragile, failing and failed states
- institutional machinery for dealing with economic and social threats
- the role of regional organizations

The issue of permanent seats, semi-permanent seats, more non-permanent seats, vetoes, etc., will be extremely difficult for the membership to resolve, whatever the panel proposes. At

last count, member states had at one time or another proposed some 300 variations of Security Council reform; there is no lack of ideas. It is broadly agreed that current permanent Security Council membership is anachronistic, and does not reflect today's realities, especially as regards the developing world. There is also general agreement on the need to do something about the cumbersome and dysfunctional character of the UN's economic and social machinery and the bedlam that is the General Assembly. That is where agreement ends. The Secretary General has apparently told the panel that it must present him a viable proposal or perhaps options on Security Council membership. I myself see no prospect of the creation of additional permanent seats with vetoes. If five vetoes are bad, 10 vetoes are infinitely worse. It takes the vote of a two-thirds majority of the members of the UN, including the affirmative votes of all five current permanent members, to change the Charter. Even the creation of simple permanent seats without veto will be very difficult to achieve. It is easier to imagine the addition of perhaps 10 semi-permanent, rotating seats, with one or two for each region. That sort of proposal would not meet the fairness test and would not satisfy the major aspirants but it would gore the fewest oxen.

Two observations

- One, there will likely never be a really unified EU foreign policy so long as Europe has more than one veto
- Two, whatever is decided let one criterion for enhanced membership be the ability and willingness of the states to contribute militarily to international peace and security, that would likely leave Japan out.

### ***Innovation: the L-20***

Whatever the UN qua UN decides on reforming itself, it is unlikely to be sufficient to deal with the many mega-problems the international community faces. The problems are too intractable and the parties are too divided. Nor is the G-8 any longer sufficient to galvanize action and provide direction. From exchange rate issues (China is not present), to debt issues (the defaulters are not present), to trade reform (the South is not present) to security questions (the "consumers" are not present), the G-8 membership is too narrow and the absentees are too important for the institution to be satisfactorily effective. (By the way, these are the same reasons why a G-3 would be inadequate.) Nor will reform of the existing institutions solve all of these problems. Too many of the new challenges fall somewhere between the mandates of the existing institutions. That is why Canadian Prime Minister Paul Martin is proposing the creation of an informal new group, an L20 or Leaders 20, built on the model of the G-20 finance ministers. Such a North-South, East-West group could more authoritatively tackle current inter-institutional and cross-sectoral problems. It could galvanize action on problems such as international terrorism, climate change, HIV-AIDS and SARS and poverty, and trade, and give an impetus to action in other bodies, including on UN reform.

Such a leaders-level forum would allow cross sectoral deals to be made that ministers simply lack the authority to make. It would also likely narrow differences between North and South and between the Americans and everyone else. It would thus make other institutions function better. The process is part of the message—the familiarity with each others' political problems that comes from regular and restricted meetings would help to dampen unrealistic

expectations of what can be done but also to clarify where agreement can be reached or at least to narrow differences. It would result in much greater sensitivity. An L 20 would not have the legitimacy derived from universal membership but it could reach agreements among its own members that it could commend to existing, legitimate bodies to consider. An L 20 would not supplant the UN Security Council but would complement them. The G-8 or G-7 could continue to meet to deal with those problems that were integral to their mandates. Assuming a viable set of proposals from the UN reform panel, a summit meeting of an “L-20”, a group of 20 leading rich and developing UN members, could endorse and commend reform to others.

### ***Innovation: The Democracy Caucus***

According to Freedom House, about 60 of the UN’s members are democracies and about 60 more are substantially free. Thus about two-thirds of the UN membership is derived from countries that respect the purposes of the UN Charter to a significant degree. But the UN is not itself democratic, although some of its processes are, for example, one country one vote. What the UN is, is the world’s premier representative body. The world needs a forum where communication is possible between un-likeminded countries. Nor is it always the undemocratic countries that block action on for example responding to human rights abuses. The failure to act in Rwanda was laid properly at the door of the United States; then France actually intervened on the side of the *genocidaires*. Nevertheless, a way needs to be found to inject more democratic practice into UN deliberations, possibly through a cross-regional, democratic caucus. The prospect of membership in a caucus could be an incentive to others to democratize. This is true for the General Assembly and for subsidiary bodies.

### ***Conclusion***

So the international system needs both renovation and innovation. Further, while the Atlanik Brücke needs re-engineering, the problem is much larger. A Perfect storm is brewing between the West and Islam. Here, crucially, policies need re-tooling if far-reaching conflict is to be avoided. It will be important to engage both sides and diminish the myths of animosity that separate them. It will also be necessary to reform the multi-lateral system, especially the United Nations, so that global problems can be resolved. A major re-engineering work is needed