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A UN World?

Marie-Claude Smouts

For more than twenty years from 1945 to 1967, the United States of America had dominated the United Nations to the point where it came to be seen as an instrument of the US foreign policy. Then the United States proceeded to scorn the UN for another twenty years (1967-1988), a period during which the clout of the Third World within the Organisation and Moscow's hostility came to offset the United States' influence. Under the Reagan administration this "benign neglect" turned into overt hostility, with a reduction in the American financial contribution, a withdrawal from UNESCO and threats made against a certain number of institutions within the United Nations system, until the new trend in Soviet diplomacy and the willingness shown by Mr. Gorbachev to use the United Nations in a more useful manner, forced the US to change its mind.

President Bush's experience as the one-time permanent representative of the United States at the United Nations seemed to favour a come-back, further facilitated by the fact that the Third World countries, greatly discouraged, had lost a good deal of their virulence. The new harmony between the two superpowers allowed the Security Council to solve a certain number of regional problems with far greater ease (Namibia's independence, the withdrawal of Soviet troops from Afghanistan, the end of the Iran-Iraq war, the plan for Cambodia, etc.). And above all, new methods were adopted. Since 1988, the permanent members of the Security Council have held informal discussions almost continually, without having had need of the Secretary General or the use of the UN premises. This is unique in the entire history of the United Nations.

The invasion of Kuwait took place in this new climate of direct cooperation between the two superpowers. The United States immediately took the event out of its inter-Arab framework and presented it as a challenge to the entire international community. The response to this act of aggression had to be a test for the “new world order” of the post-Cold War era underwritten by the United Nations, in which both George Bush and Mikhail Gorbachev were showing such pride.

And indeed a test it was. The incontestable American domination of the United Nations brings to mind the 1950s and the 1960s. In many ways, the Gulf war brings to mind the Korean expedition. But there is a major difference: the United States no longer has any rivals in the United Nations and the military intervention of the coalition was launched on an unquestionably legal basis. The United Nations had never been as close to the aims of its original founders: being an instrument for peace under the control of the great powers. But will the UN be able to function for a long time under the “one-plus-four” system which has been adopted since the second of August ?

Diplomacy of the ultimatum

During seven months of acute crisis the United Nations was used to fulfil two functions: sanctions and collective legitimacy. At no time did the Organisation have the possibility of exercising what the general public, in its naivety, generally expects of it: to moderate the exercise of power, to provide a forum for negotiation with the aim of finding a peaceful solution. The “logic of war” was set in motion outside the UN. The cessation of hostilities was decided outside the UN.

Washington’s reaction to the Iraqi invasion was immediate. On the second of August a resolution of the Security Council, prepared by the United States and Kuwait “condemned” the invasion, “demanded” that Iraq withdraw “immediately and unconditionally” all its forces. In order to gain the unanimity of the fifteen members, the text still left room for diplomacy by urging Iraq and Kuwait “to begin immediately intensive negotiations for the resolution of their differences”, and supporting all efforts in this regard “especially those of the



Size does count

League of Arab States”.¹ The door was therefore left slightly ajar since it was recognised that “differences” existed between the two countries and that the Arab states had a role to play. Four days later, however, on the sixth of August, the Council climbed the first rung in the escalation of sanctions and “decided” upon an economic and financial embargo on all commodities products, resources and activities either coming from or going to Iraq or Kuwait .² From that moment, the die was cast. There would be no further possibility of preliminary talks; the only choice facing Saddam Hussein was an unconditional surrender.

The United States had decided to send troops to the Gulf before the Security Council had even adopted economic sanctions. Operation Desert Storm started the day after the vote. It was later learnt that from day one, General

Schwarzkopf had proposed a massive military deployment to President Bush and put forward the idea of an offensive assault as one of the possible options.³ The war machine was set in motion within three days. As soon as it was decided to send an expeditionary force large enough to ensure deterrence, protecting it became an objective in itself. The military machine for its own motivations pushed for an even greater build-up and thus immediately began to restrict the decision-maker's choice.

On the legal front, everything was ready for war from the sixth of August. Resolution 661 was no longer aimed at simply obtaining an immediate and unconditional withdrawal of Iraqi forces but also insisted on "restoring the authority of the legitimate government of Kuwait". As did resolution 660, it placed itself within the framework of Chapter VII, but most importantly, and this went largely unnoticed, it equally invoked article 51 of the Charter in "affirming the inherent right of individual or collective self-defence in response to the armed attack by Iraq against Kuwait". This made clear that no explicit authorisation from the Council would be necessary to justify any eventual military offensive. The legal basis already existed and was steady.

Finally, the resolution left no room for diplomacy. The Secretary General was left with no margin for manoeuvre. The only task offered to him was the supervision of the progress in the enforcement of the embargo.

Racing towards war

It would be difficult to find a more spectacular way to show that the rule of law and force go hand in hand (not a particularly innovative theory), or that the United Nations is powerless without the might of the United States, a fact that many soothing speeches had tended to omit.

From August 6 to November 29, all the various stages of the build-up were repeatedly superseded. A naval blockade followed the embargo.⁴ The word "force" was not mentioned but the member states found themselves being asked in typical UN jargon "to use such measures commensurate to the special circumstances, as may be necessary, under the authority of the Security

Council, to halt all inward and outward military shipping” (meanwhile one appreciates this exercise of Newspeak!).

Following the naval blockade came the air blockade⁵ a month later. Thus, the United Nations went from condemnations to warnings, from threats to measures of constraint, ending with resolution 678 on the 29 of November 1990, “authorising to use all the necessary means” to implement the resolutions of the Security Council and “to restore international peace and international security in the area”, if Iraq had not withdrawn its troops by the fifteenth of January 1991.⁶

The crucial turning point was taken on October 30, with President Bush’s decision (announced on November 8, after the American people had cast the ballots for Congress) to increase American forces in Saudi Arabia from 230,000 up to more than 500,000 men and women. It was clear that an expeditionary force of such size could not be sustained indefinitely and that the embargo was not going to be given time to have an effect. From that day, a date was set for a devastating aerial attack which would precede a ground offensive. For logistical, meteorological and religious factors (Ramadan and the pilgrimage to Mecca), operations had to start at the beginning of January. The count-down had started.

At first, the United States suggested that the United Nations set an ultimatum for a withdrawal from Kuwait by the first of January. The initial text of the US version for its resolution was blunt: a single paragraph authorising a resort to “all the means necessary” in order to implement the Council’s resolutions and to re-establish peace in the region. Under pressure from the Soviet Union and France the US had to tone the resolution down. Having been progressively amended, the actual text of resolution 678 was again aimed at Saddam Hussein and decided “to allow Iraq one final opportunity as a pause of good will”. The ultimatum was pushed back to January 15.

We know the rest: the failed meetings, the Secretary General’s desperate shuttles, the Soviet efforts, the peace plan hurriedly (and clumsily) put together by France, all these last minute efforts to try and break the Iraqi dictator’s obstinacy and to try to halt the inexorable slide into war.

From January 17, the date upon which the US-led coalition started the aerial offensive, to February 27, the date upon which the US decided to suspend hostilities, the UN was left sitting on the sidelines. Not that nothing was happening, just that the United States and its allies had no need of it any more. Certain that its cause was righteous, that the coalition was holding firm and that the Soviet Union was not breaking its solidarity, why should the US worry about the mood of the Maghreb States, or of the feelings of the non-aligned nations? In short, why play the mundane game of multilateralism? Diplomatic hustle and bustle was kept behind closed doors. Also at the end, to clearly show that he was in no way concerned, George Bush announced the suspension of allied military operations even before Iraq had publicly accepted the Security Council's twelve resolutions and before the Council had had time to issue a declaration.

The Secretary General certainly got it right when he said : "this war is legal but it is not the United Nations' war".⁷

A power unrivalled

The skill with which the United States took the offensive on all fronts was indeed masterful. It succeeded militarily, economically, as well as diplomatically in gathering a disparate coalition, diverse enough to pretend that it encompassed "the whole" international community, using the United Nations when it needed to, putting it aside, and then returning to it to get its endorsement for a conclusive cease-fire.⁸ This skill was masterful.

Out of thirteen resolutions adopted by the Security Council between August 2, 1990, and March 3, 1991, eleven were of American origin. Proposals put forward by non-aligned countries in an attempt to expand the debate to include the overall problems of the region were cast aside. The only things voted on were constricting proposals. The objective was to condemn and to punish. The United Nations came up with only one alternative: the aggressor's surrender or war. It was to be war. And a crushing military victory inflicted by the coalition led by the United States. The memories of Vietnam had been washed away and America had freed itself "from its past and its doubts".⁹

The confrontation strategy which was adopted right from the beginning was not difficult to impose on the United Nations: the United States had no competitors. The make-up of the Council in 1990 made things a lot easier. There was no really radical non-aligned country on the Council at the time. Only two non-permanent members supported Saddam Hussein: Cuba and Yemen, who were easily overshadowed. Their extremist proposals were ignored. Africa, with three places on the Council, remained docile. Only Malaysia and Colombia actively played a normal Third World role. Wary of leaving the Council totally in the hands of the great powers, these countries toned down any resolutions that were too tough. They reminded the Council that many of its other resolutions had not been executed, that the problems in the Middle East were all linked, and that the Palestinians could not be ignored. This led to their snubbing and the accusation—an unjust one—of their being “pro-Saddam” by the American delegation, even though they had supported all the proposed resolutions.

There were, therefore, few problems from the non-aligned camp, so few in fact that the United States—and the press as well—considered a resolution as



Popular rejoicing on Saddam Hussein's birthday (From "Grosse Bertha", n. 16)

having been passed as soon as the five permanent members' agreement was obtained. On several occasions France and the Soviet Union were forced to remind the Americans that the Council included ten other members to be reckoned with.

The crucial moments took place between the big five and in a relatively easy manner. The United Kingdom was in complete support of the American point of view. Several resolutions were prepared bilaterally by the United States and the United Kingdom before they were circulated amongst the other permanent members, particularly when they had to make clear, at the end of March 1991, the terms of the total cease-fire. France, as usual, showed itself to be an awkward but loyal ally, unsure of the methods but in agreement with the goal. China was above all trying to bury memories of Tiananmen and to return to the international stage. Hesitant, but resigned to the fact, it did not veto resolution 678 but found refuge in an abstention. The reward came the next day, as the Chinese foreign secretary was welcomed at the White House and the US put an end to the suspension of high level ties ordered by George Bush in June 1989. This left the Soviet Union alone, and all eyes were on it. The amount of courtesy shown by the United States and the Soviet Union towards each other during this crisis will always be in the United Nations records.

The only slightly difficult moment for the United States was the one that followed the shooting on the Dome of the Rock in Jerusalem in October. How could one refute the suspicion of "different laws for different people" that was smearing the activities of the United Nations since August 2, whilst still refusing to establish a link between the invasion of Kuwait and the Palestinian problem? To solve this dilemma and in order to gain some time in which to find a compromise, the Soviet delegation multiplied the number of procedural points and various other measures so as to prevent the non-aligned member's very tough resolutions against Israel being voted upon and thus preventing the United States from having to use its veto. Similarly, a few months later, just before the ground offensive, when Mr Gorbachev reappeared at the centre of the diplomatic stage by proposing a peace plan to Iraq which, if Saddam Hussein had accepted, would have deprived the coalition of a decisive military victory, the American President took great care in thanking his Soviet

counterpart for his effort in the quest for peace—whilst rejecting the plan as firmly as he did courteously.

The ground offensive, we now know, was set in motion at the very moment that the Security Council was meeting to try and reconcile the Soviet peace plan with the American ultimatum. The snub was impressive.

The UN: what for?

Wasn't the United Nations simply a figurehead of an operation controlled entirely by the United States? Some Americans have no hesitation in saying this, if one believes Richard Nixon who, giving a speech at the same moment as the United Nations was about to declare the war legally justified, said : "if at the moment one is under the impression that the United Nations is taking on the responsibility of what has been undertaken to stop Saddam Hussein this has no bearing on the truth. The United Nations is certainly useful and must be consulted. And occasionally, it can even produce some agreements... but in any case, the vital interests of a country will never rely on any form of organisation".¹⁰

Along the same lines, it can be read in *Foreign Affairs* that "What we have today is pseudo-multilateralism: a dominant great power acts essentially alone, but, embarrassed at the idea and still worshipping at the shrine of collective security, recruits a ship here, a brigade there, and blessings all around to give its unilateral action a multilateral sheen. The Gulf is no more a collective operation than was Korea, still the classic case-study in pseudo-multilateralism".¹¹

The manner in which the United States used the organisation by imposing their analysis, their timing, their conditions for the raising of sanctions without really playing the negotiation game properly adds weight to this theory. The question is: why did this "dominant great power" think it worthwhile to get the guarantee of the United Nations, to form a coalition, and to enlist the support of the other permanent members? And why did these partners behave so complacently and appear so keen to save unanimity at any price?

Everyone, in this affair developed an interest in "multilateralism". The United States, obviously, on the one hand. The military, economic and diplomatic pressure was to make up a whole against Saddam Hussein. The isolation of the dictator and the involvement of Third World countries in a coalition which included several Arab countries, discredited the Iraqi theory of a North-South conflict and of a western plot against the Arab world. On the other hand, the decision to send troops to the Gulf had not been popular in the United States and the vote from Congress authorising the president to go to war was not guaranteed from the beginning. In January 1991, the result of the Senate vote was a close call (52/47) and even if the majority was more comfortable in the House of Representatives (250/183) never, since 1812, had the percentage of votes in favour been so low in Congress on a question of this nature.

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This fact of being able to ask to "use the armed forces of the United States" conforming to resolution 678 of the Security Council in order to enforce the application of this resolution was an important asset which in a very tight game set within the framework of law and morality. Finally—and this new—the "dominant great power" no longer had the means with which to finance its war. The US was only going to pay for 20 per cent of the cost of the operation, even less. Its weakness forced the US administration to do everything it could to promote the idea of "an international police operation", for the intervention and to take into account its partners' feelings. A lot of work went into assuring the involvement of each country, particularly the Soviet Union, through bilateral relations: the famous telephone diplomacy so dear to George Bush, J. Baker's shuttles, and those of the president. The five permanent members' informal meetings came later, to shape the agreements reached outside the United Nations.

Partners often had the unpleasant feeling that they were being "informed" rather than "consulted" but each had its reasons for toeing the American line. In the first place, and this should not be dismissed, all were in agreement in that the Iraqi aggression was inexcusable and must be punished. The various abuses made by Saddam Hussein only served to strengthen this shared view, and an exceptional unanimity at the United Nations. And who, if not the United States, was capable of deploying a force strong enough to make Iraq submit ? Moreover, each of the Four wished to show the usefulness of the Organisation. For second rank powers who still desired to play a significant role on the international scene the symbolic importance of being a permanent member was an important asset. To assess the Security Council was to assess one's self. And if the American "bulldozer" tactics often shocked, the feeling of being part of a group who decided upon global affairs was certainly worth a sacrifice.

Finally, and more precisely, although Great Britain did not have any doubts, China, France and above all the Soviet Union felt that they did not have much choice, each for its own particular reason. China, as we have mentioned, was worried about being totally cut off from the outside world. It cashed in on its tacit acceptance with considerable success. For France, it was all a bit more complicated as it had more to lose with its North African links and its peculiarity (more pretence than real) inside the Atlantic world. From the moment that it decided to take part in operations in the Gulf, first the blockade and then the military offensive, (for reasons which would take too long to develop here but which without a doubt include the need to justify a permanent seat on the Council and to have some sort of standing in the post-war era), the moral and legal guarantee given by the United Nations made any further justifying superfluous. The pursuit of ethics and of justice is a part of the national heritage and this feature has been accentuated by François Mitterrand, whose speech at the United Nations (September 24, 1990) with its allusions to arbitration and to collective security, brings back memories of the League of Nations' heyday.

Finally, the Soviet attitude would deserve a special case study, as its complete reversal since 1987, when compared to its previous actions is striking. The Soviet Union voted for all the American proposals without causing any

problems. It tried to gain some more time, stated that it was necessary to reactivate the Military Staff Committee as mentioned in the Charter, thus placing the leadership of the operation into United Nations hands, but never insisted and always bowed to American pressure. If there were any uncertainties at the beginning of the crisis as to its intentions, they were swept away at the Helsinki summit between George Bush and Mikhail Gorbachev (September 9, 1990) and then by the very tough speech against Iraq by Eduard Shevardnadze on September 25, to the General Assembly. Following that, despite its attempt to retake the initiative in mid-February, the Soviet Union seemed to have no other foreign policy save that of "sticking" to the United States in order to share with it, at the least possible expense, the role of "international policeman" under the seal of the United Nations. (It is very true that Iraq's stubbornness did not make its task any easier.)

Towards a "new order"?

This exceptional conjunction of international law and of particular interests rendered the Security Council remarkably efficient during the whole crisis. To retain this harmony everyone was forced to make concessions, including the United States over the vote on events in Jerusalem. Resolution 672, which was adopted unanimously on October 12, 1990, is significant of this and is important in what it bodes for the future. For the first time since 1980, the Council was able to adopt a resolution on the situation in the occupied territories. Resolutions 242 and 338 are remembered as being the basis of "a just and lasting solution to the Arab-Israeli conflict". The "acts of violence committed by the Israeli security forces" are "condemned". Israel (as did Iraq in Kuwait) found itself being reminded of the terms of the fourth Geneva convention in its responsibilities as an occupying power. The very difficult compromise between an even tougher wording pressed for by the non-aligned states and the American wish to avoid condemning Israel was only reached after the personal interventions of both Mitterrand and Bush. As in all compromises at the United Nations it was not short of a few ambiguities. A visit to the area by the Secretary General was part of the plan but there was no precision on the exact nature of the trip. In France's view it meant the first stage of the Security Council getting involved in a process which would lead to

the eventual solution of the Israeli-Palestinian question under the aegis of the United Nations. There was nothing of this sort from the United States' viewpoint. As we know, the United Nations' mission was refused entry by Israel.

The fact that everyone, for his own reasons, was interested in making the Security Council work, formed a good basis for cooperation during the Gulf crisis. For once, the United Nations was able to act quickly and decisively. Could such an auspicious cooperation as the intervention of the United Nations be continued and eventually lead to a certain regional order in the Middle-East, or even to the world order ? This is doubtful. The United States' partners on the Security Council see it as being in their interest that the United Nations involves itself in the Middle East and thus manages to counterbalance a "pax americana". But everything relies on what the Americans want and they have never hidden their intention of taking the matter in hand without going through the United Nations. Only they are capable of weaving a web of negotiation between the regional protagonists, and of applying pressure if need be, and their partners will have to once again allow them to control the situation if they want any progress. France has already stopped insisting on the international peace conference which was so close to its heart. Bilateralism's time is once again with us and it risks being here for a long time.

Contrary to what is currently being put forward in the European press, particularly in France, it is not at all certain that the United Nations has come out of the Gulf any stronger. Granted, the habit of consulting and seeking compromises between the five permanent members of the Security Council has increased during the crisis but the United Nations has proved its weakness as much as its usefulness. As long as the provisions of the Charter for a Military Staff Committee "responsible for the strategic direction of any armed forces placed at the disposal of the Security Council" do not come into effect, the Security Council will remain reliant on the dominating power. The Gulf example, as was the Korean one forty years ago, shows how this dependency affects its capability to solve crises. In both cases, the Organisation's policy was subject to the military option. In both cases, uncertainty presided over the aims of the war. When MacArthur decided, in autumn 1950, to chase the

aggressors out of South-Korea and to cross the 38th parallel, the Korean war changed in stature. When Iraqi territory was hit by a massive bombardment and its economic potential was targeted as intensively as its military one, the nature of the Gulf war changed. The aims of the war were no longer purely the liberation of Kuwait but the destruction of a regime. In both cases the Third World countries were worried (the Korean war was very important in the formation of the non-aligned movement); in both cases they found themselves powerless to do anything. Finally, in both cases the Secretary General came out of the event greatly weakened.

With the disappearance of the Cold War, new possibilities undoubtedly appear for the United Nations as long, however, as it does not forget that it does not purely consist of five permanent Security Council members and a secretariat. The Gulf war circumstances were exceptional. An area of prime strategic importance was in the balance. The considerable benefits that an already over-armed enemy of Israel could have drawn from it (especially a country that was about to have a nuclear capacity) were worrisome. The United States' "vital interests" were at stake. But it is highly unlikely that the United States would again dispatch more than 500,000 men purely to retain the order in the world if US immediate interests were not threatened.

Above all, the building of a world order does not come purely from the military field; it involves the combined social and economic aspects, and in these fields no progress has been made in the United Nations for more than ten years. Will the Security Council's revival of fortunes permit it to raise the United Nations out of the quagmire into which it has sunk? The isolation of the Southern nations in managing the crisis and the refusal to negotiate with them does not hold out much hope. What sort of credibility will a new world order have if it corresponds purely with the vision of a handful of states, lined up behind the most powerful amongst them?

References

¹ - Resolution 660 adopted by 14 votes; the Yemen did not take part in the vote.

² - Resolution 661 adopted by 13 votes with abstentions from Cuba and Yemen.

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- ³ - *International Herald Tribune*, March 4, 1991, summing up "a reconstruction of major internal deliberations and decisions by President Bush and his senior advisers during the seven-month Gulf crisis" thanks to *The New York Times*.
- ⁴ - Resolution 665, August 25, 1990, adopted by 13 votes with the abstentions of Cuba and Yemen.
- ⁵ - Resolution 670, September 25, 1990, adopted by 14 votes and one against, Cuba.
- ⁶ - Adopted by 12 votes for, 2 votes against, Cuba, Yemen, and the abstention of China, first defection of a permanent member.
- ⁷ - Interview in *Le Monde*, February 9, 1990.
- ⁸ - Resolution 686, adopted on March 2, 1991, by 11 votes in favour, one against, Cuba, and 3 abstentions, China, India, Yemen.
- ⁹ - George Bush greets the soldiers returning from the Gulf, in South-Carolina, March 17, 1991.
- ¹⁰ - *Le Monde*, November 29, 1991.
- ¹¹ - Charles Krauthammer, "The unipolar moment", *Foreign Affairs*, vol. 70 no. 1, 1990-1991, p. 25.