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Multilateral cooperation and peace and security

MULTILATERALISM IN AN AGE OF EMPIRE

The case for Canada persevering with the multilateral system, in the face of American disposition to act unilaterally, can be made in four points, as follows:

- the US is undoubtedly the most powerful country ever seen and will remain so for any reasonably foreseeable future, but most Americans are little interested in empire or even domination and, in any case, as is evident in Iraq, US power does not create its own reality;
- Canada should cooperate actively in the defence of North America but should take care not to further identify itself with an American foreign policy that is estranging the US from much of the rest of the world and endangering Americans in the process;
- multilateral cooperation will continue because there is no satisfactory alternative; and,
- the multilateral system, nevertheless, needs both renovation and innovation and promoting such reform ought to be a major Canadian foreign policy priority.

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THE UNITED STATES: EMPIRE, HEGEMON, OR WHAT?

To discuss multilateral reform it is necessary also to discuss the US attitudes and policies that affect that reform. A fundamental question at the beginning of this new century, in the wake of 9/11, is whether the US will be with the international community or against it. Will other countries be able to work with the United States in the larger, common interest, or have to work around it? Will the United States be the subject of multilateral cooperation or the object of it (not in the sense of facing coalitions that will seek to balance American power, although that, too, is imaginable if the United States were further to ignore international law and to show no "decent respect to the opinions of mankind")?¹ We live in an increasingly globalized, integrated, interdependent world that requires cooperative management to function effectively and no single country, not even the United States, has the capability to run alone even if it wants to. Happily, notwithstanding the aspirations of a few hard-headed, soft-handed Washington consultants and commentators, misplaced Canadian speech writers, and other vicarious imperialists, there is scant evidence that most Americans want to.

While the empire debate is back, mostly among academics, it is difficult to make the argument persuasively that the US is an empire in any conventional meaning of the word, i.e., "a large state or group of states under a single sovereign."² Since the UN charter proscribed "the threat or use of force against the territorial integrity or political independence of any state,"³ and since the last vestiges of colonialism largely disappeared in the 1950s and 1960s, few countries have even contemplated the conquest of others and still fewer have attempted it, although admittedly some might argue that that is what happened in Iraq.

Most basically, if America is an empire, who are its subjects, and why are they not obeying? The extent of cooperation with the US in the war in Iraq, or its aftermath, is hardly consistent with coercive imperial power. Although Canada is arguably the most likely candidate for domination (more than 80 percent dependent on the US market for its prosperity, as the doom-and-gloom, trade-policy-is-foreign-policy, inte-

1 Thomas Jefferson, *Declaration of Independence*, 4 July 1776, www.archives.gov.

2 Merriam-Webster Online Dictionary, www.word.com.

3 *Charter of the United Nations*, "Purposes and principles," chapter I, article 2, www.un.org.

grate-or-die school never tires of reminding Canadians), it never felt coerced to sign up for the war.

Whatever the outcome of the ongoing contest over the levers of American policy, the power of American liberal values and the scope and speed of modern communications preclude the kind of brutality used to build empires in the past. Tactics used by the British to subdue and control Mesopotamia, for example, would not be tolerated today in Iraq by the American public or anyone else.⁴ There was no CNN or BBC World Report or al Jazeera in the 1920s. Consider the global—not least American—outrage over Abu Ghraib or the American decision not to destroy Fallujah and Najaf. Nor would even the British objectives in Mesopotamia—economic self-aggrandizement—be acceptable these days by a much more aware and integrated international community.

British historian Niall Ferguson has observed, with apparent disappointment, that most Americans are not very taken with the idea, much less with the duties, of empire.⁵ According to the 9/11 commission,⁶ only six Americans graduated last year with a degree in Arabic from an American university. Not many young Americans are evidently preparing themselves for lives of administering distant lands. The reality is that the American people are not interested in empire. In fact, notwithstanding some of the attitudes on display at the 2004 Republican party convention, in polls done after the Iraq invasion, a majority of Americans even said they supported the United Nations,⁷ the presumed rival of the United States for world leadership, at least in the fevered minds of some American fundamentalists (Americanists) and defunct senators. In any case, the imperatives of empire conflict with the myths of Americanism, and the myths trump all.

The US was born anti-imperial, and remains anti-imperial in its soul, its late 19th-century experimentation with colonialism and its all too

4 See David Fromkin, *A Peace to End all Peace: Creating the Modern Middle East, 1914-1922* (New York: H. Holt, 1989).

5 Conversation between Paul Heinbecker and Niall Ferguson.

6 National Commission on Terrorist Attacks Upon the United States, "9/11 Commission full report," chapter 3, 92, <http://911commission.gov>.

7 Sixty-two percent of Americans favour UN involvement in rebuilding Iraq. See Pew Research Center for the People and the Press, "60% war's going very well—69% we haven't won yet," Washington, DC, 10 April 2003, <http://people-press.org/reports>.

frequent interference in Latin America notwithstanding.⁸ Today, beyond Cuba, how much popular pressure is there to interfere direct in the affairs of other countries? Whatever the US is, it is certainly not an empire in the literal sense. That is why we read of *Empire Lite*, *Incoherent Empire*, *Inadvertent Empire*, *Sorrow's Empire*, *Fear's Empire*, *After the Empire*, *Colossus*, *Rogue Nation*, and *The Unconquerable World*, to cite only some of the titles in current circulation.⁹ None of these more contemporary conceptions of empire, of a world run *indirectly* from Washington, strikes me as convincing, either.

Americans, particularly Woodrow Wilson and Franklin Roosevelt, triggered 50 years of cooperative international institution-building, treaty-making, and network-developing that have changed the way the world thinks about international relations and the way it manages them. In the process, the world has become too complex and the United States too dependent on others (as others are on the US), to transcend the system or to determine, by itself, its outcomes. Moreover, the US is the world's greatest debtor,¹⁰ sinking progressively and deeper into debt. The historical experience regarding the long-term viability of debtor-empires cannot be encouraging from a neo-conservative perspective.¹¹

Finally, and perhaps most important, it is self-evident that military power, even vast military power, is not the solution to all security problems, particularly not terrorism. The attacks carried out by al Qaeda and the resistance in Iraq to occupation have graphically revealed the limits of military power in the 21st century, even its counterproductive potential, in assuring a nation's security. To fight terrorists requires intelligence sharing, police cooperation, and diplomatic skill as much as, or more than, it requires military power. Terrorism prevention requires policies that drain terrorism of its support and grievance of its power, which means promoting international equity and human dignity. In both cases, multilateral cooperation is indispensable to success.

8 John B. Judis, *The Folly of Empire: What George W. Bush Could Learn from Theodore Roosevelt and Woodrow Wilson* (New York: Scribner, 2004), chapter 1.

9 For reviews of these books, please refer to publications such as the *New York Times*, the *New York Review of Books*, and *Foreign Affairs*, all of which have published reviews within the past year.

10 Lawrence H. Summers, "America overdrawn", *Foreign Policy* (July/August 2004): 48.

11 See Paul M. Kennedy, *The Rise and Fall of the Great Powers: Economic Change and Military Conflict from 1500 to 2000* (New York: Random House, 1987).

There is no word in the English language that adequately captures the extraordinary character of American standing in the world. Perhaps searching for a term to explain America's place vis-à-vis the rest of us is not so much an aid to understanding as it is a blind alley. The simple truth is that the US is the most powerful country in history but that even this unprecedented power does not deliver unqualified latitude to act.

Militarily, the US can, and more or less does, match the rest of the world combined; economically, it is the biggest single entity; and, culturally, its influence is pervasive.¹² The US is too strong to be challenged militarily by any rival country or combination of rival countries for the reasonably foreseeable future (if any wanted to do so, for which there is no evidence.)¹³ At the same time, the US is not strong enough to determine the course of world events. The US is too powerful to be coerced by anyone but not powerful enough to coerce everyone. Most significantly, in an age of asymmetric warfare, the US is invincible but not invulnerable.¹⁴ Therefore, cooperation is unavoidable, but not always on US terms.

CANADA AND US FOREIGN POLICY

It is, nonetheless, possible to be unilateralist without being imperial. In a recent documentary, *The Fog of War*, Secretary of Defense Robert McNamara, of the Kennedy-Johnson administration, asks, "Have we a record of omniscience?...I do not believe we should ever apply [our] economic, political or military power unilaterally.... If we cannot persuade nations with comparable values of the merit of our cause, we'd better re-examine our reasoning." In any circumstances, but especially in the current circumstances, that stands as particularly good advice, but will this administration or the next one take it? One of the hallmarks of recent American policy, and a parallel with Vietnam, has been an apparent unwillingness even to hear dissent, let alone to "re-examine...reasoning."

12 Organization for Economic Cooperation and Development, "Basic structural statistics," *Main Economic Indicators* (May 2004), www.oecd.org.

13 Marcus Corbin and Olga Levitsky, "Vital statistics: the us military," *Defense Monitor* 32 (November/December 2003), www.cdi.org.

14 Chris Patten, "Democracy doesn't flow from the barrel of a gun," *Foreign Policy* (September/October 2003).

After 9/11, Washington seemed to have persuaded itself that US security could best—in fact, could only—be assured by American military power. Neither treaties nor international law nor institutions, including the United Nations and NATO, were deemed to be either relevant to protecting US interests or necessary to confer legitimacy on US action. It did not have to be that way. There was little in the reaction of the international community to 9/11 to warrant such unilateralism, nor to justify the US's cavalierly jeopardizing 60 years of development of international law, most of which previous US administrations had promoted (and all of which was significant to Canadian interests).

In fact, after the al Qaeda attacks on New York and Washington, the UN General Assembly and the Security Council had acted sympathetically to the United States, and with dispatch. On 12 September 2001, the General Assembly, which is not a decision-making body, issued a unanimous declaration of solidarity with the American people.

Within days of September 11th, the UN Security Council, whose decisions are legally binding in international law, proscribed cooperation with terrorists, ordering member states to deny them either safe haven or the use of national banking systems to finance their operations. The Council also established an oversight committee to monitor member states' compliance and to promote capacity-building in the poorer states. This was on top of the 12 counter-terrorism treaties that the UN had negotiated previously, on aircraft hijacking, hostage-taking, chemical explosives-marking, etc.¹⁵

Many governments sent troops to Afghanistan to fight the Taliban and al Qaeda alongside American forces. Canada sent ground forces into combat for the first time since the Korean War. The only hesitation about international cooperation came not from allied governments but from the Pentagon, which did not want to repeat the Kosovo experience of war by international committee. After the war, many countries committed substantial sums of money to lift Afghanistan out of its failed state status, so that it would not again become a rear operating base for terrorists.¹⁶

15 For further information on UN conventions regarding counter-terrorism, refer to the *United Nations Treaty Collection: Conventions on Terrorism*, <http://untreaty.un.org>.

16 Canada has responded to the Afghan government's appeal for long-term development investments. CIDA contributed \$266.5 million from September 2001 to March 2004 and plans to allocate another \$100 million for the fiscal year 2004-2005. Canada renewed its commitment to Afghanistan in March 2004, with

Books by Bob Woodward, Richard Clarke, and others show that the administration had discussed Iraq in its first cabinet meeting after inauguration and was drawing up plans to attack Iraq even before the Afghanistan fight was over. In the spring of 2002, support for an invasion of Iraq had become a loyalty test in the Pentagon.¹⁷ By the summer of 2002, the Beltway (Washington) and Turtle Bay (the United Nations) had become two solitudes, a phenomenon that was also evident in NATO, in APEC, at the OAS, in the G-8, and even in the World Bank and International Monetary Fund (albeit less so). It was difficult to reason together. Washington was mainly on “send,” not receive; it wanted acquiescence, not debate.

The Bush administration’s response to the shock and horror of 9/11 was the 2002 US national security strategy.¹⁸ Much of that strategy is readily acceptable to most governments, especially to most democratic governments. The report makes ample references to the need for multilateral cooperation, including with Canada. The problem lies, nevertheless, in its unilateralist, preventive posture and the intent it expresses to dominate others. The national security strategy talks of pre-emption, which is permitted under customary international law. The US talked of pre-emption but acted in terms that amounted to prevention, which is not. The difference is not just legalistic hair splitting. Pre-emption requires much more rigorous tests than prevention does as regards the capability and intent of an adversary to do harm and the urgency of the need for self-defence. In addition, the intent to dominate and to deter all challengers, first seen in draft NSC guidance in 1992 in the Bush senior administration—and rejected then—but included in the 2002 national security strategy would, if carried to its logical conclusions, eventually generate major wars.¹⁹ In a nuclear age, especially, it is American exceptionalism taken to an absurd conclusion.

\$250 million in new funds for development assistance from 2005 to 2009. This brings our total allocation to \$616.5 million from 2001 until 2009. Canadian International Development Agency, “Afghanistan overview: Canada’s commitment,” 19 July 2004, www.acdi-cida.gc.ca.

17 Conversation between Paul Heinbecker and anonymous retired us army general.

18 The White House, “The national security strategy of the United States of America,” 17 September 2002, www.whitehouse.gov.

19 James Manny, *The Rise of the Vulcans: The History of Bush’s War Cabinet* (Toronto: Viking, 2004), 208-213.

The notion of America-as-exceptional harks back to the Pilgrim landing at Plymouth Rock and has ebbed and flowed in the American psyche ever since.²⁰ American “exceptionalism” has unquestionably had its positive as well as its negative characteristics.²¹ The US has exercised exceptional leadership, for example, in the development of postwar institutions, in the promotion of human rights and the development of international law, in the containment of communism and the collapse of the Soviet Union, and in the preservation of stability in northeast Asia. The US has also chalked up some exceptional errors. Moreover, in its more self-serving expressions of exceptionalism, the United States has questioned the applicability of the UN charter and of international law writ large to itself, alienating many others in the process.

The US abuse of the UN Security Council and charter in opposing the International Criminal Court was exceptionalism taken to extremes—an unvarnished and unapologetic demand for one law for the goose and another for the gander. Meanwhile, Iraq is seen—correctly—as the first exercise of the policy of *prevention*. The war in Iraq actually was preventive—to bring down a tyrant with potentially malignant intentions and suspected capabilities to act on the intentions. It was presented, however, as pre-emptive—to stop a tyrant already possessing weapons of mass destruction and prepared to use them imminently.²²

The rationale for the invasion of Iraq has been retooled several times in the intervening months—and particularly at the Republican party convention—to highlight the dangers that Saddam Hussein, the tyrant, is said to have posed to Americans, and so as to try to connect the Iraq War more convincingly to the war on terror. Under the national security strategy, the US administration reserves the right to act to defend America as it sees fit, which in itself is unobjectionable. Sometimes implicitly and sometimes explicitly, however, the argument is made that this right can, and indeed should, be exercised without reference to its impact on others and to international law. The argument is also made, as seen at the Republican convention, in a way that is calculated to deprecate gratuitously the United Nations.

20 Paul Heinbecker, “Washington’s exceptionalism and the United Nations,” *Global Governance* 10, no. 3 (2004): 273-279.

21 See Harold Koh’s “On American exceptionalism,” *Stanford Law Review* 55, no. 4 (2003): 1479-1528.

22 For a fuller discussion, see Michael Ignatieff in the *New York Times Magazine*, 31 March 2004.

The proponents of unilateral decision-making disregard the lessons of World War II about the advantages of collective security and hold the norms and laws established in the wake of the bloodiest conflict in history to be irrelevant to contemporary security. In a post-9/11 world of terrorists and weapons of mass destruction, it is considered to be enough that a US administration says a danger is gathering for it to set aside international law and attack the presumed prospective perpetrator. Pentagon and justice department legal advisers argued to the White House that international treaties that might limit the freedom of action of the commander in chief were “constitutionally dubious.” White House counsel Alberto Gonzales informed President Bush that the Third Geneva Convention on the treatment of prisoners was “quaint.”²³

Some academics, including some Canadian academics, have even talked admiringly of a new grand strategy, of a combination of John Quincy Adams and Woodrow Wilson, of putting unilateral power at the service of universal principle. But what happens if others claim the same right to act that the United States does? While some strategic studies scholars presume a state of chaos as the default position of civilization—wrongly, as if the world were incapable of progress—is it really in American interests to risk that state, to return to the law of the jungle, to live in opposition “to the opinions of mankind?”

If all states are free to act to prevent harm to themselves, where does it end? In a world that US power cannot control, this is not a trivial question, including for the US and especially for a global business community dependent on an open, rules-based international system. In addition, it is difficult to see how indifference to the unilateralist precedents being set is consonant with the long-term interest of the US and of others in a world of cooperation rather than competition. Would anyone be happy conceding a similar exceptional status to China in 40 years time?

Perhaps the most glaring problem with this new grand strategy and with the impulses of contemporary US foreign policy to take the fight to the terrorists is the unrealistic assessment that the US can go it alone effectively. That theory is shrivelling in the harsh political science environment of Iraq. If the US cannot have its way in Iraq, a third-world

23 See *Newsweek*, 12 July 2004, and Joan Biskupic, “White House memo criticized,” *USA Today*, 25 May 2004. See also Anthony Lewis, “Making torture legal,” *New York Review of Books* 51 (15 July 2004): 4-8.

country of 25 million people, how would it handle, for example, an Iran of 65 million or a Pakistan of 160 million, to name just two countries with populations in some degree susceptible to Islamist arguments?

Around the world there is, on the one hand, an understandable anxiety about apparently growing extremism on the fringes of Islam, and on the other, considerable apprehension about the direction of American foreign policy, whose only check or balance is an evidently divided and often distracted US electorate. US foreign policy itself has come to be seen by many as part of the problem. That is not to exculpate the Islamic terrorists for the atrocities they have perpetrated. Nor is it to impute moral equivalency to things that are by no means equivalent. Nor is it to condone the complicity of those governments that have made it possible for the extremists to survive and flourish. It is to say that it is in Americans' interest, and Canadians' interest, too, to make themselves more aware of the impact of US foreign policy on others.

There is a significant gap between the US's self-perception and others' perception of the US. In his Democratic convention nomination acceptance speech, Senator Kerry said, "The USA never goes to war because it wants to. We only go to war because we have to."²⁴ President Bush said not long ago, "It is not in our nature to seek out wars and conflicts. We only get involved when adversaries have left us no alternative."²⁵ But history cannot carry the weight of these arguments. It is not the case that the US was left no alternative in the Barbary Wars, the Mexican War, Nicaragua (several times), the Spanish American War, the Philippine War, Cuba (several times), Panama (several times), Haiti, the Dominican Republic, Grenada, Vietnam and Cambodia, or in giving support to the WMD-using Saddam Hussein in the Iran-Iraq war or the mujahideen in Afghanistan against Russia. It is not the case that the US had no alternative in the overthrow of Mossadeq, the democratically elected leader of Iran in the 1950s, an act still being paid for today;²⁶ or in the Congo in the 1960s when Patrice Lumumba, its democratically

24 John Kerry, speech to the 2004 Democratic national convention, "Remarks of John Kerry," 29 July 2004, www.johnkerry.com.

25 George W. Bush, "Remarks by the president at Memorial Day ceremony," 28 May 2001, www.whitehouse.gov.

26 See Stephen Kinzer, *All the Shah's Men: An American Coup and the Roots of Middle East Terror* (Hoboken, NJ: John Wiley & Sons, 2003).

elected leader, was overthrown; or in Chile in the 1970s during the overthrow of Allende, its democratically elected leader.

At the Republican convention, Senator Libby Dole proclaimed that America was great because its people are good.²⁷ For others, though, the issue is not whether Americans are innately good people, believing in values of tolerance and respect for others and guided by religious faith, so much as that they are human, and subject to the same human traits as everyone else.²⁸ So it is not surprising that there is a gap between how Americans see themselves and how others see American foreign policy.

When Washington declared war on terrorism, essentially on a heinous tactic but a tactic nonetheless, and not on a tangible, defeatable enemy such as the al Qaeda network, it gave itself mission impossible. When Washington attacked Iraq with only the sketchiest evidence of links between al Qaeda and the Iraqi regime and despite having no hard evidence that Iraq had weapons of mass destruction—and over the objections of most of the international community, including many allies and “nations with comparable values,” to quote MacNamara—the US both estranged itself from world public opinion and generated resistance to US policies, including on terrorism. In portraying terrorism in monolithic terms, Washington allowed others to pursue their discrete, and all too often reprehensible, interests under the same banner as the US, and may, inadvertently, have set the stage for a larger conflict with Islam.

The world is passing through an especially dangerous period of history. The US occupation of Iraq and Afghanistan, together with uncritical US support for Israel vis-à-vis the Palestinians, will not necessarily morph into a conflict of the west versus Islam. A religious war in an age of asymmetric weaponry is a danger that wise people, on all sides, know that they must do all they reasonably can to circumscribe. If only a minute fraction of the world's 1.2 billion Muslims were radicalized, there could be no outcome in a war with Islam that any rational being would regard as success.

Such a war is a singular danger, and one that it would be foolish to ignore. There is a risk, albeit still a manageable one, that the US “crusade” in the Middle East will morph into a prolonged and bloody conflict between the west and Islam, fought out in movie theatres, shopping

27 Elizabeth Dole, “Speech at the Republican national convention,” 31 August 2004, www.gopconvention.com.

28 Robert O. Keohane and Anne-Marie Slaughter, “Bush’s mistaken view of us democracy,” *International Herald Tribune*, 23 June 2004, 6.

centres, and school gymnasiums around the world. Any responsible calculation of Canadian foreign policy has to take this danger into account. If US foreign policy is a problem, endorsing it in the hope that that would iron out bilateral trade problems would not only fly in the face of modern Canada-US history, it would also be a risky bargain.

It is unlikely that a change in administration in Washington would persuade the Islamist sociopaths to relent. It seems very unlikely that terrorist atrocities would end with a change in US governments. But if American foreign policy were pursued with a diminution of religious certitude and piety, it would be easier for others to support it. Greater recourse to multilateral cooperation and less to pusses and coalitions would be welcome, indicating that Americans were prepared to "pay a decent respect to the opinions of mankind."

Whoever is in power in Washington, it is far from clear that the leaders of other countries will willingly accept the political risk of substituting their own soldiers for American soldiers in the morass that the Americans have, against all contrary advice, created for themselves in Iraq. Were the allies to stand aside, US estrangement could continue and even deepen. In the meantime, much will depend on the American people and the outcome of the Iraq War. If the November elections reveal the American people to be indifferent to the war or if they judge the war to have been worth the cost, there will be no other check or balance on US foreign policy. Certainly, there was very little to grasp at the recent Republican convention for those who hope that a second Bush administration would, as was the case with the second Reagan administration, moderate.

MULTILATERAL COOPERATION AND THE UNITED STATES

There is an alternative to unilateral marauding and that is enlightened multilateral cooperation. Whatever happens in Iraq, and whatever the United States does there and elsewhere, multilateral cooperation will continue because it has to, not just because political theory abhors a vacuum and supposes the restoration of balance—this is not the 19th century—but because there is a whole range of international problems, including security problems, that simply will not yield to national action alone or even to coalitions of the willing. For international security, for trade and finance, for health and environmental protection, for human rights and human development—in sum, for the totality of modern life—multilateral cooperation is indispensable.

Truly global problems can only be solved through global cooperation. Multilateral cooperation, not multilateralism as an ideology or end in itself, will remain essential. The United Nations will remain integral to that cooperation. The United States took the lead in building the existing complex of institutions, treaties, and networks of rules, laws, and norms of international cooperation, a system that very much serves its interests. It is unlikely simply to abandon it. While Washington constantly deprecated the UN in the lead-up to the Iraq War, it did respect the legal niceties in negotiating resolution 1442 in November 2002: it sought to negotiate a second, authorizing resolution in March 2003; formally notified the president of the Security Council for its reasons for military action, as required by the charter; and returned to the Council for a series of resolutions authorizing action by the US occupation force. In creating the multilateral system, the US was not merely waiting for the day when its power would permit it to transcend it. The US led this creative effort because it really was a better way to run international affairs. The leadership role of this multilateral cooperation remains open to the United States to fill, as it has done since Roosevelt. But whether the US does so or not, the world will muddle through, more effectively if the US leads, undoubtedly, but muddle through it will nonetheless.

A good argument can be made that US truculence regarding multilateral cooperation differs from past practices only in degree; US multilateral cooperation with others has long been chequered. Consider the International Criminal Court and the anti-personnel land mines treaty. US opposition to the ICC was and is more rooted in the ideology of exceptionalism than it is in the very few shortcomings of the court. It is a court intended to end immunity for the world's monsters for the most heinous of crimes, i.e., genocide, war crimes, and crimes against humanity. It is not intended to hound ordinary US GIs. There are ample protections against frivolous prosecution in the Rome statute, not the least of which is the provision that the ICC cannot prosecute an alleged perpetrator if a domestic court is doing so. Hence, in the case of Abu Ghraib, for example, the ICC would have no jurisdiction if the US prosecuted, which it is doing. Still the US prefers not to cooperate, as is its right to do. Nonetheless, 139 other countries have signed the treaty and 94 have ratified it,²⁹ and that in the face of a bare-knuckled US campaign against the court.³⁰

29 United Nations, "Rome statute of the International Criminal Court," 17 July 1998, <http://untreaty.un.org>.

30 See Paul Heinbecker, speech at Duke University, 16 April 2004.

Likewise for anti-personnel landmines: the US has not acceded to the landmines statute but 152 other countries have signed it, and of these, 143 have ratified it.³¹ In fact, the US has neither signed nor ratified numerous treaties that others have, notably the Kyoto climate change protocol, the Law of the Sea, arms control and disarmament treaties and several of the core human rights treaties. In most cases, US signature is beneficial but not critical to the success of a given treaty. That is the case with respect to the treaty on the elimination of discrimination against women; US non-accession does not directly diminish the rights of non-Americans. The US's refusal to sign the Kyoto protocol, however, is a problem because the US is the single largest polluter; therefore, given the global nature of the issue, the efforts of others to combat it will be nullified if the US does not cooperate. The US has also distanced itself from the nuclear test ban treaty where its leadership is pivotal. In those cases where US participation is indispensable to the success of the initiative, and the US is balking, there is not much to be done but to keep working the issue until US concerns are met or the US changes its mind or both.

THE UNITED NATIONS

While the UN is often the butt of criticism in Washington and in the right wing US media—and in some cases justifiably so, as anyone who has spent an eternity in the General Assembly any afternoon 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, prejudice, 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, by which governments can be held to account. What is true for terrorism is similarly true for human rights, where the UN has passed six core treaties including on the protection of women's rights; for arms control and disarmament, where the UN is at the heart of the nuclear non-proliferation regime, including its weapons inspection capability; for health, where the World Health

³¹ Foreign Affairs Canada, Ottawa convention status report as of 12 May 2004, www.mines.gc.ca.

Organization is integral to the effort to control and eradicate infectious and other diseases such as HIV-AIDS, malaria, and SARS; for the environment, where the UN has fostered 76 treaties; and for international development, trade, and investment, where the World Bank and the IMF have also contributed. Beyond rules, norms, and laws, there is an alphabet of UN 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.

The UN is indispensable, also, to international humanitarian objectives. For example, since 2000, UNICEF, in cooperation with the Global Alliance for Vaccines and Immunization, has inoculated 59.8 million children against childhood diseases. The World Food Program has fed 104 million people in 2003; the UNHCR has helped 17 million refugees and internally displaced people; the UN Mine Action Service has destroyed 30.5 million landmines and saved countless limbs and lives.³² 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.

Shortcomings and all, warts and all—and there is no doubt they are real and, in some cases, significant—the cliché remains true that if the UN did not exist, it would have to be created.

RENOVATION AND INNOVATION

If the UN is not as bad as its critics allege, it is not as sound as its apologists claim, either. The UN is in pressing need of both renovation and innovation. It suffers from an incapacitating case of diplomatic inertia at a time when it is facing daunting new challenges. Much of its membership is devoted to an absolutist concept of sovereignty. The governments of former colonies, which gained their independence in the living memories of their peoples, see sovereignty as a crucial bulwark against once and future colonial masters. They are determined not to create new pretexts for others to dominate them again, given the suffering mainly European colonists and slave traders inflicted on them in the name of progress and civilization. However understandable their

32 See United Nations International Children Education Fund, www.unicef.org; Global Alliance for Vaccines & Immunization, www.vaccinealliance.org; United Nations World Food Program, "WFP in 2003: a quick glance," www.wfp.org; UN high commissioner for refugees, "Refugees by numbers," (2004 edition), www.unhcr.org; United Nations Mine Action Service, www.mineaction.org.

worries are, they are not, nevertheless, a sufficient basis on which to protect the interests of their citizens or others in a changing world.

The UN faces three fundamental challenges deriving from the sovereignty issue:

- when to intervene in the internal affairs of a state out of humanitarian necessity;
- when to intervene to combat terrorism; and,
- when to intervene to stop the proliferation of weapons of mass destruction.

These are not the only mega-issues the UN faces: how to alleviate poverty and how to combat communicable diseases are also major issues for the UN and for the international, multilateral community more generally. On no issue is new practice more needed than on the determinants of military intervention for humanitarian purposes, that is, to prevent or stop genocide or crimes against humanity. Consider Darfur. Regrettably, the Iraq War and its *ex post facto* humanitarian rationalization has likely made progress on this key issue more difficult to achieve. It may also have postponed the day when a consensus will develop on what to do about the potential nexus of terrorism and weapons of mass destruction because, as the secretary general, Kofi Annan, has observed, the UN will be genuinely relevant only when it can adequately address the concerns of both its most powerful and least powerful members. There is also the vexed question of Security Council membership, which seems as difficult to resolve as ever. The high-level panel established by Annan has the opportunity to make useful recommendations on these issues in the late fall of 2004.

Renovation of the United Nations will not be enough; innovation in multilateral governance is also going to be needed, inside and outside the UN framework. Prime Minister Paul Martin's proposal for the creation of a new north-south group (a new leaders, or L-20 group—an expansion of the G-8 and built on the G-20 finance ministers group) is one such possible innovation. The prospects of progress on HIV-AIDS and other communicable diseases, on trade and agricultural subsidies, on terrorism and WMD, on international financial reform, on the millennium development goals and, not least, on the reform of the UN itself, would likely be enhanced if the heads of the world's leading countries met together to discuss common problems and to reach agreements that could be commended to the larger community. Such a group would complement, rather than compete, with the UN. The

UN would retain its unique legitimacy by virtue of its universal membership and its indispensable security role as framed in the charter and international law.

There is also room for a caucus of democratic countries, inside or outside the UN. While not a panacea, and not a substitute for the UN either, such a caucus could forge general understandings on contemporary issues among the world's growing number of democracies and, in the process, build support for a course of action across geographic, regional, and possibly religious lines. By virtue of the attractiveness of the membership, it might also induce reforms in some non-democratic countries, as the prospect of EU membership has done in eastern Europe.

CANADIAN POLICY

Given the problems with US foreign policy, the necessity of global cooperation on global issues, and the possibility of reform of multilateral institutions, Canada should continue to regard multilateral cooperation as being central to Canadian foreign policy, and not sign up, Australia-like, as a deputy sheriff. Bilaterally, Canada should be a responsible neighbour and globally, Canada should be a good citizen. It is not necessary to sacrifice one to have the other, although clear thinking will be important.

Bilaterally, Canada has a primordial interest in making as sure as reasonably can be done that Canada is—and is perceived to be—a good, reliable partner to the US in defending North America. Homeland security issues really must be a priority for Canada, and evidently they are. One area where performance needs to be enhanced is in communicating what Canada is doing to make the US and Canada safe. If there is a Canadian angle when another attack comes on the US, or if another Ahmed Ressaym is caught in the act, CNN cannot be allowed to run damaging stories for days at a time with no effective Canadian counterpoint, as happened last time. Such a counterpoint is most effective if it builds on existing beliefs. On this score, Canada is already in deficit. Canada needs to be able to show—and if an incident does occur, indeed to have already shown—that it has been as diligent as reasonably possible in the circumstances. This means an active, aggressive communications program of a size and quality never before attempted vis-à-vis US target audiences but also the general American public. For ministerial offices understandably riveted on question period, raising their horizons to include US audiences will require a

cultural revolution. Public diplomacy must be a priority. Canada lags behind most European countries and the US itself on this score.

Being a good neighbour does not require sacrificing Canadian values or Canadian sovereignty. It does not mean going along to get along in Washington. For example, on ballistic missile defence, the criterion Canada should use to decide on participation is whether doing so makes Canadians safer, not whether it makes Washington happier. Canadian cooperation is not pivotal to the US proceeding. If on a reasonable balance of probabilities, participation would make Canada safer, the Canadian government should cooperate. If not, not. Trying to anticipate what the Americans might want, rather than what is in Canadian interests, can lead to costly mistakes. Canada should put the "best-friend-of-the-US" complex aside.³³ Friendship is a two-way street; the most recent polls show Americans consistently preferring the British to Canadians. (Why they should prefer those who aye-ayed them into one of US history's sorrier chapters is a subject for psychology, not international relations.)

Globally, we can continue to run an independent, constructive, multilateral foreign policy. Nothing is potentially more important or urgent than international governance reform to deal with 21st century issues. Canada should position itself as a principal advocate of multilateral renovation and innovation. If the high-level UN panel on reform delivers an acceptable set of recommendations, Canada can make a priority of promoting it internationally. Canada has a long tradition of bridge-building among different international constituencies, as Kofi Annan reminded Canadians when he addressed the Canadian parliament in March of this year. Perhaps the most important role Canada has is to help the world and the US reconcile their very considerable differences. This means taking the initiative to impart to others the particular insights into what is motivating the United States that Canada gains from geographic proximity and from political and cultural propinquity. It also means having the courage and the access in Washington to "speak truth to power."

To have an effective foreign policy will require a willingness to make foreign policy a financial priority. Canada has never been better able to afford to be effective.

33 Jennifer Welsh, *At Home in the World: Canada's Global Vision for the 21st Century* (Toronto: HarperCollins, 2004), 49.