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THE UNITED NATIONS AND THE MULTIPOLAR ORDER OF THE FUTURE
Reflections on the Tenacity of Power

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(I)

Like “dialogue of civilizations” a quarter century ago, “multipolarity” has now become a popular, almost fashionable, term used by those who hope for a fair, just, and peaceful world order, an order that is different from what was proclaimed as “New World Order” shortly after the end of the Cold War. It remains to be seen whether, unlike as in the case of the earlier paradigm, belief in multipolarity will be more than a frail hope – in this time of major uncertainty where signs of global *disorder*, even anarchy, abound. It appears evident that credible and sustainable *multilateral* strategies and policies can only be conceived of and developed in a genuine *multipolar* constellation, namely under conditions of a *balance of power* which would make any unilateral action much more costly than it has been, for instance, under recent conditions of effective unipolarity.

In order to better understand the role of the United Nations in the current historical phase – which many observers describe as one of *transition* from unipolarity to global multipolarity – a brief look at the origin of the organization appears to be in place. In 1945, upon the end of World War II, the UN embodied the multipolar constellation that resulted from that war. This was an *exclusive* form of multipolarity because the majority of humankind was not represented in the decision-making of the organization. According to the intentions of the founders, only five states were given the power to steer the United Nations’ coercive actions in matters of international peace and security. Those countries – all but France being “sponsors” (i.e., drafters) of the Charter – had granted themselves the privilege to veto any resolution of the Security Council, except on procedural matters. As “permanent” members, vested with this authority, they were, and still are, able to act as if they were “beyond reproach.” They enjoy *de facto impunity* as regards any international use of force in violation of the Charter’s explicit prohibition under Article 4(2). They also can safely ignore the principles laid out in the document of the International Law Commission on “Responsibility of States for Internationally Wrongful

Acts” which were taken note of by the UN General Assembly in 2002.¹ Furthermore, what seems to be overlooked by many, if not most, idealistic observers of the UN is that the obligation to *abstain* from voting when a country is party to a dispute does not apply to legally binding resolutions of the Security Council under Chapter VII of the Charter. The “extraordinary” privilege is, though obliquely, implied in the provisions of Article 27(3) of the Charter. Thus, one might say, a fundamental principle of justice – *nemo iudex in causa sua* (“no one can be judge in his own cause”) – does not apply where it most counts, namely in the Council’s decisions on war and peace. In combination with the veto privilege of the permanent members, this has proven to be a recipe for “legal anarchy” since the early days of the organization. The facts are obvious for everyone who follows events with open eyes. Russia’s attack against Ukraine is only the latest of many such actions by permanent members of the Security Council since 1945, whether they were undertaken under a multipolar, bipolar, or unipolar power constellation. The difference probably only lies in the frequency of such acts insofar as in a unipolar context the hegemon can act more self-confidently and needs to be less worried about repercussions from its acts of armed intervention, invasion, occupation, annexation, and so on. Evidently, this also applies to allies of a permanent member who enjoy that member’s protection via the veto.

To cut a long story short: The kind of *exclusive* (or more precisely, “*exclusivist*”) multipolarity the UN represents in the structure and voting procedure of its decision-making body, the Security Council, cannot in any way be a model for the *future multipolar order* which many are hoping for right now. While the UN Charter, in its Article 27, focuses on the authority of the countries that were the most powerful more than seven decades ago, it effectively excludes all the others – in Africa, the Arab world, South and Southeast Asia, Latin America, practically in the entire Global South – from adequately

¹Text released by the UN General Assembly on 28 January 2002 (Doc. A/RES/56/83).

sharing in this responsibility. In the words of Turkish President Recep Tayyip Erdoğan: “The world is bigger than five.”²

There is indeed a *striking disparity* between the *emerging* multipolar constellation – partly as result of a “blowback effect” from the enduring predominance of the Western bloc in virtually all international fora – on the one hand, and the prevailing “*statutory*” multipolarity in the UN on the other. Whereas the former is understood by many as eventually *inclusive*, the latter is (as we explained at the beginning) *exclusive*, even discriminatory.

As the course of events since World War II has amply demonstrated, the “multilateral” decision-making rules of the UN, commonly referred to under the heading of “collective security,” cannot serve as a sound foundation for the “rules-based order” so many are now talking about. The voting provision favoring the five permanent members (P5) has meant that those who are supposed to be the main *enforcers* of the law are effectively above – or outside of – the law, just as the absolute ruler (emperor, king) was in pre-modern times, when sovereignty was defined as being derived from God. It is entirely understandable that Hans Morgenthau, in his opus magnum, “Politics among Nations,” characterized the Security Council as the “Holy Alliance” of our time.³ Not surprisingly, the permanent members’ privilege was one of the main triggers of armed conflicts during the so-called Cold War – such as those in Vietnam or Afghanistan, to mention just two of the most consequential aggressive interventions of the rival superpowers at the time – and it has continued to be the case in the changed environment post-1990.

² E.g., speech delivered at the General Assembly of the United Nations, New York, 24 September 2014.

³ Hans Morgenthau, *Politics among Nations: The Struggle for Power and Peace*. New York: Knopf, 6th edition, 1985, p. 503.

(II)

In view of the geopolitical status quo, we must ask: what constitutes a *multipolar order* that would be a genuine alternative to that embodied in the UN? The question is of utmost importance to the peoples in regions that so far were marginalized in the global competition for power and advantage. Unlike the order that existed when the organization was founded, a “new” order must be more than just another version of a Western-centric “international community,” patronizing the rest of the world. It must comprehend all global regions and continents. This was also the approach behind the establishment of BRICS (consisting of the founding members Brazil, Russia, India, China, South Africa, who are now joined by six new members, namely Saudi Arabia, Iran, Ethiopia, Egypt, Argentina, and the United Arab Emirates). On a more regional, Eurasian, basis, it is also the outlook of the Shanghai Cooperation Organization (SCO). It remains to be seen what impact these semi-institutionalized groups of states will ultimately have on the emergence of a sustainable multipolar balance of power. One must not overlook the fact that deep-rooted, even ancient, rivalries between two of the main actors, India and China, might be an open invitation to other global players to exploit the situation in the ancient “imperial way,” soberly expressed in the Roman dictum *divide et impera* (“divide and rule”). India’s simultaneous membership in the two organizations and in “Quad” (the “Quadrilateral Security Dialogue” of India, Australia, Japan, and the United States) clearly illustrates the risks of weakening, if not marginalization, for BRICS as well as the SCO.

How can the United Nations *remain relevant* in this changing global scenario? How can it adapt to a balance of power that, for the first time in history, may include major actors from all continents? To stress it yet again, the organization’s Charter mirrors the reality of a long-gone era, when most of today’s member states did not even exist as sovereign entities. To avoid marginalization, and ultimately irrelevance, the UN’s “multipolar architecture” must be *transformed* beyond an exclusive bargaining for power among only

five member states – towards a forum that reflects the realities of today, and in which all regions are equally represented.

This will require *statutory* reform that must be more than a facelift (which the Secretary-General seems to contemplate).⁴ Not merely procedural and administrative, but *systemic* change needs to be enacted, first and foremost in the Security Council, the only real decision-making body of the UN. Accordingly, permanent membership will have to extend to all continents and global regions. As long as the veto remains in place, this authority would also have to be granted to any new permanent member, something which today's P5 have so far stubbornly rejected – and I mean here all, not only Russia and China. Under the circumstances, permanent membership without veto would be a mere *placebo*. This was also one of the main points in our organization's reform proposal, which we published in 1991⁵ and which was, among others, welcomed by Germany's Foreign Minister, Klaus Kinkel⁶ – at a time when there still was optimism about the prospects for a democratic reform of the United Nations. As early as 1985, on the occasion of the 40th anniversary of the UN, the International Progress Organization had convened a colloquium in New York on "Democracy in International Relations," emphasizing the need for reforming the international system.⁷

One rule, however, needs to be abolished under any circumstance. The provision, which implies that members of the Security Council can vote also in cases when they are

⁴ For an overview, cf. the documentation "United to Reform" on the UN website, <https://reform.un.org>.

⁵ Hans Köchler, *The Voting Procedure in the United Nations Security Council: Examining a Normative Contradiction and its Consequences on International Relations*. Studies in International Relations, Vol. XVII. Vienna: International Progress Organization, 1991.

⁶ Letter of 15 November 1993 addressed to Hans Köchler. On file, archive of the International Progress Organization, Vienna.

⁷ Colloquium in New York City, 31 October 1985, attended, among others, by Nobel Laureates Seán MacBride (Ireland) and George Wald (United States): Hans Köchler (ed.), *Democracy in International Relations*. Studies in International Relations, Vol. XII. Vienna: International Progress Organization, 1986.

themselves the aggressor – *antithesis* par excellence to the idea of justice and the rule of law – must be abolished. Virtual immunity, and thus impunity, of a certain category of member states, namely those vested with the veto power, will be even more detrimental, in fact destructive, to global peace when the number of these countries increases.

To preach peace, as the UN Charter most eloquently does in its Preamble, makes no sense if those who have the power to *enforce* the peace – if need be, by the collective use of *armed force* – are de facto exempt from any condemnation or enforcement action against their own transgressions. In a future multipolar constellation, if it materializes, this demoralizing state of affairs might encourage an ever larger number of states to act *unilaterally*. In such a scenario, the only motive for a state not to act in this way would be *extra-legal*, namely the *fear of reprisals* by other states, according to the problematic rationale of “mutual deterrence.”

However, there is one basic obstacle to any measure of reform, whether large or small, structural, or procedural: namely, Article 108 of the United Nations Charter. Any amendment to the Charter requires the consent of the Security Council’s the permanent members, the “powers of 1945.” This sobering fact leaves a shadow over the many proclamations and initiatives for reform, whether they are made in good faith or not. It should not surprise us that all efforts, undertaken since the 1990s by subsequent Secretaries-General and Presidents of the General Assembly, have led nowhere. After having been properly collected and categorized by the Permanent Representative of Afghanistan to the UN (who was assigned this task), the reform proposals have effectively been shelved in the UN archive.

To sum it up on a sober note: Claiming to secure peace through granting impunity to a few powerful states – those with the largest military potential – is based on *self-contradictory* reasoning. If the international community does not face up to this predicament, the “multipolar order of the future” will forever remain a noble idea, and

“international legitimacy” will continue to be sacrificed on the altar of old-fashioned realpolitik. This was the kind of approach the victorious powers of the Vienna Congress of 1815 had claimed to have overcome. As we now know, they never honestly tried – just as their successors after the world wars of the 20th century.

The “sixty-four-thousand-dollar question” still waits to be answered: is there an honest, and at the same time workable, solution “beyond power politics”⁸? What may be assumed, however, is that the tenacity of power can only be ignored at the peril of us all. *Idealism*, to be credible, needs to be backed up by a dose of *realism*.

⁸ Georg Schwarzenberger, “Beyond Power Politics?” *Yearbook of World Affairs*, London, Vol. 19 (1965), pp. 223-234.