



Jnanadeepa

Pune Journal of Religious Studies

ISSN 2249-1503

www.punejournal.in

DOI: 10.5281/zenodo. 4263873

Stable URL: <http://doi.org/10.5281/zenodo. 4263873>

The United Nations and a New World Order

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Abstract: The United Nations was set up at the close of World War II in order to rid the earth of the scourge of war and to lay the foundations of international peace. After the abortive experiment with the League of Nations which was set up after World War I with a similar objective, the U.N. has been the most ambitious project involving the entire international community. It has survived for fifty-five years through many a crisis, and this is a record of sorts. Given that peace is much more than the absence of war, it is in the fitness of things to reflect on the contemporary role of the U.N. in promoting a new global order. For peace to endure it needs a sure foundation which cannot be a mere balance of power, or worse, of terror such as prevailed for many years of the Cold War. It can be argued that the Cold War, for all the criticism that may be levelled at it, served the vital purpose of keeping a cold peace instead of a hot war with all its disastrous consequences. But in the long term it is always preferable to establish a global order that renders war useless as an instrument of policy both nationally and internationally.

Keywords: United Nations, Cold war, World War II, Global order

Cited as:

Fernandes, Lionel. (2001). The United Nations and a New World Order (Version 1.0). <i>Jnanadeepa: Pune Journal of Religious Studies</i> , January 2001 (4/1), 49-57. http://doi.org/10.5281/zenodo. 4263873

2001-01-02 | Updated on Nov 10, 2020

The United Nations and a New World Order

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The United Nations was set up at the close of World War II in order to rid the earth of the scourge of war and to lay the foundations of international peace. After the abortive experiment with the League of Nations which was set up after World War I with a similar objective, the U.N. has been the most ambitious project involving the entire international community. It has survived for fifty-five years through many a crisis, and this is a record of sorts.

Given that peace is much more than the absence of war, it is in the fitness of things to reflect on the contemporary role of the U.N. in promoting a new global order. For peace to endure it needs a sure foundation which cannot be a mere balance of power, or worse, of terror such as prevailed for many years of the Cold War. It can be argued that the Cold War, for all the criticism that may be levelled at it, served the vital purpose of keeping a cold peace instead of a hot war with all its disastrous consequences. But in the long term it is always preferable to establish a global order that renders war useless as an instrument of policy both nationally and internationally.

According to St. Augustine, peace is the tranquillity of order. But there are various kinds of order. And there are various kinds of tranquillity. Order can be a dictatorial order or a democratic one, a secular order or a theocratic one, an egalitarian order or a skewed one. Similarly, tranquillity can be something equivalent to the peace of the graveyard or, on the other hand, the expression of a state of harmonious relations in a given social set-up. Augustine had the model of the *Imperium Romanum* before him when he spoke of order. In his City of Man he recognized the limitations of any human set-up. He aspired to an ideal set-up in his version of the City of God. Surely an order based on plunder or on the oppression of one set of people by another cannot be a prescription for a lasting peace. Augustine saw the *Imperium* disintegrating before his very eyes. The surface tranquillity of the empire could not disguise the underlying tensions and contradictions that proved its nemesis.

This brings us to the basic question as to what constitutes an order of a substantive and durable peace. This is of vital importance in our world where

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the speed and scope of interstate transactions are of a magnitude undreamed of in earlier times. The Roman Empire did presage in a preliminary way the internationalization of human communities. Its attempt at synthesizing the customs and laws of its subjects foreshadowed the later shaping up of international law and international organization. No doubt conquest and subjugation played its role in the spread of the Roman Empire. But it must not be forgotten that treaties and pacts also had a role to play in its consolidation. The extension of citizenship rights to people of the most varied ethnic origins and the concept of the rule of law both bear testimony to the Roman contribution to the development of jurisprudence. It is not that other early empires had nothing to contribute in this regard, but that the peculiar historical circumstances in which Rome spread its influence over all of Europe, and the latter in turn took it to the farthest corners of the globe in the colonial era, assured the internationalization of a system of laws that had a Roman ancestry after a manner of speaking.

"Pacta sunt servanda" or the dictum that agreements are to be respected is the accepted norm of international relations. The principle of consensus underlying inter-state dealings reduces the scope for pressure tactics and hegemonic ambitions on the part of the more powerful states vis-à-vis the weaker ones, though instances of the violation of this principle abound despite the best of intentions and safeguards. A treaty that is unequal in the sense that it puts one party to a distinct disadvantage is an intrinsically unstable one. Given that

there is bound to be give and take among nations, only an equitable mix of benefits and burdens will prove to be a viable formula for states to deal with one another peaceably and profitably. This means that there can be no international peace without international justice. Thus in today's increasingly interdependent world, the U.N. is called upon to oversee a global order that is based on equity as the only guarantor of world peace. The greater the number of points of interaction among a set of international 'actors' (meaning nation-states in the present context) the greater the number of potential crisis spots or flashpoints on the planet. The flip side is that the extensive transnational crisscrossing and networking of relationships, characteristic of the present time, offers the best incentive to states to refrain from courses of action that may put their profitable mutual dealings in jeopardy. The closer the socio-cultural, economic and political ties that bind nations together, the less are the chances that they will resort to policies that endanger world peace as they have the most to lose in the bargain.

Thus it is not only the fear of military retaliation that motivates states to 'behave' but the considerable benefits they can derive from peaceful dealings with the other members of the world community. The role of the U.N. is to be viewed against this background. As with every government, local or national, so with a world government, however rudimentary it might still be as of now, it will enjoy only such power and status as the comity of nations is willing to entrust to it. Very often all sorts of demands are made on govern-

ments as though they were some supernatural agencies with miraculous powers to deliver the goods against all odds. The Aristotelian dictum that the people get the government they deserve is often forgotten. If an objective analysis is made of each national government in existence today, it will most probably be found that, with one or other exception, each of them is a product of its own peculiar social milieu and therefore reflects the state of its own society. If the society concerned is an egalitarian one, the government will be constrained to follow egalitarian policies as well. If there prevails a generally secular attitude of mind among the people, then the government will find it very difficult to function in theocratic fashion. Similarly, if the society is characterized by a strong republican ethos, it will be next to impossible for any kind of dictatorship to be set up within it. Likewise if a strong ethical and civic sense pervades a given society, its government will be under constant pressure to abjure any kind of venality in its functioning.

When a national government is asked to deliver, it is assumed that sufficient powers and functions are entrusted to it and that adequate resources are placed at its disposal for use within the mandate given to it by the people. If there is any deficiency in either the powers or the functions or the resources or the mandate, the government in question cannot be faulted for failing to deliver. This principle holds good of a world government no less. In fact it holds good a fortiori in the latter case as a world government does not as yet exist in the fullest sense. By fullest sense we mean an entity whose legislative,

executive and judicial writ runs uniformly and consistently throughout the international community. We do not see this happening as yet with the U.N. Though it has many of the trappings of government, such as a quasi-legislative body in the shape of the General Assembly, a kind of international civil service in the form of the Secretariat headed by the Secretary-General, a sort of crisis cabinet or executive in the form of the Security Council, and a judicial organ in the form of the International Court of Justice, these organs do not operate quite in the manner that their equivalents do at national level. At national level, a full-fledged legislature not only deliberates but enacts legislation that is binding on the citizens. This is not the case with the General Assembly which is not competent to legislate internationally. Again at national level, an executive is able to enforce its writ in a more uniform and consistent manner than the Security Council is able to do vis-à-vis the global community. The International Court of Justice or World Court hands down verdicts which are non-binding unlike those of national tribunals. And the international civil service headed by the Secretary-General is nowhere comparable to what a national civil service can achieve by way of policy inputs and policy implementation. Further, the police powers of the U.N., though not inconsequential, are to a large extent dependent on the concurrence of the so-called P-5, or the five permanent members of the Security Council with veto power, viz The United States, the United Kingdom, the Russian Federation, France and China. A veto cast by any of these can kill a Reso-

lution that is acceptable to the rest of the international community.

The U.N. is up against the long held doctrine of national sovereignty whereby each member state is held to be on par with every other member state and exercises sole and unquestioned jurisdiction in its domestic affairs and in all matters touching its national interest. No doubt sovereignty today is not what it used to be and has undergone quite a metamorphosis due to a variety of factors. But it is as yet not quite a spent force and at times comes in the way of a more fruitful interaction among the nations of the world. The rationale for upholding the principle of sovereignty is that every politically organized community should have its own place in the sun and should be allowed to develop its collective life according to its own genius and requirements without outside interference and pressures. This means that an apex principle of organization is required in each such community so that the aspirations of the people can be better mobilized and focused. The national government thus comes to embody that apex principle and by the same token equips itself with the wherewithal to promote the security, dignity and livelihood of its people. Thus far there can be no quarrel with sovereignty. The problem arises when a national government fails to deliver on its obligations and becomes an oppressor to its own people. Even in this eventuality the best thing would be for the national community in question to evolve its own mechanism for dealing with its problems before outsiders are tempted to fish in troubled waters. But this is often not the case and grave abuses of human

rights take place, drawing the attention of the international community and possible intervention. Sovereignty can be invoked only for legitimate purposes and within the overarching framework of human dignity and human rights. It cannot be considered an end in itself with no limits and no accountability. Unfortunately, many governments behave as though the latter were the case. Another limiting factor of sovereignty is the inability of national governments to deal with certain contingencies all by themselves without outside help. Examples are natural disasters, cross-border smuggling, drug-trafficking, gun-running, displacement of peoples, terrorism and the like. Many of these problems require the cooperation of other governments as well as of non-governmental organizations (NGOs), domestic and foreign. The limitations of sovereignty are only too obvious in the instances cited above. Besides, in today's globalized scenario, with the incessant movement of ideas, fashions, information, technology, investments, skills and labour across national borders, sovereignty is being progressively pooled together at regional and global levels. The ongoing integration of the world economy is also leading to the dilution of the theory and practice of classical sovereignty.

Notwithstanding the above considerations, there are certain areas in which governments tend to dig in their heels when they feel that vital national interest or prestige is at stake. It is not only the major world powers that do so but lesser powers as well though the latter are much more susceptible to arm-twisting than the former. It is here that the

U.N. finds itself at a disadvantage as it is reluctant to invade the domestic sphere in which national governments are usually better equipped to function. The principle of subsidiarity whereby what can be achieved at a lower level should be left to that level as far as possible and should be supplemented by recourse to a higher level only when absolutely necessary is a basically sound one. It allows base-level initiatives to flourish and so strengthens grassroots vibrancy which is so vital to democracy. When, however, an authority at a lower level fails in its responsibilities, there is no option other than that of a higher authority stepping in to redress the situation. Applying this to the international level, the U.N. would be required to intervene in a national situation only when the concerned national government fails in a major way to do its duty by its people or violates the U.N. Charter, to which it is a signatory, in its dealings with other members of the international community, thereby putting international peace and security in jeopardy. Moreover, this intervention would be called for only in the event that there is no mechanism in place at local or regional level. Thus even when one speaks of a world government, it does not mean that such a government pre-empts the prerogatives, powers and functions of the existing national governments but supplements them as and when required for the sake of global peace, security and development.

Just as the role of national governments has expanded far beyond the narrow objectives of maintaining law and order and defending the national territory from external attack, to embrace the

wider goals of an overall socio-economic development linked with social justice and ecological harmony, so the concept of the U.N. has evolved much beyond that of an organization devoted to preventing war to that of an institution dedicated to promoting fruitful relationships among the nations of the world in ever widening areas of interaction. Thus the specialized agencies of the U.N. look after different aspects of international life. The Economic and Social Council (ECOSOC) deals with social and economic problems affecting various countries and regions and evolves programmes suited to each particular situation. The ECOSOC has a number of region-specific branches functioning under its aegis such as the Economic Commission for Europe (ECE), the Economic Commission for Asia and the Pacific (ESCAP), the Economic Commission for Latin America (ECLA) and the Economic Commission for Africa (ECA).

The International Labour Organization (ILO) deals with all aspects of workers' rights and duties as well as of employer-employee relationships. It evolves model labour laws and protocols that could be adapted to various national contexts and so could help create a suitable industrial climate that would minimize social strife and boost productivity. It may be borne in mind that many a civil disturbance arises from inequitable industrial relations and that in an age of multinational corporations this could have international repercussions. The underlying causes of civil wars and conflicts among nations have often been economic and this fact makes

the ILO particularly relevant to our times.

Other specialized agencies also help to strengthen the sinews of peace in various ways. The United Nations Educational, Scientific and Cultural Organization (UNESCO) has played a vital role in promoting educational, technical, scientific and cultural cooperation and exchanges among the countries of the world. This is perhaps the best way to keep the nation-states of the world engaged to mutual advantage. The less the communication gaps kept between them the more remote the possibility of war breaking out among them. The Food and Agriculture Organization (FAO) helps countries to improve their agricultural practices and augment their food supply which is the very basis of their economic viability. What sovereignty can a nation claim if it is unable to feed its own people? Similarly the World Health Organization (WHO) offers its services and expertise to countries in need of assistance in the domain of public health. War is not the only killer of people but also disease, malnutrition and environmental blight. Since the future of the global community lies in its children, the United Nations International Children's Emergency Fund (UNICEF) pays special attention to the plight of disadvantaged children the world over so that they grow into adulthood as empowered citizens of Planet Earth.

The above brief survey of the multifarious activities being undertaken by the U.N. and its specialized agencies is by way of illustration of how the world body applies itself to improving the

quality of life of its member states and not merely to preventing the outbreak of war among them. Mention may also be made here of the United Nations Environmental Facility, the United Nations Development Programme, the United Nations High Commission for Human Rights and the United Nations High Commission for Refugees, all of which bring out the many dimensions of peace-building in today's world. Besides, the U.N. has sponsored a series of conferences and summits on themes and issues of vital interest to the international community such as de-colonization, the dismantling of apartheid, disarmament, the environment, population, the status of women, migrants, indigenous peoples, social development, North-South issues and so on. It has evolved a system of protocols and regimes to deal with specific areas of concern such as the sea-bed and the high seas generally, outer space, Antarctica and the like. The U.N. Treaty Series testifies to the wide range of agreements either sponsored directly by the U.N. or lodged with it. From time to time the U.N. has taken the initiative to highlight certain problem areas needing action on the part of the world community by dedicating a full calendar year to a particular theme as, for example, the Girl Child, Indigenous Peoples or whatever. Peace is indeed a multi-faceted and many-splendoured thing.

Former U.N. Secretary-General Boutros Boutros Ghali had referred to the triple role required to be played by today's U.N. in terms of peace-making, peace-keeping and preventive diplomacy. By peace-making is meant the positive action of restoring peace be-

tween warring factions or states. While this is a necessary function, it comes into play only in a situation in which peace is already a casualty, though hopefully not a permanent one. Given our imperfect world, it is not surprising that this situation should arise from time to time, though it is the least desirable of the three options Ghali refers to. Peace-making may often require measures of a more drastic kind to be taken, particularly in the case of recalcitrant states. These measures may range from economic sanctions to military action in extreme cases. And these measures are not resorted to lightly as they entail much disruption, tension and suffering, not only to those directly involved but also to parties further afield. These measures are therefore calibrated, beginning with the least offensive and gradually escalating so as to allow the recalcitrant state time to pull back from a course of action that is repugnant to its own commitment to the U.N. Charter.

Peace-keeping is a function that is less intrusive than peace-making in the sense that it comes into operation only at the request of disputant states and does not involve offensive or coercive actions on the part of the U.N. peace-keeping forces unless the latter come under attack, in which case they may act in self-defence. Peace-keeping forces are more in the nature of police forces made available to conflicting states as a buffer between their front lines. They are therefore lightly armed as a rule. They are usually drawn from neutral or non-aligned states as these would be more acceptable to the disputants, though there can be no hard and fast rule in the matter. There have been

times when U.N. peace-keepers have been fired upon or taken hostage; and this raises the question of how to re-conceptualize and re-organize the peace-keeping function. Here the U.N. faces various constraints. One is the reluctance of member-states to make available funds and forces expeditiously and consistently. While lip-service is paid routinely to the U.N. and its crucial role in keeping the peace, there is much foot-dragging when it comes to ear-marking contingents for peace-keeping operations and footing the bill for the same. It is not that unreasonable demands are being made on the members. Their contributions are assessed on their capacity both to pay and to second forces for U.N. operations. But domestic pressures often delay or prevent meaningful supportive action on their part thus hampering effective and timely peace-keeping operations. This is the dilemma faced by the U.N. inasmuch as it is called upon to play a pro-active role in keeping the peace while being often denied the wherewithal to fulfil that role.

Preventive diplomacy is a non-combative and non-coercive function that is the preferred *modus operandi* of the United Nations. It is obviously better to stave off a crisis through timely intervention than to apply military measures at a later stage when things tend to spin out of control. Preventive diplomacy can use one or more of the time-tested methods of conflict-resolution. These are mediation, arbitration and adjudication. Bilateral, multilateral and proxy talks are often resorted to for the same purpose. Diplomatic initiatives can also be taken by one or more powers or by a grouping of states to break

deadlocks that might arise in international affairs.

An overview of the track record of the U.N. in promoting a peaceful new world order will reveal a not too dismal picture, though there have been glaring failures on many counts. Even these failures, if examined carefully, will be seen to be failures not necessarily of the world body as such but of those members of the world community who have not thrown their full weight behind the U.N. at critical times and in crucial matters. There is the tendency to prescribe U.N. intervention in events and situations far from home and to proscribe it on one's own turf, unless one is at the receiving end so to speak. In recent times the United States, which had played a key role in the founding of the U.N. in the first place, gave the latter a difficult time by running up substantial arrears in payments of its dues to the world body, particularly on peace-keeping account. It also insisted that the U.N. downsize its establishment and give more value for money as a pre-condition for paying up its dues. The irony of the situation is that while on the one hand the U.N. is called upon to shoulder increased responsibilities in a rapidly shrinking world, it is often denied the personnel and the resources needed to do so. The Secretary-General is often left wringing his hands helplessly while the major powers take their own sweet time to agree on a course of action.

In the ongoing debate on the restructuring and reform of the U.N., certain areas stand out as requiring serious attention. In the most general sense,

given the vastly expanded membership of the world body, there is need to enlarge the Security Council to make it a more balanced and representative body than it is at present. Of the P-5, Fully 4 are Euro-Atlantic powers, with only China hailing from outside that geographical area. The whole of Latin America, Africa and much of Asia remain un-represented in the Security Council unless states from these areas are lucky enough to be voted to a non-permanent seat on the Council on a rotational basis for a two-year term. A new and more equitable formula for giving representation to more populous areas of the globe needs to be worked out. The question of the veto power also needs a second look, though the P-5 powers will understandably be reluctant to have their prerogative whittled down in any way. The veto was conceived as a safeguard against any of the P-5 being drawn into a conflict that would endanger their national interests, especially as they had assumed the prime responsibility for maintaining world peace. While this consideration did have its validity at the time of the founding of the U.N., and to some extent does so today, the present scenario is a vastly different one, with several new powers on the international scene and a changed structure of the global political economy. The veto came to be used in a restrictive way during the Cold War years to check-mate rival P-5 powers, thereby paralyzing the Security Council on several occasions when it perhaps should have acted expeditiously. With the end of the Cold War, veto rivalry and one-upmanship have abated for the time being, but this cannot be any guarantee for the future

as long as the provision remains on the statute book. It has been suggested that the veto power should be a qualified one requiring endorsement by a special majority of the Security Council or at least by one or other of the P-5. But this question is not likely to be resolved very easily or any time soon.

Other questions concern the recruitment, training, equipment and deployment of a U.N. Army or Rapid Action Force at short notice in different trouble spots of the world. While this is a desirable and long overdue objective, the modalities of its implementation will have to be worked out. It must be remembered that the Military Staff Committee envisaged by the U.N. Charter has to date not been set up. It was to comprise the Chiefs of Staff of the P-5 and was to take charge of all military operations directed by the Security Council. The possibility of establishing U.N. Cantonments spread out evenly and strategically all over the globe needs to be explored. The allied question of Command and Control of U.N. forces needs to be sorted out. All U.N. members may not be too enthusiastic about placing contingents of their armed forces under U.N. control. The United States, for instance, steadfastly refuses to entrust its forces to the command of

any other than an American i.e. U.S. commander. Then there is the question of the appropriate mix of local, regional and extra-regional forces that would be both optimal and acceptable to the regimes of areas where deployment is called for. It is perhaps too utopian at the present juncture to visualize the pooling together, in specially designated 'safe pits' under U.N. control, of the nuclear weapons of the nuclear powers, pending their elimination. Apart from military considerations, the U.N. should be empowered to appoint its own peace and human rights observers with ambassadorial rank to the capitals of all member states. These U.N. envoys would be mandated to report to the Security Council all violations of the Charter on the part of the signatory states to which they are accredited, whether in the matter of human rights or any other. Similarly, the International Court of Justice needs to be given more teeth so that its judgments are honoured by all its members without exception. In fine, it is evident that the U.N. system has stood the test of time in many vital respects but is in need of overhauling in order to fulfil its noble mission of promoting world peace, human solidarity and development even more effectively in the next millennium.

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