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Can the World Be Governed?

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Introduction

Today, I will make five points:

1. The world can be governed
2. A system of international law is preferable to a Pax Americana or some other system based on the power of one country or group of countries
3. The multilateral system needs both renovation and innovation
4. Canada can and should to contribute to both
5. The deprecation of the Canadian Foreign Service is destructive and counterproductive.

The World Can Be Governed

If the headline question of this panel means, can we create a world government, the answer is “no, not yet and perhaps not ever”. There are limits the enthusiasm for a world government. Remember the advice of the US UN delegate, Henry Cabot Lodge, who said of the UN: “This organization is created to keep you from going to hell. It isn’t created to take you to heaven.” If the headline question means, can we establish international norms, rules and laws to govern states’ behaviour, the right answer is, “yes, certainly”. That is what we have been doing with increasing effectiveness for the last 150 years, especially the last 60. If the question implies that we should throw in the towel on a multilateral governance system based on the rule of law, and that we should accommodate ourselves to a Pax Americana or to some other power, rather than law-based system, my answer is, “No.” To do so would be both dangerous and shortsighted.” And, finally, if the headline question of this panel means, can the world do better, can we renovate the UN and innovate the multilateral system, the answer is not only that we can but that we must. It is time for a UN reformation. Canada has a contribution to make to this overhaul, which I will return to.

The Rule of Law

To understand why the world needs to maintain a system of collective security based on the rule of law, we need to go back to first principles. Most basically, we need to remind ourselves of what the world looked like before the reforms led by Woodrow Wilson and Franklin Roosevelt and the progress of the last 60 years. A hundred years ago, the only protection there was against aggression was power--there were no prohibitions against one state attacking another. The only question that mattered to the aggressor was whether he—it was almost always a “he”-- would prevail. The issue was not law; it was power. That led to the creation of alliances to counterbalance the powerful. And that led to world wars. In World War I, 10

million people perished, as slaughter became industrialized. In World War II, 60 million people perished, as killing technology became more proficient. In World War III, with the advent of modern weapons of mass destruction, especially nuclear weapons, what would the cost of be? No wonder those who fought and won World War II, the people the American “news-anchor” Tom Brokaw anointed “the Greatest Generation”, tried to find a better way. That was realism, not romanticism.

At the heart of the new system was collective security. President Truman told the assembled UN delegates in San Francisco that “[w]e all have to recognize that no matter how great our strength, we must deny ourselves the license to do always as we please”. In the UN Charter, these realists established a system of laws that proscribed the threat or use of force by one state against another. They, also, proscribed interference in the internal affairs of states. Their objective in both cases was to prevent World War III and to “save succeeding generations from the scourge of war”, the UN’s core objective. And by and large, they succeeded.

I am not asserting that the UN alone prevented major wars--the emergence of strategies of nuclear deterrence by the US and the Soviet Union played a central role, as did the NATO alliance. But there is equally no doubt that without the UN, the world would have been a much bloodier place. In the last half of the 20th Century, there were fewer inter-state wars than in the first half. And this despite a nearly four-fold increase in the number of states – from 51 in 1945 to 191 today. The UN Charter established a strong norm against aggressive war. The International Court of Justice was created to resolve disputes peacefully and has had some success doing so. Successive Secretaries General have practised preventive diplomacy. Peacekeeping was invented to give peace a chance. A vast number of treaties were negotiated to govern behaviour internationally and domestically. The progressive development of international trade law, its biases and uneven benefits notwithstanding, opened the world to commerce, creating widespread stakes in peace.

So, before we think about giving up on the UN and on multilateralism, we need to remind ourselves why we created it and how far we have come as a consequence. While the U.N. is often the butt of criticism and, in some cases justifiably so, as anyone who has spent an afternoon in the General Assembly can attest, a distressingly small amount of that criticism is well-informed on the particulars of a given issue, and a depressingly large amount of it is just plain ideology and ignorance of the facts. For example, although some have reflexively deprecated the UN’s counter-terrorism capacity, the UN has passed a dozen counter-terrorism treaties. As those treaties have been progressively absorbed into domestic legislation, they have facilitated the establishment of norms and standards of international behaviour. What is true for terrorism is similarly true for human rights, where the U.N. has passed six core treaties including on the protection of women’s rights; for arms control and disarmament, where the U.N. is at the heart of the nuclear non-proliferation regime, including its weapons inspection capability; for health, on which the World Health Organization is integral to the effort to control and eradicate infectious and other diseases such as HIV-AIDS, malaria, and SARS, and would play a crucial role in coping with bio-terrorism; for the environment where the U.N. has fostered 76 treaties. Beyond rules, norms and laws, there is an alphabet of U.N. acronyms, e.g., ICAO, IPU, ITU, WMO, WIPO, among many others, that stand for organizations that help the world to manage one aspect or another of international interchange. Critics of the UN have often used the “I” word—“irrelevant”—but the real “I” word is “indispensable”.

The U.N. is indispensable, also, to international humanitarian objectives. For example, UNICEF has inoculated 575 million children against childhood diseases. The World Food Program fed 100 million people (last year alone), the UNHCR housed 22 million refugees and internally displaced people last year, the U.N. Mine Action Service has coordinated the destruction of 37 million landmines and saved countless limbs and lives in doing so. This work has been belittled by some as mere international social work but it is social work with very real human and very real security benefits.

The second reason we should prefer international law to hegemonic order is that there is no evidence that a world run, direct or indirect, from Washington will work better than the multilateral system we have now. In the first place, most Americans are not interested in Empire. Americans were born anti-imperial; it is perhaps the most powerful tenet of their national creed. In the second place, Americans have little aptitude for it and less need of it. The U.S. can pretty much shape things enough to suit its interests by leadership of the international system so long as it respects the views of others—so long as it is lead dog and not lone wolf.

And the third reason is that there is every reason to believe that the precedents and exceptions we might grant to the United States now will be claimed as well by others in due time. The economy of China, a communist country, will equal that of the USA in perhaps 20 years time. Within the lifetimes of many people in this room, Chinese power will surpass American power. Does it make sense to dispense with the constraints of international law in these circumstances?

Reformation

The U.N. is suffering from an acute case of diplomatic inertia at a time when it is facing decidedly new challenges. The most pressing and fundamental challenge the UN faces is to come to a common understanding of when and under what circumstances the international community is justified in intervening in the internal affairs of member states. The possible grounds for intervention include humanitarian crises, the illegal development or acquisition of weapons of mass destruction, the provision of safe haven or financing for terrorists, the inability of states to control international crime and the overthrow of democratic governments. Equally urgent is the necessity of ameliorating endemic poverty and combating disease in Third World countries. These are extremely difficult issues and there are understandable reasons why the world's approach to them has been cautious to a fault.

The UN Charter was written in and for a different age and treats national sovereignty as absolute and immutable. As a consequence, over time a contradiction has arisen between the most basic purpose of the UN, "to save succeeding generations from the scourge of war", and one of its cardinal tenets, state sovereignty. Most wars, the Iraq war being a significant exception, currently arise within the borders of existing states and the inhabitants often cannot legally be protected from the scourge of these wars without intervention from the outside. On no issue is new practice more needed, consider Darfur, than on the determinants of military intervention for humanitarian purposes, that is, to prevent or stop genocide.

It was with these new challenges and urgent crises in mind that UN Secretary General Kofi Annan, appointed two Blue Ribbon panels. The first, the Millennium Development Project, proposed action to implement the Millennium Development goals (MDGs) adopted by world leaders at the UN in 2000. The second, the High Level Panel, made 101 recommendations for UN renewal. The Secretary General will boil these two reports down and make his own recommendations for consideration by heads of government

meeting again in New York in September. TI is a Canadian national interest that as many as possible of these reforms be made.

Innovation in world governance is, also, possible. One such possible innovation is the L-20. The L-20 idea was born of the experience of the financial crises of the 1990s, when successively Mexico and Latin America, then South Korea and ASEAN countries and then Russia experienced serious economic and financial distress. The finance ministers of the G-7 took the lead in formulating responses but it proved too restrictive a grouping to set the direction for sound financial management for countries that were not part of the group. Ultimately, a larger group was formed, the G-20, which comprised the G-8 countries as well as key, emerging economies and regional centres of economic power. These countries represented approximately 90 percent of the world's economic output, 75 percent of its trade, and 67 percent of its population. It is increasingly evident that in the emerging world, the G-8 is too narrowly-based a body to deal with the mega-issues it faces. For the same reasons, the often mooted G-3 would be even less satisfactory. Neither exchange rates, nor financial crises nor even security challenges can any longer effectively be handled by groupings that exclude key players. "Buy-in" cannot be imposed. Above all, the L-20 recognizes that geo-political and geo-economic realities are changing.

According to the Canadian Government's conception of it, the L-20 would be comprised of countries from North and South that would meet annually at the summit level. It would deal with inter-institutional and inter-disciplinary issues that exceeded the writs of existing international organs and/or the portfolios of individual ministers. The L-20 would provide leaders a regular opportunity for frank dialogue, deliberation and problem-solving. It would encourage familiarity among leaders and facilitate the creation of networks among leaders that would facilitate solving the most contentious problems. It would uniquely also be able to oversee existing institutions and encourage greater coherence among them and make proposals for filling gaps between them. At the same time, it would stay away from technical issues, such as exchange rates, that are more properly the domains of the ministers directly responsible. Decisions it made would be binding on participants only, although the broader impact of such commitments, for example, of strengthening their public health systems to cope with globe-trotting viruses or bio-terrorism could be very positive.

The L-20 remains a controversial idea with some attached to the exclusivity of the G-8 and reluctant to expand the club; others, offended by that exclusivity, fear the group's enlargement. Some worry that such an institution would compete with the UN Security Council. In fact, the Security Council is a treaty-based institution, whose mission is to preserve international peace and security. The L-20 ambit would be much wider, discussing and promoting action on the major cross-cutting global issues of the day, including, for example, bioterrorism and health pandemics, finance, trade and development, and energy efficiency and climate change. Where the Security Council is in continuous session, the L-20 would meet annually. The Security Council is normally an Ambassadors-level body, while the L-20 would function at leaders-level.

Canadian Foreign Policy

We, Canadians, have undoubtedly one of the world's more innovative foreign policies. Examples abound from Human Security, the ant-landmines treaty, the International Criminal Court and the Responsibility to Protect to the L-20. But we should not continue to delude ourselves that ideas and

declarations are enough—foreign policy costs money. That means spending money on diplomacy, on military capability and on development assistance for others. Our current investments in all three are at levels that ought to embarrass us.

A word of advice. Until we decide to take foreign policy seriously, and start to invest in it, let's dispense with the pretence of leadership. Let alone punching above our weight, we don't currently punch our own weight class. We are a light-heavy weight being outboxed by middleweights and sometimes even by welterweights. More than just delusional, our self-satisfaction is actually irresponsible. We have accepted obligations to others that we are defaulting on. We need to understand that international order and progress matter to Canadians and that that Canadian foreign policy matters to others. What is needed is for us to find the political will to finance our own aspirations. To govern is to choose. Let's choose an effective foreign policy. The good news is that we have never been better able to afford it.