

Reflections on the United Nations @ 75

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As the United Nations (UN) completes 75 years of its existence in October 2020, it may be opportune to ask what difference the world body has made. Earning grudging accolades for being an enduring instrumentality dedicated to the steadfast pursuit of the shared goal of systemic peace and stability, the UN has weathered several crises and challenges. And yet, its record can only be characterised as a mixed one.

I

The simple and straight forward feat of the UN is its survival - perhaps beyond the expectations of its founders who, despite the far-reaching promises in the Charter for inter-generational peace and economic progress with full employment, might not have expected it to last much longer than the League of Nations. Why else would the five self-selected countries force others to grant them superior status in the Security Council, with no realistic scope for change in the compositional core of the organ that has been the driving force behind taking enforceable decisions for ensuring post-War peace and security? Further, the victorious majors were allowed the unrestrained power during an undefined transitional period to suppress any threat from the 'enemy countries' in the War. The Charter provisions regarding the transitional security arrangements were, perhaps, intended for taking care of the yet to be concluded War. However, they stand as a clear example of the short-term priorities of the founders. Gracefully, subsequent attempts to apply this specially targeted transitional power against other countries - some of which (like Iraq) were dubbed as 'rogue states' - did not receive much support.

This shows that the UN has not remained entirely lifeless, or unalterably a submissive tool to cater to the preferences of its masters. As studies on the

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life expectancy of international organisations show, nearly 70 percent of the organisations, which happen to survive for more than 20 years, are likely to live longer, and are difficult to replace. As a dynamic institution, the UN has demonstrated its propensity to function as a recalcitrant tool, by not doing things directed to do always, and by doing things of its own volition, either under compulsion of doing something in demanding situations or as a conscience-keeper of the world community. The normative basis for this activity is the time tested tendency to bank on the spirit of the Charter mandate if the letter of the authority has proven to be impractical or inadequate.

This is to be understood in terms of the capacity of the UN, both to assert its autonomy drawing motivation from the founding and enduring ideals as also to improvise practical measures taken in particular situations in the absence of clear instructions from member states. The evolution in different avatars of UN peacekeeping operations over the decades is the clearest example of the intent to undertake practical policy actions, with or without the mandate from member states. The establishment of some of the observer missions and peacekeeping operations in 1958, 1960, 1965, and 1993, for example, were without the explicit, advance authorisation from the Permanent Members or without prior permission from one of the state parties concerned. Acting on behalf of the United Nations, the Secretaries-General, Dag Hammarskjöld, U Thant, and Boutros-Ghali chose to rely on their moral authority in those relevant instances. Similarly, Kofi Annan refused to accept the war against Iraq in 2003 as a UN war.

A bold move to seek the advisory opinion of the World Court on the legality of threat or the use of nuclear weapons by the General Assembly in the 1990s is another example of the distinctive personality of the UN. Similarly, whether in the case of extending the operational procedures intended initially for governing the Trusteeship system to the non-self-governing territories to effectively delegitimise colonial policy, or the advocacy of the equitable development agenda of the poor and disadvantaged countries in terms of aid, trade, or debt relief, the UN came up with autonomous policy prescriptions which may not have yielded the desired results instantaneously. Of course, in the process, some privileged countries were upset about the initiatives considered unfavourable, and resorted to non-cooperation or tactics of financial withholdings. In other words, the contention is that the life of the UN is a story of survival with perseverance. On the flip side, the continued use of peacekeeping operations to meet complex situations involving ethnic and factional warfare in country after country, accompanied by the collapse of state structures, has strained the professional standards of foreign contingents

deployed in the field and, at the same time, raised doubts about planning or leadership skills at the headquarters. The inability to take necessary action to prevent genocide in Rwanda in 1994, in spite of warnings coming from the field, is an unforgivable Himalayan blunder committed at the top.

A notable aspect of the institutional leadership on the part of the United Nations is to do with ideas. The ideational role of the UN is essentially ethical and intellectual. At the level of principles, the UN is looked upon as a champion of the principles of sovereign equality, the non-use of force, non-intervention in domestic matters, all human rights for all, and common-but-differentiated responsibilities. Several conceptual ideas owe their origin and subsequent acceptance to the efforts of the UN: Human development, sustainable development, human security, the global commons, human rights for all, globalisation with a human face, and general and complete disarmament. The UN lost that leadership role to the Washington financial institutions during the Seventies and Eighties, but partially recovered it in the new century.

II

An interesting way of conceiving the contemporary UN is to adopt, with some modification, the analogy of the first, second, and third UN put forward by Roger Coate, Thomas Weiss, and others a few years ago.¹ The first UN is political; it refers to what transpires in terms of the political process involving member states in the principal deliberative architecture characterised by the competing claims among the governments of having owned or disowned the UN. In that sense, the UN became an inseparable element of Westphalian international politics. For some years, both during the Cold War era and in the early years of the post-Cold War phase, the USA dominated the setting of the agenda and the political outcomes, thereby strengthening the perception about the UN becoming an extension of the US foreign policy framework. From being a pro-US forum, the UN also transformed as a forum to articulate the anti-West agenda of the newly emerged and economically underdeveloped countries in the Global South in the 1960s and 1970s in furtherance of decolonisation, disarmament, and the new international economic order. Diverse geographical and interest-based coalitions of member countries have been at work to achieve or resist alignment of the UN with or against them, as the case may be. The by-product of these political dynamics is that the UN became by far more representative of the state system than originally designed, so much so that it has come to include even the erstwhile enemy countries and colonial territories, and above all states parties to every imaginable international

conflict. As a result, while the work load and resource requirement of the UN increased many times over, many accusations were also made about its politicisation, unproductive resolutions, bureaucratic inefficiency, and the lack of economical use of finances.

It is true that all the contending sides are to blame for the untoward outcomes of the political misuse of the instrumentality. Nonetheless, it should be noted, the significant service of the world organisation lies in the maintenance of systemic stability over the decades, along with the supervision of peaceful adjustments in the world order in the face of the challenges from bipolarity, loose multipolarity, and the brief spell of uni-polarity. The ideological and political rivalries between the Eastern and Western blocs under the leadership of the two superpowers were managed by ensuring that local conflicts were insulated so that no direct military confrontation took place to endanger systemic peace - whether it was in East Asia, Middle East, or Cuba.

However, the space for manoeuvring a distinctive role diminished after the end of the Cold War for a little more than a decade due to the impact of the unrivalled exercise of power by the USA in the UN by virtue of its much feared status as the sole surviving superpower. As such, the UN went by the pulls and pushes originating in Washington in various forums, including in the Security Council and in the General Assembly - whether on Kuwait/Iraq, Somalia, former Yugoslavia, Haiti, Liberia, and Rwanda, or in regard to the promotion of the liberal values of free markets and electoral democracy. Intermittently, the UN witnessed and benefited from the emergence of new centres of power, such as the European Union, Asian Tigers, and now China. For instance, Japan emerged as the second biggest contributor to the UN budget, just as the European Union countries together accounted for a much larger share than the USA by the end of 1980s. In recognition of the new realities, the USA was ready to support the accommodation of some of these new actors (like Germany and Japan) in the UN power structure.

III

The second manifestation of the UN refers to the soft UN, consisting of a variety of operational, developmental, and humanitarian agencies and organs. Many of them maintain a low profile because of the technical and inherently non-political nature of their work. Although the UN is the reference point, if not their fountainhead, they function from locations away from New York. The second UN is notable for its diversity, and it has become extremely difficult for it to exercise the constitutional mandate to coordinate their work.

The major elements like the FAO, ILO, UNESCO, and WHO command a total resource basket of US\$ 6 billion (equivalent to the kitty of the UN proper) and, therefore, do not like to be told by the first UN as to what to do in their field with their own resources. Over the years, they have built their credibility for advancing social causes with reference to food security (FAO), the monitoring of fundamental principles of non-discrimination and equal wages for workers (ILO), and affordable and universal access to health care systems (WHO). In the wake of the growing power of the World Trade Organization since the mid-1990s, the FAO, ILO, and WFP have played a key role in ensuring that multilateral trade negotiations in the WTO did not impinge on the right to food and food security, and that labour was not be treated as a commodity.

Incidentally, in the thick of the worldwide spread of the Novel Corona virus pandemic starting from China in 2019, several critics have blamed the WHO for its inept and meek leadership to protect China by downplaying the potential of human-to-human infections. The main reason attributed to this was the Organization's dependence on Chinese funds which are filling the void created by the retreat of the Western donors. Alongside, demands are being made for the revival of the stalled reforms in WHO to enable the strengthening of pandemics research and early warning systems. While the criticism is legitimate, the fact remains that the administrative and budgetary practices - including the election process of the Director-General - are on the lines prevalent in the UN.

At one end are agencies like the Universal Postal Union and the International Telecommunication Union which are small in size, with modest finances. On the other side, there are big development organs. The agencies and organs like UNESCO, UNIDO, and UNCTAD carry UN in their name and are, in effect, extensions of the programmatic priorities set in the General Assembly in respect of the linkages between education and communication with peace and human rights. All of them have faced rough weather, and are sliding back. The UN Development Programme is the largest multilateral technical assistance provider, without any scope for helping with capital. The Programme began in 1961, with assistance in financing and facilitating expert advice, and providing training programmes during the pre-investment stage of development projects. It gradually extended its capacity building assistance to address the growing needs of poverty reduction, climate change, sustainable development, local governance, and so forth. Further, the growth of the humanitarian side of the second UN is evident in the activities of the World Food Programme, the UN Children's Fund, the office of UN High Commissioner for Refugees,

etc. The funding for humanitarian work of the second UN (at US\$17 billion) nearly tripled in a decade - during 2007-16.

Distressingly, humanitarian assistance is short-term by nature, resulting in a proportionate loss of resources for long-term development needs. Again, much of it is donor driven, and suffers from unpredictability of pledges and the unreliable availability of promised funds. Moreover, competition among the development wings for voluntary funding has affected overall institutional coherence and optimal coordination at various levels. The Economic and Social Council lost its verve to deliver on its original mandate for overall coordination and programme coherence. Beyond the creation of UN Development Group/System in the late 1990s, not much follow-up happened on the ambitious proposal of 'horizontal centralization' by way of the merger of UNICEF, WFP with the UNDP. After the adoption of the Millennium Development Goals in 2000, the imperative arose to revive possible reforms for ensuring the implementation of the Millennium Development Goals at the country level. Therefore, it was agreed later (in 2006) on the recommendation of a high level panel, that the offices of the second UN at the country level should 'Deliver as one', with one leader (that is, the UNDP resident coordinator), one programme, one budget, and one office. Albania, Mozambique, Pakistan, Rwanda, and Vietnam are among the countries which agreed to try this plan.

IV

The People's UN is the third face of the UN. Over the decades, the UN has grown beyond being completely a creature of governments. In the twenty-first century, the UN is faced with the challenge of tight rope walking between Westphalian and post-Westphalian interests. The UN has streamlined regular outreach activities to communicate information on its activities and initiatives to opinion makers, academics, think tanks, civil society groups, and non-governmental organisations (NGOs). UN-civil society linkages have evolved - through the mechanism of accreditation to non-governmental organisations with the Economic and Social Council where, presently, more than 5000 NGOs have consultative status. In the developmental, environmental, humanitarian relief, and human rights work, the UN and the UN system at large work in partnership with NGOs. Regular meetings with spiritual leaders, youth, and local body mayors have also been organised. More noticeably, thousands have attended the global conferences held under the UN sponsorship to vent their views, and lobby for support from the official delegates. In a

remarkable trend-setting development, over 9,000 NGOs took part in the 1992 Rio Earth Summit, whereas the number was three times more in the parallel NGO Forum. The trend continued subsequently in global conferences on human rights, women, and numerous other subjects. This trend spread to other events associated with the annual meetings of the International Monetary Fund, the World Trade Organization, and the World Economic Forum. Even the Security Council has introduced what is called the Arria formula, to invite individuals and their groups to brief members on the relevant questions on the agenda. Besides, since the 1990s, the Secretaries-General have brought together eminent persons in their individual personal capacity to join panels on problems like challenges to security in the new century, strengthening peace operations, the effective functioning of development programmes, enhancing the financing viability of the UN system, and so forth

However, it is not entirely correct to say that the participation of civil society groups is bereft of opposition. Representatives of many countries are wary about the recommendations of an eminent panel of experts (in 2004) for facilitating the greater privileges of participation in the UN principal organs for NGOs. They raised questions about the lack of the representative character as well as the accountability deficit in NGOs, in contrast to governments which are accountable to their respective people. This shows clearly the difficulties for the UN to accomplish a smooth transition from the Westphalian to the post-Westphalian global order. While appreciating the work of NGOs in areas like humanitarian assistance, India, for example, strongly opposed any more formalisation of the participation NGOs in the UN at the expense of eroding the inter-governmental character of the world body. This conservatism has its domestic side too: the Union Home Ministry has taken harsh measures lately - like the stopping of foreign donations and the denial of visas to indicate displeasure at the alleged involvement of many NGOs in developments in Jammu and Kashmir, or elsewhere.

V

As for India's experiences with the UN all these years since 1945, many points of significance need to be noted. India was the only colony that was granted original membership when the UN was founded. It should be a matter of great satisfaction to the country's leadership that, ever since, India has steadfastly stood for universal membership of the UN. India continued to support People's Republic of China's claim to be represented in the UN despite fighting a bitter border war with it in 1962. India's outlook towards the UN is

based on the conviction that India's hard won freedom would be sustained only if peaceful conditions are fostered with the help of an active UN. Indeed, the mutual trust between India and the UN has grown impressively, leading observers to be convinced that, through the UN, India has compensated its lack of hard power with soft power, which has been showcased at the UN in very many ways. The standard instruction Indian diplomatic personnel receive when assigned to the UN is to go by national interest first, and then by the merits of the question concerned. It would be a misconception to say that any of the previous regimes compromised India's vital interests. Jawaharlal Nehru took a calculated risk of taking the Kashmir question to the Security Council by invoking principles of high statesmanship, but rebuffed the role of the UN openly when it was clear that there was no hope at the UN.

All governments that followed after that of Nehru pursued issues of larger and common interest, like the struggle against apartheid and colonialism, nuclear disarmament, economic development, and also rejected the use of the UN for parochial and narrow gains by neighbouring countries. No doubt there were differences in nuance. The Indira Gandhi government selectively used the UN forum to corner big powers on major common issues of security, and robustly rejected bilateral problems with Pakistan being brought to the UN. Successor governments were guided by pragmatism due to the constraints of maintaining good relations with the USA. However, India refused to back down on the Comprehensive Test Ban Treaty or on Nuclear Non-Proliferation Treaty to safeguard vital security interests. All this was possible because of national consensus on foreign policy matters, no matter which party was in power. It was sagacious on the part of Atal Behari Vajpayee to acknowledge the services of his predecessors in a statement at the UN General Assembly after becoming Prime Minister in 1998: "I acknowledge with gratitude the confidence of successive Prime Ministers. To me, this also signifies the consensus on the national interests and the foreign policy of India."²

Rising India's growing political influence has brought impressive electoral gains in the UN in the new century. It was elected to the Security Council's non-permanent membership, and to the Human Rights Council consistently, with the biggest margins. India is very likely to serve another elected UNSC term, beginning 2021. However, the aspiration for securing a permanent seat in the enlarged Security Council remains elusive; only political will on all sides, including by India, to reach a compromise may break the deadlock. Independent of whether and how that happens, India is, and should be, committed to work in, and for, the UN because a weakened UN does not serve anyone's interest in short or long run. What Prime Minister Narasimha

Rao told the 50th anniversary commemorative meeting of the General Assembly 25 years ago remains relevant for India even today:

We [World] thus have the task of making the United Nations truly and effectively the global repository of humankind's aspirations. Right-thinking nations and peoples working together have in the past achieved miracles. I am confident that they can do so again. India will be proud and happy to be part of such an endeavour.³

Notes :

- ¹ Roger A. Coate, 'The John Holmes Lecture: Growing the "Third UN" for People-centered Development—The United Nations, Civil Society and Beyond', *Global Governance*, Vol. 15, No. 2, 2009, pp.153-168; and Thomas Weiss, Tatiana Carayannis and Richard Jolly,'The "Third United Nations"', *Global Governance*, Vol. 15, No.1, 2009, pp.123-142.
- ² Statement at the General Assembly, 53rd Regular Session, 13th Plenary Meeting, 24 September 1998. /UN Doc. A/53/PV.13, p16.
- ³ Statement at the General Assembly, 50th Regular Session, 40th Plenary Meeteing, 24 October 1995, UN Doc. A/50/PV.40, p. 45.
