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The State of Peace under the Conditions of a Unipolar World Order

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(I)

Since the end of the Cold War, the lack of a balance of power[1] has led to an increase in the unilateral use of force by the most powerful global actor. The ambition to reshape entire regions according to that country's vision and system of values – insofar as those regions are vital to the interests of the global hegemon – has become obvious even to the most disinterested international observer, particularly since the events of the year 2001. The blueprint for a "New Middle East" is, among other similar projects, clear proof of this geopolitical agenda.

The developments in the new unipolar context have brought about a profound destabilization of global security – at a scale that could not have been imagined during the East-West confrontation of the Cold War. A new polarization is taking hold – this time not along ideological, but *civilizational* lines.[2] One of the most striking features of this tendency is the increasing alienation – in certain respects: confrontation – between the Muslim world and the West, which, to a considerable extent, has resulted from the effort at imposing a new political order upon the entire Arab region (as part of the project of a so-called "New World Order" proclaimed in 1991).[3] The quasi-imperial order, which is being imposed upon the peoples of Iraq and Afghanistan in particular, has direct repercussions upon security and stability in the neighboring regions, including Europe.

For the people in the affected areas, the future has become more uncertain than it has been for a long time; similarly, peace has become much more frail at the global level. The so-called "global war on terror" has revealed itself as a hegemonial project with the outcome being totally uncertain. While there is no end in sight, this confrontation is about to lead the international community into a permanent state of fear. It creates a climate of suspicion in which the arbitrary use of force – under the pretext of pre-emptive self-defense – is portrayed as commonly acceptable. This may ultimately bring about a state of global <u>anarchy</u> – a

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[1] On the concept of the "balance of power" see esp. Hedley Bull, *The Anarchical Society. A Study of Order in World Politics*. Third Edition. Houndmills (UK)/New York: Palgrave, 2002, pp. 97ff.

[2] On the implications of this development for world order in general see the author's paper: "The 'Clash of Civilizations': Perception and Reality in the Context of Globalization and International Power Politics," in: Felix Kalandarishvili et al. (eds.), *Materials of the Tbilisi International Forum "Globalization and Dialogue between Civilizations."* Tbilisi, Georgia: International Forum "Globalization and Dialogue between Civilizations," 2004, pp. 62-70.

[3] For a more detailed analysis of this nexus between a specific geopolitical design and civilizational confrontation see Hans Köchler, "Civilization as Instrument of World Order? The Role of the Civilizational Paradigm in the Absence of a Balance of Power," in: *Future Islam*, "Insight," New Delhi, July/August 2006, www.futureislam.com (Online Journal).

development which almost unavoidably results from a system of self-help taking hold outside the framework of international law.[4]

In this climate of an arbitrary use of force, enacted by "coalitions of the willing" that are formed around the global hegemon, the United Nations Organization is forcefully pushed to the sidelines. The world organization is more and more being marginalized because its structure – and in particular its decision-making rules – cannot cope with the conditions of global unipolarity. The organization's system of *collective security* – designed under totally different geopolitical conditions – can only properly function under conditions of a balance of power, whether *bipolar* or (ideally) *multipolar*.[5] Since the collapse of the bipolar system of power, the organization – due to the provisions of Art. 27 of the Charter – is at the mercy of the most powerful among the veto-wielding permanent members; the functions of the Security Council, i.e. the organization's role in safeguarding international peace and security, are seriously compromised – a situation equivalent to the paralysis of the entire organization. The ongoing war in and occupation of Iraq, the continuing occupation régime in Palestine (with the denial of the most basic rights to the entire population),[6] implemented with the backing of the global superpower, are drastic proof of this "unjust reality" which is further reinforced by the absence of a balance of power at the global level – and against which the United Nations Organization cannot adopt effective measures in any way.[7]

Because of this scenario of unipolarity, the prospects of peace in the Middle East are more dim now than they were, for instance, two decades ago. At the same time, the "global war on terror" is not only overshadowing this and other regional conflicts, but making them even more complex, if not intractable.[8]

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[4] For an analysis of the challenges to global peace in the era initiated by the events of September 11, 2001 see *The Baku Declaration on Global Dialogue and Peaceful Co-existence Among Nations and the Threats posed by International Terrorism*. International Progress Organization. Baku, Azerbaijan, 9 November 2001. At http://i-p-o.org/Baku_Declaration.pdf .

[5] See Hans Köchler, "The United Nations Organization and Global Power Politics: The Antagonism between Power and Law and the Future of World Order," in: *Chinese Journal of International Law*, Vol. 5, No. 2 (2006), pp. 323-340.

[6] See, *inter alia*, "*Starvation Policy against Palestinians Is an International Crime*" – *Declaration of the International Progress Organization*. I.P.O. Information Service, Vienna, 2 June 2006/P/RE/19734c-is.

[7] On the case of Iraq see Hans Köchler (ed.), *The Iraq Crisis and the United Nations. Power Politics vs. the International Rule of Law. Memoranda and declarations of the International Progress Organization (1990 – 2003)*. Studies in International Relations, XXVIII. Vienna: International Progress Organization, 2004.

[8] For details see the author's article "The United Nations, International Rule of Law and Terrorism," in: *The Supreme Court Centenary Lecture Series. I: July 2000 – June 2001; II. September 2001 – June 2002*. Manila: Supreme Court of the Philippines / Philippine Judicial Academy, 2002, pp. 550–571.

Furthermore, the anti-Islamic enemy stereotype underlying the "global war on terror" may trigger a never-ending confrontation. Under the circumstances that evolved since September 11, 2001, these age-old prejudices are about to make the paradigm of the "clash of civilizations" a self-fulfilling prophecy.[9] In light of the Regensburg lecture of the head of the Roman-Catholic Church, in which, by quoting without further comment from a text of a Byzantine Emperor, he gave room to the prejudices of the era of the crusades, the danger of the exploitation of religion for a confrontationist agenda cannot be underestimated.[10]

The reemerging civilizational antagonism has led to a further dangerous escalation at the level of international politics insofar as the confrontation, in connection with the unresolved Middle East conflict, may potentially acquire a "nuclear dimension." The explosive mixture of the Arab-Israeli conflict (particularly involving Palestine, Syria and Lebanon), the destabilization and disintegration of Iraq resulting from a patently illegal foreign intervention, the anarchy in Afghanistan brought about by the presence of NATO troops, the nuclear dispute between Israel and the West on one side and Iran on the other[11] jeopardize not only the stability of the respective regions, but – in their combination – pose the most serious threat to global peace since the height of the Cold War.

This threat is further aggravated by the United States' doctrine of "preventive self-defense"[12] and the new paradigm of "nuclear primacy" advanced by the apologists of a unipolar world order under the auspices of the United States.[13] The non-proliferation régime on the basis of the Treaty on the Non-proliferation of Nuclear Weapons (NPT), including the nuclear safeguards régime implemented by the International Atomic Energy Agency (IAEA),[14] is continuously being eroded, even threatened by collapse, because of the unwillingness of the

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[9] Hans Köchler, "After September 11, 2001: Clash of Civilizations or Dialogue?," in: *Forum. Popular na pahayag ng malayang komunidad* (Universidad ng Pilipinas), Diliman, Q. C., Tomo 3, Blg. 3, 28 March 2002, p. 9.

[10] For an analysis of the lecture in the context of cultural philosophy see the author's declaration: *Religion, Reason and Violence: Pope Benedict XVI and Islam. Statement by the President of the International Progress Organization, Prof. Hans Koechler, on the lecture delivered by Pope Benedict XVI at the University of Regensburg on 12 September 2006*. Vienna, 16 September 2006, P/RE/19920. International Progress Organization, i-p-o.org/koechler-Religion_Reason_Violence-16Sept06.htm.

[11] On the legal and political aspects of the dispute see *Memorandum on the dispute between the Islamic Republic of Iran and the United States of America and other states over the interpretation of the Treaty on the Non-Proliferation of Nuclear Weapons and related legal and political problems of the non-proliferation régime*. International Progress Organization, Vienna, 15 April 2006, Doc. 19667c, http://i-p-o.org/ipo-memorandum-NPT-Iran-15April2006.pdf.

[12] Cf. *The National Security Strategy of the United States of America. September 2002*. Washington, DC: The White House, 2002.

[13] Keir A. Lieber and Daryl G. Press, "The Rise of U.S. Nuclear Primacy," in: *Foreign Affairs*, Vol. 85, No. 2 (March/April 2006), pp. 42-54.

[14] On the practical aspects of the non-proliferation régime under the NPT see esp. Tariq Rauf, *Strengthening the Nuclear Non-Proliferation Treaty Regime*. Middle Powers Initiative Forum: "Ensuring Full Implementation of the Non-Proliferation Treaty," United Nations, New York, 26 April 2004. Text released by International Atomic Energy Agency, News Centre, Vienna, http://www.iaea.org/NewsCenter/Focus/Npt/npt2004_2604_mpi.pdf.

existing nuclear powers to undertake credible measures of nuclear disarmament.[15] The prospects of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) ever entering into force are becoming more remote with every passing year.[16] The escalation of the nuclear crisis on the Korean peninsula has dramatically – and paradigmatically – highlighted the dangers of a regional dispute over nuclear disarmament to global peace.

The predicaments faced by the international community in front of these threats and challenges are manifold and center, to a considerable extent, around the preservation, and strengthening, of the international rule of law. Some of the main problems are:

–   The imbalance of power relations at the global level;

–   the related imbalance in terms of economic and social development, i. e. the widening gap between rich and poor nations – or North-South divide –,[17] resulting from the rapid process of globalization;[18]

–   the absence of efficient mechanisms for resolving, or at least containing, regional crisis situations such as those in the Middle East and Central Asia;

–   the erosion of the authority of the only universal institution in charge of intergovernmental relations, namely the United Nations Organization, that cannot implement its mandate of collective security under the conditions of a unipolar world order;[19]

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[15] On the problems of the non-proliferation régime in the present geopolitical context see, *inter alia*, Alexander Siedschlag, "International Non-Proliferation Policy and the United Nations Security System after 9/11 and Iraq," in: Hans Köchler (ed.), *The Use of Force in International Relations: Challenges to Collective Security*. Studies in International Relations, XXIX. Vienna: International Progress Organization, 2006, pp. 23-39.

[16] On the "ratification dilemma" of the CTBT see the keynote address by the Director-General of the IAEA, Dr. Mohamed ElBaradei, at the CTBT Scientific Symposium "CTBT: Synergies with Science (1996 – 2006 and Beyond)," Vienna, Austria, 31 August 2006, at http://www.iaea.org/NewsCenter/Statements/2006/ebsp2006n017.html.

[17] On the need for a new economic policy, aimed at overcoming the North-South divide, see, *inter alia*, the volume edited by the author: *The New International Economic Order. Philosophical and Socio-cultural Implications*. Studies in International Relations, III. Guildford, England: Guildford Educational Press, 1980.

[18] On the implications of globalization for democracy and peaceful co-existence see Hans Köchler (ed.), *Globality versus Democracy? The Changing Nature of International Relations in the Era of Globalization*. Studies in International Relations, XXV. Vienna: International Progress Organization, 2000.

[19] See Hans Köchler (ed.), *The Use of Force in International Relations – Challenges to Collective Security*. Studies in International Relations, XXIX. Vienna: International Progress Organization, 2006.

– the global superpower having embarked upon a global war on terror that is in itself unwinnable,[20] while at the same time antagonizing entire peoples and civilizations, thus drawing them into a confrontation they had not originally chosen.

These are the characteristics of an increasingly fragile global order – indeed the ingredients of instability –, where peace is threatened permanently and where no region, as remote as it may be from the main crisis spots, can be shielded from the destabilizing consequences of those festering conflicts.

(II)

In view of the above scenario, we cannot avoid the question as to the long-term prospects for peace – i. e. *genuine* peace in the meaning defined in Immanuel Kant's treatise on perpetual peace.[21] As citizens of the world, we cannot distance ourselves from the escalating crisis.

A prolonged struggle for the preservation of global hegemony – i.e. a confrontation between the paramount hegemonial power and countries, peoples, and civilizations with competing or alternative world views –, indeed a state of permanent war, is looming over the horizon. In connection with the likely collapse of the nuclear non-proliferation régime, this confrontation is acquiring a qualitatively new threat potential: in this scenario, the use of nuclear arms is not just an abstract and remote danger, but – in view of the new doctrine of nuclear primacy, in tandem with the efforts at achieving "first-strike capacity" – a strategic calculus, albeit one that may bring about a new world war.[22]

In spite of this bleak short-term outlook, there is a ray of hope with regard to the medium- and long-term development. Since the Iraq war of 2003, we notice signs of a gradual emergence of a new balance of power. The collective resistance of not only three permanent members of the Security Council, but a growing number of states forming a "peace coalition" – as opposed to the "coalition of the willing" rallied around the US – against the war in Iraq may become the nucleus

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[20] For details see, *inter alia*, Jeffrey Record, *Bounding the Global War on Terrorism*. Strategic Studies Institute, U.S. Army War College. Carlisle, PA, December 2003.

[21] Immanuel Kant, *To Perpetual Peace: A Philosophical Sketch*. Trans. Ted Humphrey. Indianapolis/Cambridge: Hackett Publishing Company, Inc., 2003

[22] On the essential immorality and illegality of nuclear arms in terms of basic principles of international law see the declaration co-sponsored by the International Progress Organization: *Appeal by Lawyers Against Nuclear War*. Vienna/Geneva, June 1987, published at http://i-p-o.org/na.htm. – The Appeal, formulated at the initiative of Nobel Laureate Seán MacBride, was jointly launched by the International Peace Bureau and the I.P.O. after consultations at the I.P.O.'s Geneva conference on the question of terrorism in March 1987.

of a new *multipolar* world order with centers of gravity on several continents. This development may bring a new quality into international relations, inaugurating a genuine <u>new</u> world order, one that is distinctly different from the (rather "immobilizing") bipolar power balance that prevailed in the decades after the Second World War.

The United Nations Organization could facilitate this transition through measures of *major structural reform* – and at the same time avoid its falling into a state of irrelevance. This, however, will require bold steps towards *democratization* and, in particular, a basic reform of the Security Council in regard to its composition as well as its decision-making procedures. These are measures which the International Progress Organization has been calling for since 1990 and which it has publicly proclaimed at the *Second International Conference On A More Democratic United Nations* (CAMDUN-2) in 1991.[23] First and foremost, the veto privilege of the victors of World War II will have to be replaced by democratic voting regulations that are in conformity with the United Nations Charter's principle of sovereign equality of states as stipulated in its Art. 2(1).[24] Furthermore, the concept of permanent membership should be redefined. Regional groupings (where they exist) will have to be integrated into the Council as permanent members of a new (collective) type, replacing the five individual states that have disproportionately benefited from this status for more than six decades. The European Union, the League of Arab States, the African Union, the Association of South-East Asian Nations (ASEAN), among others, should be incorporated as permanent members, a step that might eventually encourage the formation of regional groupings where they do not yet exist.[25]

Such measures of reform would make the Security Council not only a more legitimate institution in terms of the enforcement of the international rule of law, but a more effective tool of international crisis management as well. If complemented by a reform of the United Nations General Assembly – that should be oriented towards transforming that body into a genuine parliament –,[26] those measures would undoubtedly revitalize the world organization, adapting it

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[23] Hans Köchler (ed.), *The United Nations and the New World Order. Keynote addresses from the Second International Conference On A More Democratic United Nations*. Studies in International Relations, XVIII. Vienna: International Progress Organization, 1992.

[24] On the problem posed by the veto privilege in terms of democracy and global justice see the analysis of the author: *The Voting Procedure in the United Nations Security Council. Examining a Normative Contradiction and its Consequences on International Relations*. Studies in International Relations, XVII. Vienna: International Progress Organization, Wien 1991.

[25] For details of this reform proposal see the author's paper: *The United Nations and International Democracy. The Quest for UN Reform*. Studies in International Relations, XXII. Vienna: International Progress Organization, 1997.

[26] The CAMDUN-2 conference in Vienna has suggested the establishment of a "UN Second (peoples') Assembly" as subsidiary organ of the General Assembly under Art. 22 of the Charter. (Hans Köchler [ed.], *The United Nations and the New World Order. Keynote addresses from the Second International Conference On A More Democratic United Nations*. Vienna: International Progress Organization, 1992, p. 50.)

to the realities of an emerging multipolar order, instead of subordinating it to the requirements of the so-called "New World Order" that was – prematurely – proclaimed by the prevailing hegemonial power after the 1991 Gulf War.

Unfortunately, the reform proposals advanced by the High Level Panel set up by the Secretary-General of the United Nations are falling short of these demands because they do not in any way touch upon the veto privilege of the existing permanent members.[27] In all fairness, one must admit that, under the prevailing conditions, the chances for such a reform process being set in motion are rather dim; frankly speaking, the members of the High Level Panel could not be expected to stem the tide of international *realpolitik*.

However, the fragile state of global peace in the era of a self-proclaimed "global war" (on terror) is well worth the effort at such a major restructuring of the United Nations Organization. The UN is the only intergovernmental structure, to date, that provides mechanisms enabling the peoples – and citizens – of the world to express their legitimate grievances and explore possibilities for solutions that go beyond the mere affirmation of the *status quo*. Unlike as proclaimed by Madeleine Albright some time ago, there is no indispensable nation,[28] but there exists an indispensable organization, in the form of the United Nations, for the preservation of global stability and a just international order – one that is not necessarily "new,"[29] but based on the well-established traditional values of justice and equality among all nations and peoples.

It is not surprising that in an era of political and military unipolarity that is juxtaposed with civilizational multipolarity, the antagonism between these two ingredients of world order (plus the antagonistic, violence-prone character of a unipolar power constellation *per se*) almost inevitably leads to instability, which – under the conditions of a failing nuclear non-proliferation régime – translates into a global threat to peace. The danger of the international system descending into anarchy is not an abstract one, but a very real medium-term prospect the international community is confronted with.

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[27] "A more secure world: our shared responsibility." *Report of the High-level Panel on Threats, Challenges and Change*. United Nations, General Assembly, Doc. A/59/565, 29 November 2004. See also [Kofi Annan], "In larger freedom: towards development, security and human rights for all." *Report of the Secretary-General.* United Nations, General Assembly, Fifty-ninth session, agenda items 45 and 55, Doc. A/59/2005, 21 March 2005, Par. 170.

[28] *Secretary of State Madeleine K. Albright, Secretary of Defense William S. Cohen, and National Security Advisor Samuel R. Berger – Remarks at Town Hall Meeting, Ohio State University, Columbus, Ohio, February 18, 1998. As released by the Office of the Spokesman, February 20, 1998. U.S. Department of State.*

[29] On the discourse of the "New World Order" in the context of international power politics see the author's analysis: *Democracy and the New World Order*. Studies in International Relations, XIX. Vienna: International Progress Organization, 1993.

In contrast to the rather bleak outlook in a unipolar framework, an order of peace could be achieved and stabilized under the conditions of global <u>multipolarity</u>. This is due to each actor's need, because of mere self-interest, to take into consideration the rights and interests of others on the basis of <u>mutuality</u>. The recognition of the reciprocity of interests (which, in the era of European Enlightenment, Immanuel Kant has translated into the "categorical imperative" of ethics[30]) is indeed at the origin of the notion of partnership – or "sovereign equality" in terms of international law.

The present state of affairs requires bold measures on the part of political leaders as well as creative initiatives by international civil society. If one is seriously concerned about the preservation of global peace in the long term, there simply exists no alternative to the strengthening of the United Nations Organization in the medium term and to preparing it gradually for the multipolar reality of the future. This will necessitate (1) the undoing of the almost exclusive adaptation of the world organization's decision-making rules to the power balance of an earlier era while, at the same time, (2) ensuring that the organization, meant to be the guarantor of the international rule of law on the basis of a system of collective security (set out in Chapter VII of the Charter), does not forever remain an ineffective – and increasingly irrelevant – "relic of bipolarity" in a unipolar era,[31] a severely weakened organization that could contribute nothing of its own to the transformation towards a multipolar order of the future.[32]

Global peace cannot be secured unless in a *multipolar* framework, which alone provides the mechanisms of checks and balances that are indispensable not only for the rule of law in its traditional meaning, but for a lasting order of justice and equality among all nations.

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[30] "Handle so, daß die Maxime deines Willens jederzeit zugleich als Prinzip einer allgemeinen Gesetzgebung gelten könne." ["Act only according to that maxim by which you can at the same time will that it would become a universal law."] (Immanuel Kant, *Kritik der praktischen Vernunft*. Ed. Joachim Kopper. Stuttgart: Philipp Reclam Jun., 1966, p. 53.)

[31] Those concerned about the state of peace and the future of world order should take seriously the ominous warning uttered by President George W. Bush at Whitehall Palace in London in regard to the United Nations "choosing its own irrelevance and inviting the fate of the League of Nations." (*President Bush Discusses Iraq Policy at Whitehall Palace in London. Remarks by the President at Whitehall Palace, Royal Banqueting House-Whitehall Palace, London, England*. The White House, Office of the Press Secretary, November 19, 2003.)

[32] On the prospects of the world organization under the prevailing geopolitical conditions see the author's lecture: "Quo Vadis, United Nations?," in: *Law Review,* Polytechnic University of the Philippines, College of Law, May 2005, pp. 49-65.