



## This Crisis of Multilateralism is Different

by John G. Ruggie

Crises of multilateralism that originate in Washington are nothing new. The first occurred as early as 1948 when Senator Homer Ferguson led a legislative effort to abolish the veto in the United Nations Security Council—which the outnumbered Soviets were wielding vigorously. The Ferguson bill proposed to create a new international organization if U.N. member states refused to amend the Charter. Countries that disagreed with the U.S. would be excluded from the new body. Sound familiar?

Despite the almost rhythmic recurrence of past crises, the present situation has a different feel about it. Even with the most effective Secretary-General since Dag Hammarskjöld at the helm and perhaps the most popular—I believe that the United Nation's political role in the world, and the very idea of global governance, faces unprecedented challenges.

Today's problems reside in core institutional features of the U.N. itself, as well as in our own domestic politics. In the following pages, I touch on three key elements of these problems below.

### Peace and Security

It is no huge exaggeration to say that the United Nations today lacks the capacity to act predictably on its core mission: to save succeeding generations from the scourge of war.

No U.N. military enforcement capacity has ever materialized. Only twice in its entire history has the Security Council authorized coalitions of the willing to enforce its mandate: the Korean and first Gulf wars, and Korea was a fluke.

With regard to the far less robust practice of U.N. peacekeeping, in the 1990s, the belief took hold briefly that the Cold War had been the main constraining culprit, and that with its end, U.N. peacekeeping could be expanded

significantly. Those hopes were dashed by Somalia, Rwanda and Bosnia—and more recently, when British troops had to rescue the U.N. mission in Sierra Leone. While peacekeeping is here to stay, due to the limited availability of qualified troops, command and control challenges, and costs, its future performance by the U.N. on a large scale seems in doubt.

Sanctions are another means by which the Security Council seeks to ensure the implementation of its decisions. The most robust and comprehensive regime ever was imposed on Iraq after the first Gulf war. The sanctions enriched Saddam Hussein by creating a vast black market under his control; they destroyed the Iraqi middle class; and indirectly, they killed several hundred thousand Iraqi children because Saddam refused to purchase sufficient food and medicine for them. We will never see another set of sanctions like these.

Finally, we have known from the very beginning that the nuclear nonproliferation regime by itself could never fully prevent weapons from spreading. The technologically capable countries took steps over the years to strengthen export controls, but a clandestine market has continued to flourish. And the International Atomic Energy Agency has provided for more intrusive inspections, but they remain voluntary. No means are in place to deal with the potential threat posed by non-state actors seeking to possess nuclear or other weapons of mass destruction.

The Bush Administration invented none of these problems, but it can be faulted for rejecting and, at times, undermining the very aim of making such multilateral tools more effective. For example, the Administration has eviscerated the already modest U.S. commitment to peacekeeping, substantially reducing and renaming the Pentagon's Office of Peacekeeping. The Administration also prevented the expansion of the International Security Assistance Force in Afghanistan to cities beyond Kabul; as a result—the rest of the country once again belongs to warlords and druglords. It threatened to veto any and all U.N. peacekeeping

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missions unless the U.S. was given a permanent exemption from the jurisdiction of the International Criminal Court. And it turned over responsibility for managing multilateral arms control to people who have spent their careers trashing it.

So we find ourselves in desperate need to fix a system that functions less and less well, but with the world's leading power at best being disinclined to join efforts to improve it.

### Collective Legitimization

An astute scholar of international organizations, Professor Inis Claude, Jr., wrote as long ago as 1967 that the United Nations' most important political role was to be found not so much in what it can do, but what it can be used for. Above all, the U.N. has played a critical role in endowing certain norms and state practices with a measure of collective legitimacy. Collective legitimization is generally believed to exceed the value of unilateral justifications of policies, which is why states struggle so hard to obtain it.

This collective legitimization function is under growing stress, however. Many leading figures of the Bush Administration believe that no such legitimization is necessary.

Neoconservatives, for example, have attacked the U.N. obsessively over the years in the attempt to undermine its credibility in the eyes of the American people. But the Bush Administration is hardly alone. Its predecessor also did damage by blaming the U.N. when a Delta Force operation about which it never even told the U.N. was ambushed in Mogadishu, and when it struggled mightily to prevent U.N. action in Rwanda.

For their part, the developing countries have eroded the U.N.'s legitimacy through their mindless deference to the principle of sovereign equality. They rarely condemn horrific behavior on the part of other developing countries and they produce such perversities as having Libya chair the U.N. Human Rights Commission.

Europe has played a role in diminishing the U.N.'s moral stature by quietly sitting by and letting such things happen—all the way back to the infamous 1970s “Zionism is racism” resolution, which did more damage to the U.N. within the United States than any other single act before or since.

France and Russia helped create the recent Security Council crisis over Iraq by undermining throughout the 1990s the U.N. arms inspections they professed to be defending this past spring. Let me add that any European “pro-U.N.” posture that consists mainly of a desire to use the organization as a fulcrum from which to balance the United States not only will prove futile, but also finish off what's left of the U.N.'s political role.

To be frank, the developing countries and Europe need a viable U.N. more than the United States does. So if the U.N.'s role as a source of international legitimacy is to be safeguarded, their feet will have to be put to the fire as well.

### Global Governance

Let me turn, lastly, to the mounting challenge faced by the very idea of global governance as it has evolved over the past generation—and which increasingly puts the United States on a collision course not only with global institutions, but

also with its closest friends and allies.

This challenge is typically associated with the neoconservative movement and the issues at stake are the domestic blowback of the steady accretion of international norms and standards in human rights, humanitarian law, labor practices and environmental sustainability; the growing involvement of civil society in the global political arena; and the advent of the idea of universal jurisdiction.

Legal and political activists seek to have such international instruments internalized into the domestic American sphere even when the United States has not ratified them or has bracketed its acceptance with strict reservations. The “new sovereigntists,” as they have been dubbed, contend that these moves infringe on U.S. sovereignty. The U.N. is also one of their targets, but they aim even greater ire at the European Union, where the practice of internalizing transnational sources of law and regulations is a fact of life.

But this nationalist impulse is not confined to a cabal of neocons. The U.S. Senate has refused to accept intrusive inspections of chemical and biological weapons production. A straw poll in that chamber made it abundantly clear that Kyoto would be dead on arrival. President Clinton did not dare submit the ICC statute for ratification. And Congress initiated the “American Service-Members' Protection Act,” which authorizes the President “to use all means necessary and appropriate” to free any member of the U.S. armed services detained by or in connection with the International Criminal Court—in principle, including invading the Netherlands to achieve that purpose.

Finally, much of recent scholarship on the role of international law in U.S. courts has been consumed by the transnationalist vs. nationalist debate. The growing nationalist position not only contains core elements of truth—the American constitutional system in many respects is different, and it does form the basis of our identity as a nation. But especially in the wake of September 11th, the idea of resisting rather than embracing external influences over what we do at home, and