

The Bush Administration's Attacks on the United Nations

By Stephen Zunes | February 14, 2003

One would have to go to the annual convention of the John Birch Society to find as many invectives directed against the United Nations as have been spewed out in recent weeks by the Bush administration and its supporters in Congress and in the media. With the United States on the verge of launching an invasion of Iraq without approval of the United Nations Security Council, a concerted effort is underway, taking advantage of the lack of knowledge most Americans have of the United Nations' structures and procedures, to discredit the world body in the eyes of public opinion. This could prove pivotal, because currently a majority of Americans oppose an invasion of Iraq unless the UN Security Council authorizes the use of force. Below are the main arguments of the Bush administration and its supporters in delegitimizing the authority of the United Nations, followed by rebuttals.

"Since the United Nations is unwilling to enforce its Security Council resolutions, the United States must do so unilaterally in order to preserve the UN's credibility." There are over 90 UN Security Council resolutions currently being violated by countries other than Iraq. The United States has blocked the enforcement of the vast majority of these since they involve important U.S. allies such as Morocco, Israel, and Turkey. In addition, over the past thirty years, the United States has vetoed over 50 Security Council resolutions, more than all the vetoes by all other members of the Security Council during that same period combined. In all but a few cases, the United States cast the sole dissenting vote in the 15-member body. Indeed, the United States has done more to undermine the authority of the UN Security Council than any other member state.

"The United Nations has demonstrated its pro-Iraqi bias by choosing Iraq to chair its Conference on Disarmament." The Conference on Disarmament is one of several bodies of the General Assembly that meets on an ongoing basis. The chair of the conference is rotated alphabetically among its sixty-six members for 30-day terms. It happens that they are up to the letter "I" early this year, so Iraq's turn will be coming up shortly. Like similar UN bodies, there is generally no exception to this strict alphabetical rotation. The chairmanship means little more than holding a gavel, however, and several countries pos-

sessing weapons of mass destruction have held the chairmanship or will hold the chairmanship in the coming months, including the United States, Pakistan, Israel, and India, among others. Furthermore, Iraq is not the only country in the conference to defy United Nations Security Council resolutions regarding disarmament issues. Israel, which will be taking the chairmanship later this spring, is in open defiance of UN Security Council resolution 487, which calls upon the Israeli government to open its nuclear facilities to the International Atomic Energy Agency. Perhaps most importantly, the Disarmament Conference has been unable to do anything for more than four years because of its failure to agree on a program of work, primarily because of U.S. opposition to demands that the prevention of an arms race in outer space be put on the agenda.

"The irrationality of the United Nations can be illustrated by the fact that it voted the United States off the Human Rights Commission and has elected Libya its chair." Members of the Human Rights Commission are voted through regional blocs. In the 2001 vote, in which the Western industrialized democracies could fill three seats, the United States came in fourth behind Sweden, France, and Austria. The United States was voted back in this past year. The African bloc, whose membership is largely composed of authoritarian regimes, elected Libya separately to the commission. The United States and



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Libya were never in head-to-head competition for a seat on the commission. The chairmanship of the commission is rotated among the five regional blocs. This year is Africa's turn to chair the commission and as the procedure dictates members from the region whose turn it is to chair the commission get to choose which country gets to hold that post. Of the five other senior African members of the commission, three (Algeria, Cameroon, and the Democratic Republic of the Congo) also have poor human rights records. Of the two remaining African member states, Senegal has held the chairmanship on three occasions already and, at the time of the vote, Kenya's UN mission was in the midst of a major political transition as a result of the election of their first democratic government after decades of authoritarian rule. The chairmanship of the Human Rights Commission is more substantive than that of the Disarmament Conference, so the choice of Libya has led to some justifiable protest by human rights activists. It should be noted, however, that there were not any complaints from the United States when some of its repressive allies chaired the commission, such as the Shah's Iran in 1970, Pakistan in 1975, Ecuador in 1976, Jordan in 1980, Brazil in 1981, or Tunisia in 1993. Finally, it should be noted that the mandate of the Human Rights Commission is not only to address political and civil rights but also economic and social rights. Defenders of the choice of Libya point out that while the Qaddafi regime's respect for civil and political rights is indeed atrocious, it has one of the best human rights records in Africa in terms of social equality and meeting the basic needs of its population in such areas of health care, education, housing, and other necessities.

“The United States cannot trust the decision of an organization that believes Zionism is racism.” In 1975, the UN General Assembly passed a resolution that declared that Zionism was a form of racism and racial discrimination. What is less well known is the fact that this resolution was overwhelmingly repealed in 1991. The General Assembly, where every member state has a vote regardless of its size, does not have the authority to enforce its resolutions as does the Security Council, the fifteen-member body in which the United States wields veto power. The General Assembly's resolutions are largely symbolic and are

based upon the perceptions of the majority of member states on various political issues, which particularly during the peak of radical Third World nationalism in the 1970s included such controversial ideological proclamations. By contrast, the Security Council's resolutions are generally grounded in international law and the United Nations Charter.

“The United Nations is dominated by thugs and dictators.” The majority of UN member states during the 1970s were indeed autocratic, but the majority of UN member states today are representative democracies to varying degrees. More crucially, the majority of UN Security Council members are democracies. Of the five permanent members, only China is a dictatorship; the United States, Great Britain, and France are solid democracies, and Russia is undergoing a democratic transition. Of the current non-permanent members, Germany, Spain, Chile, Bulgaria, and Mexico are all democracies, while Guinea, Cameroon, Angola, Syria, and Pakistan are dictatorships.

“The United Nations should not have the right to tell the United States what it can and cannot do.” Because the Security Council is the only body of the United Nations with an enforcement mechanism and the United States holds veto power in the Security Council, the UN has no authority to dictate what the United States can and cannot do. The only exception is in regard to the United Nations Charter, which the United States signed and ratified and therefore, under Article VI of the U.S. Constitution, must be treated as supreme law. The United States did not have to sign the Charter, but having done so it is thereby obliged to uphold it. (It should also be noted that the United States was the principal writer of the Charter.) Articles 41 and 42 of the UN Charter specify that UN Security Council resolutions cannot be enforced by military action unless the Security Council as a whole determines that the government in question is in material breach of the resolution, that all non-military means of enforcement have been exhausted, and then specifically authorizes the use of force. This was reiterated in Article 14 of UN Security Council resolution 1441 targeting Iraq, that was introduced by the United States last fall, which states that the Security Council “remains seized of the matter.” In other words, only the Security Council as

a whole, not any single member state, has the right to determine what happens next. In 1990, the United States was successful in convincing the Security Council to authorize the use of force following Iraq's failure to abide by UN Security Council resolutions demanding its withdrawal from Kuwait. However, President George W. Bush has been unable to make the case that Iraq's lack of full cooperation with UN inspectors justifies the Security Council granting its member states the unprecedented authority to invade a sovereign nation and overthrow its government. According to the UN Charter, the only other circumstance in which military force is allowed is under Article 51, which allows a member state to use force in the event of "armed attack...until the Security Council has taken measures necessary to maintain international peace and security." In other words, the United States cannot make war against Iraq unless there is a direct attack by Iraq against the United States and only until the Security Council convenes and decides what to do about it. Customary law provides a slightly broader definition of self-defense to include a pre-emptive strike to repel a clear and imminent threat, such as troops massing along the border poised to invade. Neither Article 51 nor customary international law gives the United States or

any other nation the right to launch a pre-emptive invasion of another country simply because it thinks that the other country might be developing weapons that they fear might someday be used against them. It was largely to prevent such offensive wars that the United States and its allies created the United Nations at the end of World War II. Now, however, the Bush administration has apparently decided to overturn these basic international legal tenets that were institutionalized over the past century through the efforts of such American presidents as Woodrow Wilson, Franklin Roosevelt, Harry Truman, and Dwight Eisenhower. In other words, these principles of multilateralism and the rule of law may soon be replaced by Bush's doctrine of a Pax Americana based upon unilateral military force.

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