

THE UNITED NATIONS: Legacy and Reform

Terence O'Brien

Working Paper 6/97

Abstract

The UN carries the unmistakable imprint of its foundation. But the UN needs to adjust to reflect the 21st century, in a transforming and modernising world, especially in East Asia, is to acknowledge an enduring stake in multilateralism and the rule of international law. UN reform is presently directed, understandably at greater efficiencies and accountability. Something of more profound consequence is needed. A start should be made at the political grass roots inside the system, through reform of the electoral groups.

Centre for Strategic Studies
Victoria University of Wellington
1997

© Terence O'Brien
ISSN 1173-5473

About the Writer

Terence O'Brien is Director of the Centre for Strategic Studies at Victoria University. Previously a diplomat, he served as New Zealand Ambassador to the United Nations, including on the UN Security Council.

Acknowledgments

Thanks are due to Ramesh Thakur, Robert Patman, Rod Alley and David Dickens for helpful comments and ideas.

Introduction

It is hardly surprising if politics and structure in the UN, continue to bear a strong imprint of its foundation. The ideals and values expressed in the UN Charter were, and remain, the ideals, and values of that group of victor nations of World War Two led by the US. The world that gave rise to them was, Atlantic-centred. The headquarters of all the principal agencies (including most newer ones created since 1945) and the parent institution itself, stand grouped on either side of the Atlantic. Those few countries in 1945 that resisted the prevailing disposition and favoured a UNHQ sited on the Pacific rim, found no support.¹ Geographical location shapes political culture. So it is with the UN. Personality can play its part. Of the first four UN Secretaries-General, after 1945, three came from Western Europe.

The purpose of this short paper is not to conclude with a complete set of interrelated ideas for reform or improvement of UN politics and structure. It is rather to single out one idea which could be a catalyst for a constellation of wider change. The central principle is that reform commence at the grassroots of UN politics and structure – at the level of electoral groupings inside the system.

The Background

The genesis of the UN was entirely consonant with a post World War World where it was widely perceived, the ideas and engine force of global recovery would come from either side of the Atlantic; leadership coming from the US, which projected the philosophy, and substance of President Roosevelt's New Deal on to the world.² Although the imperial age would very soon disappear, Europe controlled much of the globe when the Charter was signed in 1945. And the first responsibility of the multilateral Bretton Woods economic institutions established alongside the UN, was indeed the reconstruction of Europe.

The institutional structure for management and control of the new multilateral system, not surprisingly, embodied the same Atlantic-Europe preponderance. The fact only one of the five permanent Security Council members came from outside that frame of reference was and would remain, the continuing reality of the foundation period. The dominant place of the US in the control and management of the multilateral trade and payments institutions (the Bretton Woods instruments – GATT, IMF, IBRD) similarly reflected manifest reality of the post war global economy where US dominance was paramount.

Cold War

The high hopes and the idealism of the UN formative years post 1945, were shaken by the harsh reality of Cold War where the chief threat to world peace and security was perceived to lie in and through Europe. This very perception of itself underpinned the centrality of the European/Atlantic states within the UN (even as the immanence of threat in fact receded). For more than thirty years the UN provided the universal arena for polemic between the competing ideological blocs of East and West.

Yet the actual performance of the UN over that time, was, in key respects significant.³ It was unique as the first and only truly universal organisation of states in history. It evolved useful diplomatic and peacekeeping machinery. The practice of multilateral conference diplomacy was amplified.⁴ The UN helped develop international standards and codes of behaviour across a whole range of activity – human rights, health, education, agricultural, meteorology, communications etc. – where the norms and institutions proved their relevance. Programmes launched through its specialised agencies, combated illiteracy, eradicated disease and transformed food and agricultural production. And the politics and practice of the UN were not immobilised by Cold War. Changes

occurred that indeed reflected the world in which the UN was obliged to operate, imperfect as that operation proved in practice.

The first major change entailed UN involvement with decolonisation. The successful part that the UN was able to play in assisting former colonies to self determination and international legitimacy through membership of the UN itself, reshaped the world; and fundamentally changed the political balance within the organisation itself. The agenda of the Security Council was dominated by crises, even conflicts, of decolonisation; and earliest experiences with peacekeeping were derived from decolonisation.⁵ The politics and the practice of UN were inescapably influenced by the influx of new states. They offered challenge to the predominant interests and values of the founder member group.⁶ The new states demanded as well places in the management system of the UN thereby challenging the monopolies of the founders. The enthusiasms of those founders for the UN were, as a consequence, diluted. When the Cold War finally ended around 1991 a fresh wave of self determination and assertion of national sovereignty, (especially in but not only in the former Soviet bloc) produced a group of new countries who sought international legitimacy through early UN membership. That attested to the enduring appeal, if not the power, of the UN.

Resistance to ideological confrontation during the height of Cold War influenced the formation of the non-aligned movement (NAM). The economic development aspirations of newly independent countries produced as well the quest for a new international economic order, and the formation of the Group 77. The moral obligation that the new order sought to impose upon the donor community of developed countries about resource transfers to the less well-endowed, created a confrontation of ideological dimension. The donors were reluctant to accept blanket liability.⁷ The legacy endures still through the assertion by developing countries, of the right to development as a principle of contemporary human rights; a right that is resisted, notably by the US that attaches measurably higher importance to civil and political rights.

Throughout Cold War, the two superpowers, the US and USSR, chose purposefully not to repose the conduct of their vital national security interests in the UN. The collective security the UN system could (theoretically) provide was not considered in any way adequate to the protection of essential superpower concerns. Regional military alliances (treaties) which underpinned their respective leadership of opposing blocs, were preferred to the uncertain and increasingly disparate framework of the UN.⁸ Such reasoning required that when some measure of nuclear arms control was finally judged to be in mutual superpower interest, it was pursued not inside a UN framework but by purely bilateral means. This preferred method of bilateral dealing meant, incidentally, the other (three) nuclear weapon states (NWS) remained, and still remain, under little compulsion to negotiate nuclear disarmament.

For much the same reasons over the same period, major industrialised economies sought to retain management of essential economic interests within the Bretton Woods instruments rather than the UN, where their control and influence was less readily assured – especially as decolonisation unfolded and the Group 77 was created. This division of labour in the international economic agenda endures as a significant constraint on effective multilateral action to address, newer transnational challenges of sustainable economic development and responsible environmental stewardship. It perpetuates the win (developed country) – lose (developing country) mentality of the zero sum game, even at a time when the tectonic plates of economic geography in the world are changing, notably towards Asia (*see below*), and when traditional zero sum gaming becomes an evermore contestable notion.

Cold War Legacy

The end of the Cold War witnessed immense relief that the pervasive threat of nuclear destruction was passing, and new hope that the UN might, at last, come into its own as a force for peaceful global management; it might in other words fulfil more completely the key role and place envisaged in its Charter.⁹ Optimism was inflated by talk of a Peace Dividend to be applied to the alleviation of sources of conflict, and of a New World Order based on the rule of international law. For a brief moment it seemed that larger and smaller powers might indeed agree to repose a greater measure of the pursuit of their national interests in and through the multilateral system, that they would better equip with resources and authority for the task. Indeed for the first time the US agreed, in 1993, to place American peacekeeping troops under a non-American UN command, in Somalia. But the new dawn glimpsed was a brief and tragic episode.

These short-lived hopes were dashed basically by the failure of the major powers to work in concert, even consensus, over tackling major post-Cold War political and security issues of internally driven conflict like Bosnia, Somalia and elsewhere. At the same time, member states, large and small, overburdened the UN and its secretariat with a range of insoluble problems and extra responsibilities for which the capabilities, structures and financial base proved insufficient. Fundamental changes were clearly required if the system was to meet both new and old responsibilities.¹⁰

The nature of the post-Cold War challenges to security in the form of a rash of various ethnically driven internal conflicts exposed limitations in the conception of the UN peace and security role. It raised acutely difficult questions about the role the UN could, or should, perform in internal conflict (civil war). Newer countries and immature states of the post-Cold War, jealous of sovereignty proved distrustful of ideas for a more intrusive UN (including in regard to humanitarian emergency and relief). They thus displayed like the older states, and founder members, an aversion to UN preoccupation with their domestic affairs.

What is Reform for?

The end of Cold War has focussed attention, again, upon the inadequacies of the UN system. The case for more efficiency, coordination, and streamlining of the UN Secretariat and the principle organs of the UN is incontrovertible. Over the years there have been many proposals for reform.¹¹ The system has however proved substantially impervious to change. The complex and diffuse nature of the Secretariat operations, run often in semi-independent fashion by various agency chiefs, with competing or duplicating mandates, especially in critical areas like development and environment,¹² frustrates purposeful and effective direction. Successive Secretaries-General have been unable or unwilling to impose authority (sometimes for fear of offending a major power). The fault lies on all sides especially where member states pursue equivocal policies, about new mandates, and therefore resources for the organisation.

A principal thrust of yet further preoccupation with reform is concern about the sheer manageability of a system with over 180 members. The same apprehension extends too to the other parts of multilateral system, notably the World Trade Organisation (WTO).¹³ Such concerns are appreciably valid in principle and in substance, but in several key areas such as environment, Law of the Sea, even GATT trade negotiations, the failure in recent years to secure cooperative results has not been because of the sheer numbers involved, but because key great powers have dissociated themselves from an outcome.¹⁴

Amongst main countries of the UN founder group, a principal preoccupation with reform centres upon concern over possible decline of their influence and control within the system. Abiding

fears about loss of their entitlements to seats on key component bodies, or chairmanships of principle organs of the system, animate the approach of many amongst the founder group countries towards the detail of actual UN reform. This compulsion is the clearest evidence of the extent to which the politics that conditioned the foundation of the organisation, remain decisive. Much diplomatic effort and finesse is applied by countries of the founder group, (notably of the West European group) to maintaining the status quo. That foundation legacy means the European group (WEOG) continues to be disproportionately-represented in many of the institutions of the UN. Major powers fear that they may lose access to senior positions in the UN Secretariat where unwritten law 'reserves' key jobs for Permanent Five nationals. The Secretary General has the power, if he is willing to use it, to change such a convention.

Democracy and Accountability

The reality is that crocodile tears are shed in many capitals about UN reform. The sort of reform being addressed, important as it is, is not intended to shape the UN to reflect the world as it is; nor lend requisite authority to the multilateral system or strengthen the rule of international law. Neither is the purpose to equip the UN to sanction effectively countries failing to meet international treaty obligations – whether on human rights, nuclear materials trade, commercial tariffs or mandatory budgetary payments to the UN itself. It does not presage general acceptance especially by larger states of the ICJ as a principle buttress for the rule of law in world affairs.¹⁵ In short the reforms now the subject of inter governmental debate in the UN, are not intended to make the UN more democratic but cost-effective, leaner, more efficient and coordinated. These are estimable objectives¹⁶ but they do not address the basic need of having a UN that reflects in its structure and politics, the world as it is now, – not as it was in 1945. Indeed the present objectives divert attention from the real needs and for some, that is their precise purpose.

As a new century draws nearer we are witnessing an era where foreign policy and international relations are increasingly values driven. The US and other main founder members of the UN, are in the vanguard of what amounts, to a universal crusade to spread doctrines and practice of good governance and democracy in tandem with wider acceptance of liberal market economic policy as the pathway to modernisation. But a profound paradox emerges here. As the world grows more democratic, so the UN becomes less democratic – or at least mired in ways of governance reflecting its formative period, that fails to mirror a world, and relative global influence, now much changed.

Realists argue there is not a correlation between a more democratic world and a more democratic multilateral system. There is no intrinsic linkage. That is an argument which rests upon distribution of power. The signs are that the fundamental logic of such argument will be put to the test sooner rather than later in the century ahead.

Asia

The first test will be as a consequence of the shift in the centre of global gravity. The emergence of the countries of modern Asia over the last quarter of the 20th century, epitomises profound change in the order of the world. At the century's end, East Asian contribution to global GDP is estimated at around 30% – equivalent to that of North America and of Europe. By the end of the first quarter of the 21st century, predictions suggest Asia will be responsible for 40% of global GDP; superior to that of North America (18%) and of Europe (14%).¹⁷ History records no parallel for such a swift and extensive advance. In twenty five years East Asia compressed into mere decades a process of modernisation which took Europe and North America, a century or longer. This success has nourished inflated expectations about the convergence of Asian ideals, values and civil society

with those of the so-called West; and has overlooked the extensive history of the West's own adjustments to modernisation/industrialisation (political repression, slavery, child labour, racism, theft of intellectual property etc.)¹⁸ – which bears a striking parallel to the list of misdemeanour with which Asian states are confronted by those Western states now profoundly committed to transforming others.

The fact that for the first time in modern history, a region outside Europe, or countries of European settlement will predominate,¹⁹ suggests indeed that the traditional Atlantic/Europe domination of the multilateral system faces fundamental challenge. Inequities during the UN's first fifty years, rationalised, on the grounds of larger Cold War security concerns, are no longer accepted as readily. It is essential that Asian states acknowledge global responsibilities that flow from the region's success, because the security and prosperity of the Asian region grows ever more significant to the world at large. Asian countries must recognise a stake for themselves in an effective multilateral system. Put in another way, a shared global interest exists in effective participation by Asian countries in the management of that system.

Asia is a region of disparity. When or whether Asia will be capable in its own collective right of setting an international relations agenda in the political, economic security or trade areas, is conjectural. Regionalism is still a tender plant. Economic success has however buttressed political confidence in East Asian countries who anticipate greater influence, on the key issues of the international agenda in the new century – environment, economic and social development, trade, money, migration and a host of interrelated questions. It is hard to envisage Asian nations acknowledging perpetual Atlantic domination in agenda setting or of the UN management process; notably, for example, of the UN Security Council permanent membership. Nor is it easy to envisage them simply endorsing the traditional Atlantic-inspired foundations of nuclear deterrence as an unchangeable organising principle for the world. Serious nuclear disarmament by all five nuclear weapon states (NWS) remains as significant for stability, including in Asia (where there exists a number of nuclear capable states, although only one acknowledged nuclear power, China) as does the active pursuit of non-proliferation that seeks to deny by a combination of international law and direct pressure, the spread of nuclear weapons to states that do not yet possess them.

Universal Values

The challenge posed by a modern, successful Asia extends to the ideals incorporated as universal values into the UN charter by the original founders. This challenge is sharpened to the extent that liberal global values are now promoted to include not only human rights, but democratic governance and orthodox free market economics. The claim that one such blend of comprehensive and interrelated values, provide coherent and unchallengeable answers to all the problems of mankind, is a notion about which many (and not just in Asia), will harbour reservations.²⁰ While the equivalence of all human rights is a consensual principle, the primacy accorded to civil and political rights, at the expense of social and economic rights, by the chief human rights activist nations, has tended to unbalance the international agenda.²¹ Readier admission of social and economic rights carries with it however vastly complex repercussions for industrialised economies at a time when environmental and sustainable development have risen to the top of the international economic agenda; when the principle of 'polluter pays' is more assertively proclaimed; and the poverty gap between North-South widens.

In as far as there is embryonic regional consciousness in Asia, it is nourished precisely by insistence from the so-called West about human rights, pluralism and democracy. Most regional governments have been targets of outside pressure at one point or the other, although some like

China attract the lion's share. Amongst governing elites there is evident resentment at this condescension from outside about the transformation in Asia which in effect, says "the changes have not gone far enough, Asia must do better". The message here is that the world cannot, and will not, wait for time and normal process to determine the pace and extent of change in the realm of values, ethics and ideas of Asia. Asia will not be extended the same period of grace required by Europe and North America.

The values and ideals contained in the UN Charter, and in the principal human rights instruments, are acknowledged to be universal. But are they conclusive? Are the rights enumerated, the sum total of universal rights? The way is not closed presumably to the emanation of fresh universal values in the century ahead? That is indeed a big question for the UN founder group whose influence on UN politics and structure, derived in essence from Western Enlightenment,²² has been for so long, paramount.

Interdependence

A second test to the realist arguments about distribution of power is the gathering impact of transnational problems of sustainable development, environmental stewardship, population growth and movement, AIDS, drugs, terrorism, illicit and licit arms trade etc. All this adds a new dimension to the equation of economics and security. It also expands the concept of interdependence. In the 1980's the principal economic powers discovered they could not construct or extend regimes in certain key international economic issue areas, without the consent or participation of less powerful states.²³ This experience will not be reversed. Large and military powerful states cannot confront let alone manage, problems unaided. The distribution of power, in the classic realist sense, will not determine success in confronting these challenges. Effective responses will hinge on collective effort. A universal framework remains the indispensable underpinning for such collective effort.

There is still an open verdict about whether economic interdependence in the world actually instils a deeper sense of security amongst countries and amongst peoples. Interdependence is driven to an important extent by modernisation based on liberal market economic policy. The role of governments changes.²⁴ The ability of great powers to control the political environment declines; and the limits on superpower power grow more evident.²⁵ And for its part democracy moreover proves to be no absolute guarantor of domestic political stability (as Canada, Italy, Algeria, Bosnia etc. illustrate).

As demographic pressures mount and as resources (of land and sea) including energy resources face increasing pressure and as, uneven consumption patterns of those resources endure, then the case for expanded collective action at the global level, increases. Environment and sustainable resource management enters the mainstream of the international relations agenda. Enlightened leadership by major industrialised countries is indispensable.²⁶ Instead of a deregulated world with fewer laws, codes or rules, in the next century, the likelihood is the world will confront a vital need for relevant and updated laws, codes or rules – if a genuine sense of security for people and for nations, is to be sustained. Successful liberal market based economic policy on the capitalist model, requires a rules based system. The deepening extent of interdependence between countries, and between the issues themselves, inevitably compels a greater pooling of sovereignties if the all-encompassing problems are to be managed, let alone resolved. And the widening gap between economically successful countries and those where success remains starkly elusive, will impact more widely in an interdependent and globalised world.

UN Politics in Practice

The trends and developments described to this point represent profound challenge for the manageability, effectiveness and relevance of the UN system. The growth in membership sustains a potential for discord between the (universal) UN General Assembly and other (more limited membership) organs of the UN – and most notably the Security Council. Yet the effectiveness of the UN depends centrally upon unity of purpose of the principal organs of the system – the General Assembly, Security Council and the office of Secretary-General.²⁷ This unity is frequently under stress. A more "representative" system is required to diffuse the tension; an issue that is addressed in the concluding section.

The principle of 'one country, one vote' and of sovereign equality, retains great appeal for smaller UN countries, (who are the majority), offering a symbolic equalisation of power. The introduction of qualified or weighted voting in the UN based on economic strength or size of budgetary contribution (which takes a leaf from the Bretton Woods institutions) may however gain momentum in the new century. To prove acceptable this could only ever form part of a larger package, necessarily including readier acceptance by member states (large and small) of international obligations arising from international law; and proper democratic process within the actual multilateral system itself over office rotation and entitlements. Greater pooling of sovereignty by all members – notably the larger members – would in other words be a precondition for such a fundamental change in decision taking practice.

Discord between the General Assembly and the Security Council stems from the disparity between the size of the General Assembly, and the powers ascribed to the Council. While under the UN Charter, in Article 24, the General Assembly "confer(s) on the Security Council primary responsibility for the maintenance of international peace and security", provisions elsewhere circumscribe General Assembly interest or involvement in issues that the Council has under notice. The principle of conferral is heavily qualified.

Security Council

The legitimisation of political-security action remains the strongest and most distinctive attribute of the Security Council. In the post-Cold War UN, there was a need, perceived even by major powers, to obtain Security Council validation for proposed multinational force actions (especially those not intended to be carried out under the blue helmet). This sustained a key role for the Council. The dangers however of manipulation, of manoeuvring the Council into a simple rubber-stamp for action that is intended anyway to serve the national interests of one or more permanent Council members, are palpable. Here the resolve and interest of the non-permanent Council members, and of the wider General Assembly in core Security Council business, is vital if the system and the process are to be kept "honest".

Yet actual Security Council practice, driven by the interests of the Permanent Five (and more particularly the Four, excluding China) has placed greater distance between it and the rest of the UN membership. A lack of transparency in its working methods, occasioned by extensive use of the 'informal consultation' procedure; an absence of any record of 'informal consultation' decision taking; a peremptory and frequently inadequate means of informing the UN membership about decisions (including on operations like peacekeeping) that affect all members; inadequate annual debate on, and report by, the Security Council to the General Assembly, all amount to manifest shortcomings in a modern age of ostensibly pluralist governance, and accountability.²⁸

Practices of "informal consultation" are not provided for in operating procedures of the Council. They derive in part from traditional belief in an absolute need for confidentiality in diplomatic negotiation; but they have been carried too far. Informal consultation is now a device that assists permanent member 'control'. The need for more open deliberations, and the involvement of non-Council members within informal deliberations where their interests are directly involved, comprise an obvious element of UN equity and representativeness.

Some small procedural improvements have been secured, usually from initiatives by non-permanent Council members. But many practices are enshrined by tradition; and eminently congenial anyway to the permanent members (especially P3 or P4). They have proven congenial too, in certain respects, to the UN Secretariat for somewhat similar reasons. The absence of modern Secretariat aids to efficient Council management is a distinct feature of UNSC informal operation. The quality of some decision can be fairly judged questionable as a result, notably in crisis occasions when the Council meets under pressure and is prone to activism where prudence might be the best course.

Role of Secretary General

The way in which the Secretary-General, relates to the General Assembly and to the Security Council constitutes a key element within the politics of the UN. In his dealings with the permanent members of the Security Council on any given issue, it is important that the Secretary-General stays conversant with the views of the non-permanent members, as well as the wider General Assembly membership. Persistent cultivation of this wider community is important where the Secretary-General needs support for a position that does not command full approval by some or all permanent members. Not all incumbent Secretaries-General have appreciated, or practised, cultivation of this kind. It can be a thankless task.

Such cultivation is difficult given the heavy demands on the Secretary-General who must give attention the work of the Security Council but faces a difficult judgement call about how far he/she should be involved directly in the informal meetings of the Council, and how far he/she should keep a distance relying on open lines to the capitals. Different incumbents have applied contrasting approaches. Secretary-General Perez de Cuellar was an invariable participant in Security Council informals; Boutros Ghali much less so. In taking up his challenges Secretary-General Kofi Annan possesses, probably, keenest insight into contemporary UN dynamics. The extent to which the Secretary-General is able to lend the prestige of his presence to an (informal) UNSC debate, facilitates the business of constituency building amongst all member countries, over and beyond the permanent council members.

There is inevitable tension between the dual roles of the Secretary-General, as Chief Administration Officer and as Chief Political Officer of the UN as provided for in the Charter. Member states, notably larger member states are frequently discomfited by the Secretary-General's discharge of the latter role. The power to initiate, to bring issues to the notice of the Council (even the General Assembly), to propose unpalatable solutions all provide the ground for disagreement even outright dispute, with the Secretariat. On the other side, perceived shortcomings in the discharge of the Chief Administration Officer role (inadequate reforms, inefficiency, an absence of coordination) evoke member state disapproval that discomfits the Secretary-General. Member states in today's world, expect however accountability.

But there can be, and is, too much member state interference in the business of the Secretariat. There is a history which is not particularly distinguished that goes back to the very foundation of the

UN.²⁹ Members need to ensure they assign quality personnel, not deadwood or political exiles, nor informers to the Secretariat positions.³⁰ They need to ensure that the preventative diplomacy and conflict resolution capacities of the Secretary-General are sustained and improved. Keeping continuous pressure by means of withholding budget support is not a working method designed to produce success. The failure by any member to pay mandatory budget assessments is undemocratic and illegal under international law. Persistent non-payment which clearly undermines Secretariat capacities, is a baleful influence on structure and politics in the UN.

Role of Non-Governmental Organisations (NGO)

The power of technology, ideas and the media is democratising international relations. This trend is not likely to be reversed. As a result the impact of non-governmental organisations (NGO), special interest groups, private business and the media upon the politics and structure of the UN are profound. The interaction between various non-government actors at the international level, has effectively established a parallel non-official multilateralism alongside the formal intergovernmental process of the UN. Governments can not ignore it. Some NGO are themselves global in their structure with membership or financial muscle that exceeds those of many UN member states, eg. Greenpeace claims 4.1 million members, and the World Wide Fund for Nature (WWF) a total of 3 million.³¹ The Business Council for Sustainable Development includes 50 CEO's of the world's largest corporations.

The UN strategy for the 1990's of mobilising international consensus on a range of key socioeconomic issues (environment, population, women, social policy, children etc.) by means of summits or high level conferences³² has served to extend measurably the opportunity for non-government influence. At key international meetings non-governmental participation frequently exceeds by a considerable margin, the numbers of official delegations (eg. the 1992 Rio Environment Summit). The UN strategy itself has run the risk of inducing summit fatigue amongst governments; but it has had the effect of energising and regularising NGO multilateralism.

It is abundantly clear that governments and bureaucracies no longer possess a simple monopoly over information, ideas or wisdom about current challenges such as environment, sustainable development or demographic pressure. Globalisation of the economy places decisive influence in the hands of entrepreneurs, of scientists, of parliamentarians, of private companies organised, often, on a transnational basis. The era of national government regulation of business is largely passed.³³ There are no real proven structures throughout the multilateral system, to facilitate effective input from the NGO of various kinds. Clearly considerations of manageability, of securing proper outcomes, of accountability and the very 'representativeness' of individual NGO and private sector interest groups, present real questions when devising multilateral structures for NGO input. For their part, the NGO and private sector interests are sometimes reluctant to accept constraints upon themselves. Some are indeed principally interested in involvement in the intergovernment process basically for grandstanding or influence peddling.

Yet the task of devising a durable effective system for NGO input is part of the challenge which demands the multilateral system be made more democratic. The relationship between the UN and non-government agents has not been an easy one.³⁴ But it is a challenge that the international system indeed shares with each individual member state. Countries are unlikely to agree upon systems for NGO participation at the international level, or consultation with the private sector if they can not first do the same thing at the national level. And here authoritarian states face an even higher hurdle than do democratic political systems.

Role of UN Electoral Groupings³⁵

The sheer magnitude of the UN reform task is daunting. One option is to select and pursue one element of reform that may catalyse others. It is the claim of this short paper that the electoral groups inside the UN system constitute such an element. The basis for the election of countries or individuals to office-holder positions in the United Nations, including the Security Council, rests with five regional electoral groups³⁶. These are the product of decisions by the General Assembly, over the years, to accommodate and to facilitate election of countries and office-holders (Chairpersons, Rapporteurs, etc) to the principal governing bodies and for the conduct of the multiple meetings that characterise the business of the UN.

Allocation of entitlements to seats for and in the groups, and establishment of appropriate rotations are worked out according to formulas (modified from time to time as membership numbers have grown) which are, at the bottom line, meant to reinforce equity. Equal opportunity for all UN members, no matter how small, to serve should they wish, throughout key institutions of the system, on a basis of fair rotation is theoretically enshrined in and through the five regional electoral groupings. In practice, as UN membership overall has accelerated, so this principle of equity has come under increasing pressure. Some of the five electoral groups (eg, Africa) try to operate internal disciplines so that equity is more or less respected in candidate selections. Others (eg, Western Europe) are less exigent about equity. The law of the strong prevails. Democracy at this basic level, is under challenge.

The five regional electoral groups as presently constituted (with their membership numbers in brackets) are: African States (52), Asian States (47), Latin America and Caribbean States (34), West European and Others (26) and Eastern European States (21)³⁷. There is notable disparity in size. Their composition and extensiveness reflect geopolitical anomaly. Thus, in the Asian group, membership extends from Jordan to Japan, containing Middle Eastern countries who hardly conceive themselves as being part of Asia; NZ and Australia, through quirk of UN history, are grouped with Western European States where the pervasive influence of the European Union (EU) disadvantages indeed overwhelms those few members with no status or aspirations in respect to EU; several East European states strongly prefer to be in the Western Europe group; Africa as the biggest grouping has the same entitlement to non-permanent Security Council seats as does the Western Europe group, which has half the number of members; and, as well, two permanent Security Council seats. The list of anomaly is longer than this.

There is a solid case for remodelling the electoral groups. The very extent of UN membership growth over recent times reinforces the need. The objective would be threefold:

- (i) to make each group smaller and more representative;
- (ii) to improve the prospects for election to office for all members that desire it;
- (iii) to better democratise the UN therefore in ways that correspond to the promotion of good governance and equity.

The result would be more 'parliamentary' practice where 'representativeness' would receive appropriate emphasis and as an act of deliberate policy, the remodelled groups should be open to NGO interaction. Such reform would require consequential remodelling of the entitlements to office or management positions which are based on the existing groups. That would necessitate care. But

none of this requires any amendment to the Charter. It would be relatively straight-forward, if not always simple.

In the table at the end of this text, it is proposed the UN membership be divided into nine groups of plus or minus 20 countries each to replace the present five groups. There is nothing magic or predetermined about the creation of nine electoral groups. Eight groups each with slightly more members, seven groups each with slightly more still, would be feasible. The need to associate countries within a geographically coherent grouping is however the logic even of the present unsatisfactory system, and needs to be maintained but improved. The initiation of the process to secure the necessary improvement could be launched under the Presidency of the General Assembly or in some other appropriate way. The essential point is to generate support for the proposition that this is an approach, whose time has arrived.

Basis for Security Council Reform

A remodelled group system provides the core foundation for a more representative and pluralist UN. This is best illustrated by the contribution it could make to resolution of the Number One reform issue confronting the organisation – the size and composition of the UN Security Council. As a first step towards fuller reform and taking as a basis the nine electoral grouping suggested here, each group could be allocated two Security Council seats except the smallest group (the Caribbean Group) which would receive one seat. (See the accompanying table). This would give 9×2 minus $1 = 17$ plus the five permanent seats – a total of 22 Security Council seats.

Each group should be extended unique discretion to decide the length of tenure for each successful candidate from amongst its membership for a Security Council seat. For example, one of the two successful candidates from the North Africa group, or the South Europe group etc. might be extended a longer term (say, 10 years plus), the other a shorter term (2 or 3 years). The decision would be entirely one for the group itself. When declaring their candidature the prospective members would have to declare the length of tenure that they sought. The electoral group could agree to that, or to a different tenure. The system would provide for greater accountability to the group by successful Council members. The notion of representativeness would be enhanced; and it could lead in fact to the establishment of semi-permanent status for some larger states. The permanent Council members would remain permanent.

The only Charter amendments would be fairly small – to provide for a 22 member council, and to remove the barrier to non-permanent members succeeding themselves. The group candidates would still require two-thirds of support in the General Assembly.

It must be strongly emphasised that this could be just a first step to reform of Council structure. It would not be the last word. But it would obviate the immensely difficult full frontal process of debating, selecting and negotiating about which countries deserve permanent status right at the outset. To persevere with that approach suggests early agreement is not likely. The proposed remodelling would lend some momentum to the whole business of giving the UN Security Council an eventual structure more relevant to the world as it is.

Notwithstanding the relevance to Council reform, however, the proposed remodelling of the electoral groups is a means to a larger end. By providing greater homogeneity to the groups, by making them smaller, by extending notions of accountability inside the groups, the business of enhancing better governance inside the system grounded in representativeness, is promoted. That is consonant with practice in an ever widening number of countries throughout the world as doctrines

of pluralism, accountability and good governance achieve wider acceptability. The lateral skills of persuasion and negotiation, rather than those of control established on the basis of hierarchy of power (which in many essential regards, is a hierarchy being overtaken by change in the world) will, under this approach, assume more prominence.

Conclusion

The task of UN reform designed to produce a relevant and effective organisation is a prodigious and wide-ranging one, as this short study indicates. By concentrating upon one avenue for change – through the electoral groups – the study identifies one catalyst for wider UN restructuring. Changes in the group system do not obviate the need to appoint quality personnel especially to the Secretariat, to site or re-site the headquarters operations of key multilateral activities (in the twenty-first century, for example, the headquartering of the World Trade Organisation in Asia – Singapore or Hong Kong are suggestible sites – would reflect the emerging politico-economic realities), or to reform the actual practices of the UN Security Council and to adjust its relationship to other constituent parts of the system overall.

There is little alternative other than to persevere with reforms to the UN even if many of those which might be attainable do not go to the very heart of the problem; and even if all those with the more limited objective will not, in any case, be achievable. The law of Hobson's Choice does operate. If chaos and the irresponsible application of national power are to be avoided, the world needs a universal rules based system in order for deepening interdependence to constitute genuine opportunity, not induce friction, or even conflict. A relevant framework for international rules and codes of behaviour remains indispensable. There does exist middle ground between excessive scepticism and inflated hope about the UN; the task is to search for the ground of compromise between what justice demands and circumstances permit. Remodelling of the electoral groups should fall within that ground.

<p style="text-align: center;">1 EURASIA (21)</p> <p>Afghanistan Maldives Armenia Nepal Azerbaijan Pakistan Bangladesh Russia* Belarus Seychelles Bhutan Sri Lanka Georgia Tajikistan India Turkmenistan Iran Ukraine Kazakhstan Uzbekistan Kyrgyzstan</p>	<p style="text-align: center;">2 ASIA-PACIFIC (25)</p> <p>Australia New Zealand Brunei Philippines Cambodia Palau China* PNG DPRK RMI Fiji ROK FSM Samoa Indonesia Singapore Japan Solomon Is. Lao PDR Thailand Malaysia Vanuatu Mongolia Viet Nam Myanmar</p>	<p style="text-align: center;">3 MEDITERRANEAN-GULF (19)</p> <p>Algeria Oman Bahrain Qatar Egypt Saudi Arabia Iraq Sudan Israel Syria Jordan Tunisia Kuwait Turkey Lebanon UAE Libya Yemen Morocco</p>
<p style="text-align: center;">4 NORTH EUROPE (20)</p> <p>Austria Latvia Belgium Liechtenstein Czech Rep. Lithuania Denmark Luxembourg Estonia Netherlands Finland Norway Germany Poland Hungary Slovak Rep. Iceland Sweden Ireland UK*</p>	<p style="text-align: center;">5 SOUTH EUROPE (19)</p> <p>Albania Macedonia Andorra Malta Bosnia-Herz Moldova Bulgaria Monaco Croatia Portugal Cyprus Romania France* San Marino FRY Slovenia Greece Spain Italy</p>	<p style="text-align: center;">6 NORTH AFRICA (23)</p> <p>Benin Guinea Burkina Faso Guinea Bissau Cameroon Liberia Cape Verde Mali CAR Mauritania Chad Niger Cote d'Ivoire Nigeria Eq. Guinea Sao Tome/Prin. Eritrea Senegal Ethiopia Sierra Leone Gambia Togo Ghana</p>
<p style="text-align: center;">7 SOUTHERN AFRICA (23)</p> <p>Angola Mozambique Botswana Namibia Burundi Rwanda Comoros Somalia Congo South Africa Djibouti Swaziland Gabon Tanzania Kenya Uganda Lesotho Zaire Madagascar Zambia Malawi Zimbabwe Mauritius</p> <p>* permanent Security Council member</p>	<p style="text-align: center;">8 AMERICAS (19)</p> <p>Argentina Honduras Bolivia Mexico Brazil Nicaragua Canada Panama Chile Paraguay Colombia Peru Costa Rica Uruguay Ecuador US* El Salvador Venezuela Guatemala</p>	<p style="text-align: center;">9 CARIBBEAN (16)</p> <p>Antigua/Bar. Guyana Bahamas Haiti Barbados Jamaica Belize St Kitts/Nevis Cuba St Lucia Dominica St Vincent/ Gren. Dominican Rp Suriname Grenada Trinidad/ Tobago</p>

END NOTES

-
- * An earlier version was contributed to a conference on 'The United Nations: The Next Fifty Years', in Seoul, Korea, April 1-2 1996.
- ¹ Trygve Lie: 'In the Cause of Peace': pp 55-65: Macmillan 1954.
- ² Anne-Marie Burley: *Multilateralism Matters*: p 125: ed. Ruggie: Columbia 1993.
- ³ Roberts and Kingsbury: *The UN Role in International Society since 1945*: pp 4-5 in 'United Nations: Divided World' OUP 1993.
- ⁴ Ruggie: *Multilateralism Matters*: p 23: Colombia 1993.
- ⁵ Adam Roberts: 'The Crisis in UN Peacekeeping': p 298 in 'Managing Global Chaos': ed: Crocker, Hampson, Aall: US Institute of Peace: 1996.
- ⁶ Moynihan: 'A Dangerous Place': pp 31-37, p 68: Atlantic, Little, Brown 1978.
- ⁷ Kurt Waldheim: 'In the Eye of the Storm': pp 111-133: Weidenfeld and Nicholson 1985.
- ⁸ Abba Eban: 'The UN Idea Revisited' *Foreign Affairs*: Vol 74, No. 5, September/October 1995.
- ⁹ Paul Kennedy and Bruce Russett: 'Reforming the UN' *Foreign Affairs*: Vol 74, No. 5, September/October 1995.
- ¹⁰ *ibid.*
- ¹¹ Peter Wilenski: *The Structure of the UN in the Post-Cold War Period*: pp 437-467 in 'United Nations, Divided World' OUP 1993.
- ¹² Patricia Birnie: *The United Nations and the Environment*: pp 327-383 in 'United Nations, Divided World' OUP 1993.
- ¹³ Lester Thurow: 'The Future of Capitalism': p 136: Allen and Unwin 1996.
- ¹⁴ Miles Kahler: *Multilateralism with Small and Large Numbers*: p 297 in *Multilateralism Matters*: ed. Ruggie: Columbia 1993.
- ¹⁵ Alan Gerson: 'The Kirkpatrick Mission': pp 263-264: Free Press 1991.
- ¹⁶ See for example the G7 Summit Statement, Halifax, Canada, June 1995 which is effectively concerned principally with streamlining and updating UN coordination.
- ¹⁷ See speech Lee Kuan Yew to 21st Century Forum: Beijing: 4 September 1996.
- ¹⁸ Yash Gai: 'Asian Perspectives on Human Rights' in *Human Rights and International Relations: Asia-Pacific*: ed. Tang Pinter: London 1995.

-
- ¹⁹ Coming the Full Circle: Economic History of the Pacific Rim': Preface p ix and pp 156-170: ed. Jones, Frost, White: Westview Press 1993.
- ²⁰ Michael Howard: 'Ideology and International Relations': pp 139-151 in 'Lessons of History' OUP 1993.
- ²¹ Jack Donnelly: 'Human Rights and Foreign Policy': p 101 etc. in 'International Human Rights': Westview Press 1993.
- ²² Connor Cruise O'Brien: 'On the Eve of the Millennium': The Press 1995: Discusses 'The Enlightenment and its Enemies' as the new century approaches.
- ²³ Miles Kahler: *ibid*: p 304.
- ²⁴ Lester Thurow: pp 271-277: *ibid*.
- ²⁵ Nye: 'Bound to Lead' Basic Books 1990.
- ²⁶ Secretary of State designate Madeline Albright statement to Senate Foreign Relations Committee: 8 January 1997: USIA Washington File: 9 January.
- ²⁷ Perez de Cuellar: 'United Nations, Divided World' OUP 1993.
- ²⁸ Boutros Ghali: See address to Conference 'The UN: The Next Fifty Years', Seoul, ROK, 1 April 1996 for list of suggested improvements.
- ²⁹ Shirley Hazzard: pp 17-26: 'Countenance of Truth' Chatto and Windus 1991.
- ³⁰ Peter Wilenski: *ibid*: pp 449-450.
- ³¹ Hilary French: 'Partnership for the Planet': World Watch Institute: Paper 126:1995.
- ³² Boutros Ghali: 'Global Leadership After the Cold War' Foreign Affairs: Vol 75, No. 2, March/April 1996.
- ³³ Lester Thurow: *ibid*: p 129.
- ³⁴ Hilary French: *ibid*.
- ³⁵ An earlier and limited version of the ideas in this section is to be found in NZ International Review, Vol. XX(1), January/February 1995: O'Brien, 'Fashioning a More Democratic Security Council'.
- ³⁶ The electoral groups for all the various UN bodies are not exactly the same. This paper deals with the groups as constituted in New York, the UN Headquarters.
- ³⁷ Four UN members are not members of any group - the US, Israel, Slovenia and Estonia.