

Development Trend of Global Governance Mechanisms and the Role of the UN

Sung-Hack Kang
Korea University

“Only on a scrutiny of truth can a future of peace be built.”
---Dag Hammarskjold to the UN General Assembly,
3 October 1960---

“Don’t wait for Plato’s Republic! Rather, be content if one tiny
thing makes some progress, and reflect on the fact that what
results from this tiny thing is no tiny thing at all!”
---Marcus Aurelius in His *Meditations*---

1. Prologue

“Global governance” has become a new household word in the twenty-first century international relations. The somewhat sudden surge of the use of, and the interest in, the term has derived from the impetus from three phenomena. The first is the end of the cold war. This increased the expectation that international institutions led by the United Nations System would play a more central role in the management of international relations in order to

maintain international peace and security. The second is the rise of globalization and a new sense of "globality" that pervades much contemporary thinking. For some observers, globalization is itself a manifestation of global governance in so far as it compels states to conform to the competitive demands of a global market. The third is the heightened awareness that our planet is bedeviled by problems that require a concerted and coordinated global approach.

But the concept of global governance is a contested one today. It means different things to different people depending largely on the theoretical framework that is used to define and evaluate the concept. More importantly, the concept of global governance is contested politically. It is a highly politicized concept that raises fundamental questions about the proper locus of authority in international affairs, the accountability of global institutions, and the nature of international justice. Many people on the left are suspicious of global governance, fearing that it will reflect the values and interests of the rich, powerful, and capitalist states at the expense of the poor and weak states in the world. But some conservatives argue that it is undermining the sovereignty of the state and that it represents an advanced stage along the road to world government. However, the prospect of such an event occurring any time in the near future is exceedingly

remote. For the foreseeable future, therefore, it will be right that global governance should be understood in terms of global management of international affairs rather than the would-be world government. Then, the issue of global governance as the matter of global management has been the perennial one in the international relations. My focus in this paper will be on the first phenomenon, namely the institutional aspect of the global governance in the field of international security and peace in development trend of global governance mechanisms with particular emphasis on the role of the UN.

2. A Defective Institutional Form for "Global Governance."

It was not until the nineteenth century that the great powers constituted a "Concert System" to try to preserve the post-Napoleonic settlements, but it was primarily a mechanism of consultation, and it split over the issue of intervention in domestic affairs. After World War I, statesmen and citizens began to think of going beyond the sovereign nation-state. The League of Nations, created by the victors, seemed like a big step forward because of the Covenant's provisions against aggressive wars and its procedures for peaceful change. But it was, in strict terms, an international

organization of the states, by the states, and for the states. Its coercive powers depended on the willingness of major states to put them into effect, and its strong connections with the territorial status-quo established by the post-Versailles treaties thwarted the application of the provisions of the League of Nations on peaceful change. The design of the United Nations, in 1945, appeared aimed at preventing a second fiasco of the League of Nations rather than coping with mess left by World War II. The Security Council was provided with far larger powers than the Council of the League. But within two years, with the advent of the Cold War, these powers would remain on paper unless the major states were able to serve as a kind of directorate, which during this period they could not.

Again, the weakness of the notion of collective security of the UN was its incompatibility with the logic of inter-state relations. States have allies and enemies. They naturally tend to fight enemies even if the latter had violated no one's political and territorial integrity and also tend to protect allies even if these states had done so. International politics is about concrete stakes and alignments; collective security requires states to put an abstract principle above all these.

With the end of the Cold War, hopes for the UN and in particular for the idea of collective security resurged. It is

hard to overstate the excitement that many UN lovers and liberal internationalists felt in those heady days of the fall of the Berlin Wall. Even Saddam Hussein's naked military invasion and annexation of Kuwait proved a perverse fortuity, at least from the abstract standpoint of global governance. As it was so nakedly a violation of everything the UN Charter stood for, everybody had a reason to object: the crudest violation of international peace and security. Yet the war of the Yugoslav succession and Rwanda genocide in the 1990s forcefully brought everybody back to the realization that the great powers had different national interests, or that they had also interest of disinterest, and furthermore that the collective system of the United Nations had not magically, with the end of the Cold War, solved the problem of collective action and free riding.

After the end of the Cold War, two problems arose. In the case of inter-state conflicts, many hopes were expressed for a new golden age of the Charter, in conformity with its founding fathers' hopes. Indeed, the Gulf War was one shining moment for collective system against an aggressor, Saddam Hussein. It was a success insofar as the Security Council endorsed the use of forces for the restoration of Kuwait's independence and as the "coalition of the willing" forced Iraq to withdraw. But here collective security system

was more of a US-led operation under UN pavilion than a UN mission and the coalition tended to fall apart after victory. It has shown the persistence of traditional state calculations based on national interests rather than on the duty of collective security. After the collapse of the Soviet Union, China's own pursuit of traditional diplomacy and American sympathy for preventive war are limiting the potentialities for collective security, say, in the case of nuclear proliferation by Iran and North Korea. Therefore, to the lesson of the League and of the United Nations before 1990, a new lesson was added: in a unipolar world, the global organization could function only insofar as it went in the direction set by the now single superpower.¹

A second issue has almost eclipsed that of collective security system for international peace for more than last ten years. It is the issue of extending the "new" law that curbs the use of force by states to internal conflicts and that legitimizes collective interventions that may entail the use of force against a state that massively violates human rights at the expense of political opponents or ethnic groups inside its borders. The Security Council has repeatedly resorted to Chapter VII in such cases whenever it decided that the

¹ Stanley Hoffmann, *Chaos and Violence*, Lanham, Maryland: Rowman & Littlefield, 2006, p.44.

internal use of force by a government constituted a threat to regional or international security. This time, the purpose is no longer the preservation of the inter-state status quo from attempts at changing it by force (as in the Holy Alliance). The new humanitarian interventions may well transform that status quo by encouraging the creation of new states, based on the principle of self-determination, as in Yugoslavia or East Timor. Since there is no agreement, informal or codified, on what constitutes a violation of human rights sufficient to trigger a legitimate outside intervention, the extension of the ban on unacceptable uses of state violence is even more open ended than the Charter notions of breaches of peace and acts of aggression. Since many states are strong opponents of intervention in domestic affairs, there are still major controversies about this extension. It proceeds through case law, not through well-established principles of international law. Moreover, the role of the UN as the necessary legitimizer of collective security operation raises, in cases of humanitarian intervention, the same question that had proven so disruptive in cases of inter-state conflicts: what happens when the UN Security Council is paralyzed by vetoes?

Almost one century after Wilson, the conundrum of collective security remains the same. While the causes of

legitimate multilateral resorts to force have enlarged and the UN Secretary-General has defended this extension despite the criticisms of states intent on protecting their internal sovereignty, the possibility of enforcing collective security through the UN in all those cases where the cause is legally or morally "right" remains limited because states' concern for doing what is right remains often far smaller than their desire to promote and protect their interests. Whenever this happens, the states that want right to triumph have to choose between inaction, a "coalition of willing" outside the UN, and unilateral action.

3. Is the UN System the Only One Mechanism for Global Governance?

The United Nations persists not because it has actually provided international peace and security as it had promised but because its formalities have provided benefits to various parties, starting with the permanent members of the Security Council. Specifically, the United Nations provides a reasonably global forum where to argue security issues, a forum that provides certain procedural structures that help shape the underlying terms of debate. This is useful to those directly engaged in the debate. And it is just as or more

important to other states that are able to participate in the debate, even if their diplomatic interventions are not necessarily decisive.

Such debates are better being public in a multilateral forum than out of public view. But arguments about security issues are very different from actually providing collective security. Save around the edges that constitute peacekeeping missions and associated activities, the UN is in deep paralysis regarding collective security for the world as a whole.

Why has the UN not evolved by now since the end of the Cold War into something different, or withered away, or something else? The answer is the United States. We all admit that the US is the superpower, more precisely the hegemon, even if it is a superpower and hegemon discovering its own limits and even if it is in decline in relative terms. However, there is an erroneous tendency among the UN system lovers to treat the US simply as a large player within the UN collective security system. But if the UN is the front of legitimate international authority like a Pope in the Christendom in the Middle Age, the US has an unparalleled capacity for the maintenance of international peace almost like a Roman emperor. This capacity is unparalleled within the UN collective security system which is the source of legitimacy. The task of international diplomacy,

then, is to capture the US and its capacity within the UN system. Even when the giant breaks the rules and treats the rules as inapplicable to it, the US is still regarded as a crucial player within the collective-action system. This approach, however, obscures the reality that the UN collective system is not in fact a unitary one and that, in its most important role, the US does not act within the UN collective security system as shown in the case of the Iraq War.

The persistence of the UN system lies fundamentally in something which is not captured by treating the US as a near dominant actor within a unitary global security system. The truest description of the international high politics since the end of the Cold War is, in fact, quite different. It is actually two global security systems: the UN collective security system and the US hegemonic security system. International governance or the absence of war does not result from the approximate equality of military forces prevailing among states and forbidding any one of them or any coalition to impose its will. On the contrary, it results from the incontestable superiority of one of them. Superiority is such that the unsatisfied states despair of modifying the status quo, and yet the hegemonic state does not try to absorb the states of impotence. It does not abuse hegemony, it respects the external forms of state independence, and it

does not aspire to empire.² This is not an entirely novel international security system. In North America, the hegemonic peace enforced by the United States is the lasting result of the disproportion between the forces of the United States and neighboring states. The hegemony of the United States has also contributed to the peace which has prevailed in South America since the Organization of American States had forbidden open war between states. In East Asia, the imperial unity achieved in China over two thousand years ago succeeded only through alternate phases of decomposition and restoration, of civil wars, and of a peace both civil and imperial. In its foreign relations, the Chinese empire hesitated between the defensive, behind its Great Walls, and the inclination toward impulses of expansion. Conquered by the Mongols, and the Manchus, it never entered a permanent system of international relations among equals before the nineteenth century. By then, East Asia was "governed" by the Chinese hegemony.

The UN system and the US system are operating concurrently though conjoined at several points ever since

² Raymond Aron, *Peace and War: A Theory of International Relations*, New Brunswick, New York: Transaction Publishers, 2003 (Originally published in 1966 by Doubleday & Company), p. 152.

the end of the Cold War.³ The UN system is a weak one, while the US system is a strong one. Understood this way, the US is not merely a, or even the, dominant and most powerful actor within a system of global security. Rather, the US hegemony, along with the role as a dominant actor within the UN collective security system, offers a genuinely alternative system of international peace and security, a system for the provision of global public goods separate from such global public goods as the UN system provides.

The US's willingness to extend a security guarantee to a sizable portion of the globe, explicitly and implicitly, alters the meaning, necessity, and quality of collective security at the UN itself. Most states in Europe, Asia, and Latin America, even the Middle East, are not willing to test the strength of the UN security system. They simply pay insincere lip-service to the UN system while actually relying on the United States. And this is not, of course, any radically surprising revelation. It has been the basis for the US global security policy and the fundamental foreign policy assumptions of most states in the world for a long time whether they are friends or foes. Part of the reasons for the acceptance of US hegemony by many states includes their rational desire to displace their

³ Kenneth Anderson, *Living with the UN: American Responsibilities and International Order*, Stanford, California: Hoover Institution Press, 2012, p. 99.

security costs onto the US, even though the US has equally rational reasons to look to its own national interest first, since it so overwhelmingly pays the costs.

The US security guarantee is not, of course, a collective system. It is not a collective security scheme even with respect to NATO. (On the contrary, it is, strictly speaking, a collective defense system.) But ironically it works almost like a collective security system, because it is not a collective security system and so does not suffer from the risks of collective-action failures. This is why people in the world trust it. As long as their interests run sufficiently in train with US interests, they can trust the US to do what is loosely within its interest as well as loosely within theirs.

There are, however, people in the world who must rely on the UN system. It is not necessarily their own choice, and it is often not to their interests. Although the American security guarantee is very wide, even it does not extend everywhere (for example, Darfur and many other places in Africa). Not even America at its zenith could project its power universally or globally. Much less can it do in an emerging multi-polar world of increasingly competitive great powers. Hegemonic American power often can be projected to support one cause, regime, policy or another so as to increase regional or local security through bilateral aid,

economic policies, trade incentives, and other such means.⁴ But at the same time there are limits in American power. There are also limits on American interests. In any case, there are lots of places in which the US needs not even concern itself with the situation, because, however bad that situation may be, it does not offer any direct security threat, not even the vague concern about failed states becoming terrorist havens. Nevertheless, as Dean Acheson, Assistant Secretary of State in 1946, candidly said, "Iran is no stronger than the United Nations and the United Nations, in the last analysis, is no stronger than the United States."⁵

We must, therefore, contemplate a future in which resistance to interstate aggression will largely depend on the American willingness to act alone or to mobilize allies, or a future in which collective resistance to interstate aggression may not materialize well if American leaders decide not to intervene by force in internal conflicts in areas where no vital American interests are at stake, where victory is often a murky concept, and when countries other than the US lack

⁴ Though soft or smart power advocates are much too quick to see soft or smart power where it does not exist or as a substitute for hard power rather than a leveraged effect of it.

⁵ Re-quoted from Anthony Gaglione, *The United Nations under Trygve Lie, 1945-1953*, Lanham, Maryland: The Scarecrow Press, 2001, p. 46.

the means or the will to send fighting forces. This is not a pretty picture of a future, but reality has to be faced even by UN lovers who would, in the long run, like to see it prevail in both its original and expanded versions. It is high time to acknowledge that the UN collective security system is typically not a system of mutual benefits, but in its most important features a system of altruism, at least as the system's security providers see it. UN collective security is better understood as merely an option exercisable when and if the providers of security want to provide it as an act of global generosity. It entirely lacks mutuality and thus, unsurprisingly, predictability and stability.

4. Too Complex World for Effective Global Governance.

The very complexity of the present international relations makes a fair and effective system of global governance more necessary than ever, but it also makes it unlikely. There is no superior power above the states, however much the states are permeated by globalization. The absence of a Global-Leviathan and absence of global consensus on values or on the procedures of conflict resolution mean that international relations is, in Rousseau's term, a "state of nature," real or potential, though there can be truces, temporary remissions,

and zones of peace.

This does not mean that many steps have not been taken in order to render this world less chaotic, less violent, and less unmanageable. The two sets of advances, though controversial, have been noticeable. We have witnessed a number of humanitarian interventions aimed at preventing mass killings for ethnic reasons, and the creation of new forms of international criminal justice has accompanied these efforts. But the defenders of national sovereignty have resisted both the internationalization of human rights and the assimilation of internal conflict into international one. On these two paths, defeats have been as conspicuous as successes: Rwanda and the American excommunication of the International Criminal Court are the conspicuous examples of each. The vital issue of weapons of mass destruction, however, remains a shaky mix of legal commitments with many holes and weak enforcement and of traditional state pressures and inducements that often fail. The means of peacekeeping and peacemaking at the disposal of the United Nations and of regional organizations for both internal and for inter-state conflicts remain pitifully insufficient in financial as well as military terms.

As if the matters of international peace and security had not gotten complex enough, there developed a new

phenomenon of a very different sort: an emergent global society in which the role of force and conquest is far less significant and in which the actors are not just states but a market that increasingly goes beyond the borders. Here the players are millions of private investors and speculators, thousands of nongovernmental organizations (NGOs) and transnational corporations in addition to transnational alliances of specialized bureaucracies. Here the leaps in information technology and means of communications are as much the driving force as the changing distribution of military might is the main determinant of power in the society of states. Here, too, the cacophony is deafening: the rich do not agree on how—indeed, on whether—to help the poor, the poor seem to have to choose between a more or less gilded dependence and an autarkic independence in misery, and the experts disagree about the best formula for global development. Environmental interests often clash with demands for modernization, concerns for labor with those of entrepreneurs, and so on. The champions of free market collide with those to whom the inegalitarian trends of capitalism seem to loom or harm, and freedom of movement for persons has lagged far behind the movement of goods and services.

Governance is a crazy quilt in global society. It is both

fragmented and incomplete. It is fragmented into agencies that are specialized and often contradictory in their policies and provided with different powers. The existing global institutions in such issue areas as the environment, population, and women are little more than talk shows. It is incomplete because of the strong opposition of interest groups and some powerful states to anything that could encumber the market with regulations and because of their determination to eliminate all hurdles to free market.

On the morrow of twenty-first century, the global society was battered and bewildered by one phenomenon that affects and darkens it. Terrorism employs new means of technology, open borders of the global economy, many methods of information and misinformation, in order to demonstrate that violence on a vast scale is no longer the preserve of states. These new forms of violence result from the marriage between the society of states and the actors of global society. Terrorist gangs like al-Qaeda rely on the active support or passive tolerance of states that harbor them. Such transnational terrorism creates a fundamental dilemma. If a state is the victim of private actors such as terrorists, it will try to eliminate these groups by depriving them of sanctuaries and punishing the states that harbor them as shown in the case of the Afghan War. The national interest of

the attacked state will therefore require either armed interventions against governments supporting terrorists or a course of prudence and discreet pressure on other governments to bring the terrorists to justice. Either option requires a questioning of "sovereignty" which is the holy concept of realist theories. The classical realist universe of Hans J. Morgenthau and Raymond Aron may therefore still be very much alive in a world of states, though it has increasingly hazy contours and offers only difficult choices when it faces the threat of terrorism.

Besides, it goes without saying that rivalries among great powers and the capacity of smaller states to exploit such tensions have almost certainly not disappeared. If wars between states are becoming less common, wars within them are on the rise. And states' foreign policies are shaped not only by geopolitical factors but also by domestic politics. Even in undemocratic regimes, forces such as xenophobic passions, economic grievances, and transnational ethnic or religious solidarity can make policy-making far more complex and less predictable. Many states have to grapple with the frequent interplays of competing government branches. History in Hegelian conception has not ended yet. Or we may say that History has returned.

All these flaws and limitations have brought about a

multidirectional onslaught against the present mechanisms of global governance. In the society of states, the main complaints are about the restrictions imposed on the United Nations by the great powers, especially those endowed with the veto power. The provisions of Chapter VII of the UN Charter aimed at giving military capabilities to the Security Council have never been substantiated. A code defining the conditions in which humanitarian intervention could and should be undertaken has not been drafted (there is still a disagreement on what constitutes genocide). The United States claims vociferously the right to act without UN endorsement when its security is at stake and has often resorted to unilateral sanctions without seeking external support. It has recently pushed aside UN efforts in arms control.

As for the institutions of economic and social governance, they have been widely criticized as undemocratic, as obliging states to conform to the ideology of free market and to obey the dictates of the International Monetary Fund, thus weakening internal support for the state even though it remains the most legitimate and specialized institution. Many international agencies are denounced for being at the service of the United States, for operating at the expense of the poorer countries and of the

countries in crisis, for disregarding environmental or human rights standards, or for acting in secret, and so on. Transnational corporations are attacked for usurping powers of governance: they are becoming increasingly global in their control of resources, products, banking, and insurance; their connections with officials make them increasingly dominant, and their ability to shift their activities toward low-wage countries fosters a race to the bottom. They infiltrate into and occupy the vacuum between receding states and weak public international institutions. This is not a pretty picture of the global society, but reality has to be faced squarely by globalists. Denial and complacency are the twin enemies of progressive change.

5. By Way of Conclusion: Back to the League of Nations?

The United Nations is here for good and it is not going anywhere. UN governance is still a dream of the future. Even matters that many writings on the UN take to be steps forward on the path to global governance might find themselves challenged and moving backwards in a competitive emerging multi-polar world in which new powers spar even over the global backwaters. This is not a counsel of despair, despite the fact that it bumps up against some of

the fondest dreams of some UN lovers. My point is that the UN and its supporters should get on business of the limited tasks that the UN can do reasonably well in the present and nothing more. It is time to give up all the forward-looking expectations of glory for the United Nations. It is time to give up the extravagant conceit that the UN is a global equalizer, or that it has somehow a moral, political, or legal lock on universality and, with it, a monopoly on benign impartiality and the interests of all, as against those partial, parochial, benighted, and self-interested sovereign states. Nor will the UN turn out, in the fullness of time, to be the glorious tree of global governance grown from today's modest sapling. There is no swan in this ugly duckling's future. But still, many liberal globalists, too entirely sanguine, mistake the wild, dangerous, anarchic, global state of nature for "Global Community" which is governed without global government. Rather, it is high time that we should be warned: "The United Nations is being haunted by the ghost of the League of Nations under the attractive, but abstract, conceptual banner of 'Global Governance for Humankind'." Beware!