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The King Prajadhipok's Institute

The Iraq Crisis and World Order: Structural and Normative Challenges

Rapporteur: James Cockayne, with Cyrus Samii

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About the Project

The Iraq Crisis and World Order is a joint project of the United Nations University (UNU) and the International Peace Academy (IPA), in partnership with King Prajadhipok's Institute, Thailand, and Ritsumeikan University and Ritsumeikan Asia-Pacific University, Japan.

The project, jointly directed by Professor Ramesh Thakur at UNU and Dr. W. Pal S. Sidhu at IPA, aims to examine the implications of the war on Iraq and its aftermath on contemporary notions of world order. The two primary areas of interest are the effects that the conflict will have on the existing UN-centered world order in general and on the current global regimes designed to manage weapons of mass destruction in particular.

The project featured two policy-oriented workshops. The first workshop, hosted by King Prajadhipok's Institute in Bangkok, Thailand, and supported by the Government of Germany, focused on the broad implications of the emerging US-centric world order in structural, political and institutional terms. The second workshop, hosted by Ritsumeikan University and Ritsumeikan Asia-Pacific University, in Beppu and Kyoto, Japan, concentrated on global responses to the evolving US-led military and non-proliferation doctrines.

The outputs will include policy reports from each of the workshops and, ultimately, two co-edited volumes to be published by UNU. The volumes will include short chapters based on selections from the papers developed by the authors within the workshops.

For more information on the partner institutions and the project, please visit the following web links:

United Nations University, Peace and Governance Programme   <http://www.unu.edu/p&g/>

King Prajadhipok's Institute, Thailand   <http://www.kpi.ac.th/en/index.asp>

Ritsumeikan University & Ritsumeikan Asia Pacific University   <http://www.apu.ac.jp/unsymposium/>

International Peace Academy   <http://www.ipacademy.org>

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Executive Summary

- The Iraq Crisis is by many reckonings evidence of an ongoing transformative disintegration of the existing United Nations-centered world order. Current political realities pose challenges to primary elements of this order, including the central role of the Security Council and the sustainability of the UN's commitment to traditional interpretations of the norms of sovereignty and non-aggression.

- The US tends to act with other states as part of a "unipolar concert" that is not identical with the Security Council. The UN Security Council may be, to the US, just one potential coalition among many. To reestablish the central role of the Security Council in maintaining world order, it is important to protect its legitimacy. But in doing so, the UN as a whole must find a path between irrelevance and complicity.

- For some traditional allies of the US, the Iraq Crisis forced a stark choice between the US and the UN, threatening new rifts in world politics. If the US continues to act outside the UN framework to achieve major security objectives, this stark and uncomfortable choice will be forced upon an increasing number of states.

- Unipolarity may contribute to the hardening of the North-South divide. Divergence in security priorities also contributes to North-South tensions. Development should be understood as a path to security, in order to break this zero-sum logic of Northern priorities versus Southern priorities.

- Normative challenges arise from the disconnect between the norms enshrined by the UN, particularly state sovereignty and non-aggression, and the nature of contemporary threats. In the minds of many, this disconnect has detached international legitimacy from legality, which threatens the institutionalized basis of existing world order.

- Much disagreement exists on the humanitarian justification of the invasion of Iraq. Nonetheless, the invasion and its aftermath offer the opportunity for reflecting in some detail on how emerging standards of humanitarian intervention might be applied in practice.

- "Norm-entrepreneurs" are sources of alternative visions for world order. In some cases, these alternative visions threaten to engulf the UN in conflict that the organization is ill designed to mediate. Such is the case in the clash between non-state militants and "the West".

- In facing these challenges, the UN would do well to increase inclusiveness, especially in Security Council decision-making. But before embarking on specific reforms, member states of the UN need to think about whether broader responsibility for the UN is in all cases desirable, or whether a "reversal" is in order in some areas.

Introduction

The Iraq Crisis, which climaxed in the United States-led invasion of March 19, 2003, is by many reckonings evidence of an ongoing transformative disintegration of the existing United Nations-centered world order. This world order is composed of the formal institutions centered on the UN and the common norms and perceptions presumedly undergirding those institutions. Basic elements of this order are being challenged. The prohibition of aggression is tested by the doctrine of preventive strikes. The international norm of state sovereignty is brought into question by efforts directed against the proliferation of weapons of mass destruction (WMD), non-state actors' militancy, and human rights violations. The apparent incapacity of the UN to either prevent or manage the Iraq Crisis has raised questions about the organization's continued utility, at least as the UN is currently constituted.

On August 16-18, 2004, the King Prajadhipok's Institute, the United Nations University, and the International Peace Academy brought together a group of prominent scholars and practitioners to discuss the Crisis. Dr Surin Pitsuwan, currently a Thai Member of Parliament and formerly that country's Minister for Foreign Affairs, summed up the prevailing sentiment by quoting the words of W.B. Yeats, written after another war that shook the foundations of world order:

Things fall apart; the centre cannot hold;
Mere anarchy is loosed upon the world,
The blood-dimmed tide is loosed, and everywhere
The ceremony of innocence is drowned;
The best lack all conviction, while the worst
Are full of passionate intensity.[1]

This Report summarizes the Bangkok meeting discussions, focusing on insights relating to UN reform. The Report proceeds in four sections. The first section discusses the nature of the disconnect between world order and current realities as revealed by the Iraq Crisis. The second section focuses on structural challenges, in particular on the challenges posed by both the US's preponderance of power and the lack of inclusiveness

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[1] Excerpt from William Butler Yeats, The Second Coming (1921).

(l-r) Mr. Hans von Sponeck, Professor Ramesh Thakur, and Dr. Surin Pitsuwan

in UN decision-making. The third section focuses on normative challenges posed by the disconnect between the norms enshrined by the UN and perceptions of legitimate responses to contemporary threats. The final section draws out implications for UN reform.

Revealing the Disconnect

"World order" signifies those institutions that govern world politics. The structural aspects of world order are those relating to the systemic distribution of power within and the political, social and economic organization of, the system. The normative aspects of world order are the ideas and beliefs that inspire those structures and the agents within them. World order is challenged when the institutions of world politics become disconnected from global realities, compelling agents to take action outside existing institutions. Structural challenges arise when the formal distribution of power within these institutions no longer matches the distribution of power outside the institutions. Normative challenges arise when the principles undergirding formal institutions are disconnected from the beliefs and values that prevail outside those institutions. The Iraq Crisis exposed a number of structural and normative challenges to the current UN-centered world order. Some of these challenges, it seems, can only be resolved with institutional reform.

It matters not whether the disconnect results from a radical transformation or from an evolving trend. The participants in Bangkok emphasized that the Iraq Crisis can be read in both ways. Those emphasizing the continuity point to ongoing UN intervention and previous Western unilateralism in Iraq since 1980, such as in the establishment of the no-fly zones. Other continuous factors were also relevant, such as inflammation of militant Islamist sentiment due to the US troop presence in Saudi Arabia following the 1991 Gulf War.[2] The Iraq Crisis and the resulting diplomatic and political fall-out were reminiscent of past episodes, most notably the 1999 Kosovo crisis. Finally, the US-UK approach to the Crisis could also be cast as a return to traditional patterns of great power politics after a brief flirtation with institutionalization after the end of the Cold War.

In contrast, some read the Iraq Crisis as either cause or effect of radical transformation. This view emphasizes the split between the US and 'Old Europe', a precipitous rise of Islamic militancy, and the consolidation of a global peace movement in the February 15, 2003 demonstrations. Finally, for some, the Crisis was not 'about' Iraq, but simply and unfortunately played out in Iraq. Both readings are plausible and both reveal the disconnect between world order and structural and normative realities.

Structural Challenges

The Security Council: just another coalition?

A number of participants noted that the US cannot and does not pursue its security objectives alone, and that it must call on the assistance of coalitions of other actors. Since there is a small group of Northern states on whom it calls most regularly, some participants characterized the resulting system as one of 'uni-multipolarity'[3] or a 'unipolar concert'[4]. This view was presented as a corrective to the view of the US as an omnipotent hegemon. The

concert may be best understood as congruent with the G-8, or after its possible expansion, the G-10 (since the G-10 would include all of the permanent five members of the UN Security Council plus Japan, Germany, Italy, Canada and India). The unipolar concert is not quite identical with the Security Council, and serves as an alternative center to international security decision-making than the one institutionalized in the UN.

As a unipolar power, the US has the capacity to vary the membership of the supporting cast on an issue-by-issue basis: the idea of 'Coalitions of the Willing'. The Iraq Crisis revealed that the UN Security Council may be, to the US, just one potential coalition among many. The US may choose to use the Security Council when its legitimizing currency far outweighs the procedural and political constraints, making it more appealing than other coalitions. This is an important reason for UN reform efforts to think hard about the sources of Security Council legitimacy and to focus on ways to protect and perhaps increase that legitimacy. On top of legitimacy and procedural constraints, functional effectiveness serves as another consideration for the US. NATO would seem to represent another substitute coalition in the area of post-conflict peace operations,

(l-r) Dr. David Malone and Mr. Anand Panyarachun

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[2] David Malone and James Cockayne, "Lines in the Sand: UN Operations in Iraq in Historical Context since 2001", paper presented at IPA-UNU-KPI Bangkok workshop.

[3] Mark A. Heller, "The Iraq Crisis and World Order [An Israeli Perspective]", paper presented at IPA-UNU-KPI Bangkok workshop.

[4] Mohammed Ayoob, "Unipolarity and Westphalian Sovereignty", paper presented at IPA-UNU-KPI Bangkok workshop.

Structural Challenges

at least in places where NATO members can agree on involvement.[5] This of course has not been the case vis-à-vis Iraq.

The Iraq Crisis has made crystal clear the central danger of unipolarity: the undermining of multilateralism by the knowledge that at any time, the unipolar power may choose to go it alone. This is the danger the UN now confronts: to find a path between perceptions of irrelevance and complicity. For example, the Security Council's acceptance of the US-led occupation of Iraq in Resolution 1483 exposed it to charges of complicity.[6]

Most participants considered that the US would be foolish not to back structural UN reforms making the UN more inclusive. The UN offers the US the legitimacy needed to achieve cooperation in important security tasks. The invasion of Iraq taught the UN that the US considers it dispensable. But post-invasion Iraq has taught the US that in some situations the UN may be indispensable.

Uncomfortable choices

For some traditional allies of the US, the Iraq Crisis forced a stark and an uncomfortable choice between working with the US and working with the UN. In Japan, Prime Minister Koizumi attempted to avoid the US-UN choice.[7] In the UK, Prime Minister Blair has had to face a largely offended public in choosing to act outside the UN. In Germany, Chancellor Schroeder seized the chance to salvage his sliding popular support through a populist rejection of the US position; nonetheless, the discomfort from the resulting diplomatic fall-out has been visible.[8] The states of Latin America have struggled to determine just how close they can afford to be to the unipolar power. In the lead up to the Iraq Crisis, Mexico and Chile, who both had

seats on the Security Council in 2003, were divided on how to handle the issue with Mexico's 'principled indecision' weaking any collective Latin resistance.[9]

These outcomes reflect a realignment of relations among states based on each state's relative closeness to the UN on the one hand and the US on the other. The German-US split was drawn into the broader European-US split. The unified Franco-German opposition to the US-UK axis could be seen as the first real evidence of a genuinely 'European' foreign policy. Whether this divergence and others ossify into a permanent structural rift remains to be seen. If the US continues to act outside the UN framework to achieve major security objectives, this stark and uncomfortable choice will be forced upon an increasing number of states.

Unipolarity and the North-South divide

A unipolar system is distinguishable from an imperial one. A unipolar power contends with sovereignty when

(l-r) Dr. Mark Heller, Dr. Ayla Gol, Dr. Jean-Marc Coicaud, Dr. Simon Chesterman, and Dr. Tarak Barkawi

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[5] Fred Tanner, "Iraq and World Order: A Perspective on NATO's Relevance", paper presented at IPA-UNU-KPI Bangkok workshop.

6 It should also be noted that 1483 highlighted the instrumental approach toward the Security Council of other permanent members—particularly France and Russia, who appeared to support the resolution in hopes of re-entering the Iraqi oil market.[7] Chiyuki Aoi and Yozo Yokota, "Avoiding a Strategic Failure in the Aftermath of the Iraq War: Partnership in Peacebuilding", paper presented at IPA-UNU-KPI Bangkok workshop.

[8] Harald Mueller, "Iraq and World Order: A German Perspective", paper presented at IPA-UNU-KPI Bangkok workshop.

[9] Monica Serrano and Paul Kenny, "Iraq and World Order: A Latin American Perspective", paper presented at IPA-UNU-KPI Bangkok workshop.

trying to exert influence over other states, whereas an imperial power over-rides sovereignty. But an automatic tension exists between a unipolar power's sense of privilege derived from its preponderant power and responsibility, and the other states' sense of privileged autonomy derived from being part of a system based on the international norm of state sovereignty.[10] Just as unipolarity erodes world order, it may contribute to the hardening of the North-South divide. The tension is manifested at the UN in the continued vitality of the Non-Aligned Movement despite approximately fifteen years since the end of the Cold War.[11]

The tensions across the North-South divide come not only from clashing senses of privilege, but also from divergence in security priorities. Inclusion of the South's developmental concerns on the global agenda is sometimes characterized as distracting from the security concerns of the North. They are presented as mutually exclusive policy choices drawing on finite institutional resources in a zero-sum game. The commitment of exorbitant resources and institutional attention to "hard security" crises like Iraq means opportunities lost for development efforts elsewhere. If the UN complies with such prioritization, it alienates part of its mission. But if the priority gap widens between the UN and, for example, the US and the UK, then the UN is impaired in its ability to organize development assistance. Many participants in Bangkok considered that development should be understood as a path to security, in order to break this zero-sum logic between Northern versus Southern priorities.

Normative Challenges

Participants also discussed normative challenges to the UN-centered world order as revealed by the Iraq Crisis. The normative challenges arise from the disconnect between the norms enshrined by the UN, particularly state sovereignty and non-aggression, and the nature of contemporary threats. The US is not alone in sensing

Professor Mohammed Ayoob

this disconnect, which exists in relation not only to terrorism and WMD proliferation but also in relation to humanitarian crises. But as one participant in Bangkok noted, the US feels particularly threatened by international terrorism and WMD proliferation. The US is thus the most "frightened", and because of its preponderance of power, the most prone to act in contravention of the existing norms undergirding the UN-centered world order.

In the minds of many, this disconnect translates into a gap between the legality and the legitimacy of some acts contributing to peace and security. This weakening of the link between legality and legitimacy has opened space for the emergence of "norm entrepreneurs." Such norm entrepreneurs promote alternative visions of world order,[12] and some of these alternative visions present formidable challenges to the UN's claims to represent universal interests.

Legality vs. legitimacy

The Iraq Crisis is only the most recent crisis provoking consideration of the disconnect between responses to contemporary threats and the norms enshrined by UN institutions. The Kosovo Commission[13] reflected much

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[10] Mohammed Ayoob, "Unipolarity and Westphalian Sovereignty", paper presented at IPA-UNU-KPI Bangkok workshop.

[11] Presentation by Ambassador Hasmy Agam, given by Professor Ramesh Thakur, at IPA-UNU-KPI Bangkok workshop.

[12] Brian Job, "The Tensions Between Threats to International Peace and Security and State Sovereignty: The Contestation of Norms and Norm Entrepreneurs", paper presented at IPA-UNU-KPI Bangkok workshop.

[13] Independent International Commission on Kosovo, *The Kosovo Report: Conflict, International Response, Lessons Learned* (2000).

(l-r) Professor Amin Saikal (foreground), Professor Hasan Askari Rizvi, Dr. Waheguru Pal Singh Sidhu, and Professor Brian Job

contemporaneous commentary in its assessment of NATO's 1999 Kosovo intervention as 'illegal but legitimate'. At the Bangkok conference, three interpretations of the US-led intervention in Iraq were presented. One interpretation proposed that the invasion was legal, through authorization by Security Council Resolutions 678, 687 and 1441, and legitimate, on the basis of security and humanitarian imperatives.[14] Another proposed that it was unlawful, for not having garnered explicit Security Council authorization, and illegitimate, on the basis of norms of non-aggression and the unsupportability of the claims of a threat.[15] A third proposed an in-between view, that it was unlawful, but perhaps legitimate.[16]

Participants at the Bangkok Meeting pointed out some of the dangers presented by a legality-legitimacy gap. By enshrining norms in law, the costs and benefits of transgression are made more discernible. By leaving legitimacy untethered to law, that discernability is lost, raising transaction costs, undermining cooperation, and encouraging reliance on Hobbesian survival strategies. Saddam Hussein's ability to undermine the UN's efforts

to lay down the law weakened the binding force of that law. But the same is true of the US-led Coalition's reliance on extra-legal claims of legitimacy. It raises questions about whether this abandonment is an exceptional case or whether it is indicative of a new pattern of international affairs. It suggests an abandonment of a world order powered by rules for a world order ruled by power.

The importance of the legality/legitimacy distinction in Iraq is precisely that it marks a growing perception that the two *are not* identical at the international level. International law's legitimacy is being eroded, and with it the legitimacy and effectiveness of all those institutions it inspires, from the UN to the International Committee of the Red Cross. In the Middle East, the loss of law's legitimacy is frequently linked to the uneven enforcement of UN Security Council Resolutions. In the Coalition capitals, the problem is seen as an out-dated international law that protects threatening tyrants and places a straitjacket on political reform by an intervening/occupying power.[17] In the eyes of civil society, legitimacy disappears in the gap between global aspirations for democracy, on the one hand, and, on the other hand, a law that empowers states, not people. In the South, legitimacy is eroded as international law comes to be seen as the rule of the few, for the few and by the few.

The Iraq Crisis and humanitarian intervention

Three extra-legal claims were made about the legitimacy of the invasion of Iraq: that it was a legitimate response to (1) the imminent threat of WMD falling into the hands of terrorists; (2) an imminent threat constituted by Iraq's own possession of WMD; and (3) the need for "humanitarian intervention". With the realization that Iraq was much further from possession of deployable WMD than decision-makers had previously appreciated, the first two justifications appear, in

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[14] Ruth Wedgwood, "Legal Authority Exists for a Strike on Iraq", "The Fall of Saddam Hussein: Security Council Mandates and Preemptive Self Defense" and "Unilateral Action in a Multilateral World", paper presented at IPA-UNU-KPI Bangkok workshop.

[15] David Krieger, "The War on Iraq as Illegal and Illegitimate", paper presented at IPA-UNU-KPI Bangkok workshop.

[16] Charlotte Ku, "Legality and Legitimacy in the Use of Force in the 21st Century", paper presented at IPA-UNU-KPI Bangkok workshop.

[17] Simon Chesterman, "Postwar Relations between Occupying Powers and the United Nations", paper presented at IPA-UNU-KPI Bangkok workshop.

retrospect, shaky. Indeed, evidence that the intelligence offered to those decision-makers at the time did not reasonably support their conclusions makes such justifications unsound.

To some degree, the 'humanitarian intervention' justification lingers. Claims that the invasion was justified on humanitarian grounds have been dealt a serious blow by the failure of the occupying Coalition to provide security and the serious deterioration in living conditions in the country. But supporters of the humanitarian intervention justification point out that this is to criticize the execution, not the *ex ante* claim to justification. Some participants in the Bangkok meeting suggested the Iraq invasion was an archetypal case of humanitarian doctrine providing a figleaf for aggression; others suggested that the invasion was properly justified on humanitarian grounds; and others still suggested that if it was not so justified, it should have been – an example of legitimacy outpacing legality.[18]

The Iraq Crisis offers the opportunity for reflecting in some detail on how emerging standards of humanitarian intervention – particularly *The Responsibility to Protect* framework[19] – might be applied in practice. The procedural requirements involved in giving the green light to any effort to discharge that Responsibility through outside military intervention must be, as one participant described them, 'high and tight'.[20] The Iraq Crisis emphasized the central role of consensus and majority opinion in translating humanitarian legitimacy into international legality. The Crisis also provided an opportunity for thinking about the operationalization of different aspects of the framework. For example, while the US and the UK might be said to have assumed a Responsibility to Rebuild Iraq, it might be that the manner of their intervention has rendered them incapable of safely assuming that Responsibility. If the ongoing presence of their troops was actually doing more harm than good, it might fall to others – perhaps through the UN – to assume that Responsibility with, for example, US and UK financial support.

(l-r) Mr. Salim Lone and Professor Brian Job

Alternative visions

The shift away from universal legal procedures and the invocation of non-legal sources of legitimacy opens– a space for "norm-entrepreneurs" to propose alternative visions of world order, ranging from the global peace movement to "neoconservative" hawks and Islamist militants. The future of multilateral institutions will be affected not only by US preponderance, but also by the visions promoted by such norm entrepreneurs. A crucial challenge to the UN is for it to serve as an adequate forum to contain such contests of ideas. If it fails to do so, the legitimacy of UN resolutions and guidelines will erode, and it risks becoming, as one participant put it, a "modern-day Warsaw Pact".

In some cases, these alternative visions threaten to engulf the UN in conflict that the organization is ill designed to mediate. Such is the case in the clash between non-state Islamist militants and "the West". It has been commonly suggested that Iraq has become a focal point for Islamic *jihad*, similar to the Soviet occupation of Afghanistan. Many participants in Bangkok also emphasized that much Islamist militancy is a product of a broader feeling of disempowerment, disenfranchisement, and alienation. The lack of broad and visible agitation in the Middle East following the

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[18] Nicholas Wheeler, "The Norm of Humanitarian Intervention after Iraq", paper presented at IPA-UNU-KPI Bangkok workshop.

[19] International Commission on Intervention and State Sovereignty, The Responsibility to Protect (2001).

[20] Ramesh Thakur, "Iraq and the Responsibility to Protect", paper presented at IPA-UNU-KPI Bangkok workshop.

Iraq Crisis may only mean that the Arab Street has transformed into the "Arab Basement".[21] As an institution serving the interests of the states that are the expressed enemies of such militants, the UN is poorly suited to serve as a venue for mediating in the confrontation between militant Islam and "the West". In addition, UN-based efforts such as Security Council Resolution 1373 contribute to the sense that the UN is an instrument of P-5 repression via the "War on Terror".[22] What the UN can do is to steer likely recruits away from militancy by linking their prospects to the objectives promoted by the UN system. Participants noted that priority areas include the Israeli-Palestinian conflict and enhancement of economic and political opportunities.

(l-r) Professor Nicholas Wheeler, Mr. Hans von Sponeck, Dr. Fred Tanner, and Dr. Ekaterina Stepanova

Implications for UN Reform

The Security Council

In the midst of these challenges, Kofi Annan's decision in late 2003 to commission the High Level Panel on Threats, Challenges and Change (HLP) and to initiate a process of reform has created an important opportunity. It will ultimately be up to the Member States to carry that process through. Much attention falls on proposed reforms of the Security Council, especially in the expansion of its membership. The discussion above suggests that such expansion may contribute to holding the US's interest in the Security Council to the degree that it increases the Council's legitimizing currency without introducing major procedural and political constraints.

The capacities of the Security Council also require attention, especially in mitigating North-South tensions. The 1990s have seen the Security Council take on an increasingly legislative role – especially in Resolutions 687 (the Iraq ceasefire), 1373 (the Counter-Terrorism Committee), 1422 (first of the ICC-exemption resolutions) and most recently 1540 (criminalizing certain WMD proliferation activities). Resentment of the

'unelected 5', as some Bangkok participants termed the P-5, will only grow if this rule by legislative fiat continues. Legislative resolutions should be subjected to stringent standards of debate, transparency and accountability. One proposal might be for all such resolutions to first be debated in or even approved by the General Assembly.

There are a number of procedural reforms within reach that may also help to alleviate the Council's legitimacy deficit, including the following:

• Inviting non-members onto committees
• Giving a greater voice to civil society groups
• Extending formal monitoring power to sub-committees modeled on Groups-of-Friends lines
• Creating a system of notice and comment for routine and repetitive resolutions such as the renewal of peace operation mandates or for 'legislative' resolutions
• Using partnerships with other UN bodies such as ECOSOC, the IMF and World Bank to develop long-term plans of action on specific issues such as the achievement of the Millennium Development Goals or related benchmarks

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[21] Amin Saikal, "Reactions in the Muslim World to the Iraq Conflict", and Hasan Askari Rizvi, "Iraq and World Order: A Pakistani Perspective", papers presented at IPA-UNU-KPI Bangkok workshop.

[22] Such was the nature of the indictment of the UN made by Osama bin Laden in his address broadcast on Al Jazeera on November 3, 2001 in the wake of the invasion of Afghanistan.

Revise or reverse?

The changes demanded relate not only to the need to make the UN more inclusive or to realign the structures to more closely match the global distribution of power, but also to improve the UN's performance relative to its stated principles and objectives. The list of complaints is long and in some places possibly even contradictory. In assessing reforms options, the key underlying question is: to revise or to reverse?

The "revise" approach is to increase UN capacity to better perform the broad range of tasks that have slowly accrued in its domain of responsibility. Proposals for improving UN performance have ranged from the addition of new permanent or long-term Security Council seats, to revival of the Trusteeship Council for the purpose of transitional administration, to a greater emphasis on soft security issues. This may involve cutting away some of the non-performing bodies. But the basic sense is to accept the broadened domain of responsibility and to build up institutions accordingly.

The "reverse" approach treats such broadened responsibilities with skepticism, especially as aroused by the UN's efforts vis-à-vis Iraq. Some participants pointed out that the Oil-for-Food, sanctions, and weapons inspections programs in Iraq demonstrated that the Secretariat and Security Council are not well suited to such complex operations. States may be better endowed to take on such tasks. This 'reversal' approach to UN reform advocates that the Security Council should, instead, stick to what it has traditionally been good at: brokering peace accords and interposing peacekeeping forces where there is peace to keep. The UN cannot be the panacea for all the world's ills. Attempts at reform must be realistic about what the UN can and cannot achieve. Nor does any reversal need to be uniform: the UN might reverse in some areas and on some issues, and revise in others.

Regional organizations

Some participants proposed greater reliance on regional organizations and other subsidiary mechanisms, but with strong and precisely defined reporting and controlling lines between those organizations and the Security Council. A more inclusive Security Council would have greater legitimacy to establish broadly stated norms, setting down baselines and guidelines for performance by subsidiary organizations. Those organizations might then bear responsibility for operationalizing those guidelines and implementing the programs of action mandated by Security Council decisions. At the same time, the greater proximity of those organizations to events on the ground may improve the effectiveness of implementation for a wide range of reasons, from increased political and cultural sensitivity and capital to reduced response times.

Other participants sounded a cautionary note on this delegated-regulation model, arguing that the world is far from being able to operate along such lines. A stronger regional organization in the Middle East might have offered stiffer opposition to outside military intervention in Iraq, and might also have made that intervention less necessary, by exercising positive influence over Iraq to comply with international norms. But none of the regional organizations in place in the Middle East were capable of playing such a role. This ineffectiveness stood for many participants at the Bangkok Meeting as an unmistakable warning *not* to rely on regional organizations to police international security, despite the contemporary cant.

Conclusion

The Iraq Crisis has revealed a number of structural and normative challenges to UN-centered world order. It is up to the UN member states to determine how to respond to these challenges, perhaps by aligning institutional powers and structures more closely with the existing distribution of power, by making participation more inclusive at other levels, by revising the UN's institutions to improve organizational performance, or by engaging in a reversal to limit the UN's domain of responsibility. It is likely that each approach will be necessary to some degree to make the UN more effective and to restore its tarnished legitimacy.

ANNEX 1: Agenda

Conference on
THE IRAQ CRISIS AND WORLD ORDER:
STRUCTURAL AND NORMATIVE CHALLENGES

Jointly hosted by The King Prajadhipok's Institute, The United Nations University,
& The International Peace Academy

16 - 18 August 2004

Miracle Grand Convention Hotel
Bangkok, Thailand

Monday 16 August 2004

19.00-21.00   WELCOME RECEPTION AND REGISTRATION

                           Welcoming remarks:

                           H.E. Mr. Uthai Pimchaichon, Speaker of the House of Representatives, Government of Thailand.

Tuesday 17 August 2004

9.00 - 9.15   OPENING REMARKS AND INTRODUCTION OF THE PROGRAM

                           Professor Noranit Setabutr, Secretary General, King Prajadhipok's Institute.

                           Professor Ramesh Thakur, Senior Vice Rector, The United Nations University, and Assistant Secretary-General, United Nations.

                           Dr. David M. Malone, President, International Peace Academy.

9.15 - 10.45   SESSION I: IMPLICATIUONS OF THE IRAQ CRISIS: STRUCTURAL AND NORMATIVE CHALLENGES

                           Chair: **Dr. David M. Malone**

                           <u>Unipolarity and Westphalian Sovereignty</u>:
                           Professor Mohammed Ayoob, University Distinguished Professor of International Relations, Michigan State University.

Disconnect between Threats to International Peace and Security and State Sovereignty:
Professor Brian Job, Director, Centre of International Relations, University of British Columbia.

Postwar relations between Occupying Powers and the United Nations:
Dr. Simon Chesterman, Executive Director, Institute for International Law and Justice, New York.

Discussant: **Professor Ramesh Thakur**

11.00 - 12.30   SESSION II: LOCAL PERSPECTIVES FROM WITHIN THE REGION, 1ST PANEL

Chair: **Professor Noranit Setabutr**, Secretary General, King Prajadhipok's Institute.

Israel: **Professor Mark Heller**, Principal Research Associate, Jaffee Center for Strategic Studies, Tel Aviv University.

Turkey: **Dr. Ayla Gol**, Lecturer, International Relations Department, London School of Economics & Political Science.

Lebanon: **Professor Latif Abul Husn**, Lecturer, Department of Political Studies & Public Administration, American University of Beirut.
Paper presented by Professor Amin Saikal.

Discussant: **Professor Amin Saikal**, Director, Centre for Arab & Islamic Studies, The Australian National University.

13.45 - 15.15   SESSION II: LOCAL PERSPECTIVES FROM WITHIN THE REGION, 2ND PANEL

Chair: **Professor Ramesh Thakur.**

Muslim world (incl. OIC): **Professor Amin Saikal**, Director, Centre for Arab & Islamic Studies, The Australian National University.

Iran: **Professor Anoush Ehteshami**, Director, Institute for Middle Eastern and Islamic Studies, University of Durham. *Paper presented by Mr. Cyrus Samii, Senior Program Officer, International Peace Academy.*

Egypt: **Professor Ibrahim Karawan**, Director, Middle East Center, University of Utah. *Paper presented by Professor Hasan Askari Rizvi.*

Discussant: **Professor Hasan Askari Rizvi**, Security Analyst and Professor Emeritus, Punjab University.

15.30 - 17.00   SESSION III: PERSPECTIVES FROM EXTERNAL ACTORS, 1ST PANEL

Chair: **Professor Ramesh Thakur.**

UNSC: **Dr. David M. Malone**, President, International Peace Academy and **Mr. James Cockayne**, Research Fellow, International Peace Academy.

NATO: **Dr. Fred Tanner**, Deputy Director, Geneva Centre for Security Policy.

ASEAN: **Dr. Surin Pitsuwan**, MP and Former Minister of Foreign Affairs, Government of Thailand.

Discussant: **Mr. Hans von Sponek**, Former UN Humanitarian Coordinator for Iraq, and Associate, The Transnational Foundation for Peace and Future Research.

Wednesday 18 August 2004

9.00 - 10.30   SESSION III: PERSPECTIVES FROM EXTERNAL ACTORS (CONT'D), 2ND PANEL

Chair: **Professor Vanchai Vatanasapt**, Director, Center for Peace and Govenance, King Prajadhipok's Institute.

Latin America: **Professor Monica Serrano**, Professor of Politics, Centro de Estudios Internacionales, El Colegio de México.

Pakistan: **Professor Hasan Askari Rizvi**, Security Analyst and Professor Emeritus, Punjab University.

Non-Aligned Movement: **Ambassador Hasmy Agam**, Ministry of Foreign Affairs, Malaysia. *Paper presented by Professor Ramesh Thakur.*

Discussant: **Professor Mohammed Ayoob**, University Distinguished Professor of International Relations, Michigan State University.

10.45 - 12.15   SESSION III: PERSPECTIVES FROM EXTERNAL ACTORS, 3RD PANEL

Chair: **Dr. Waheguru Pal Singh Sidhu**

Russia: **Dr. Ekatarina Stepanova**, Senior Researcher, Center for International Security, Institute of World Economy and International Relations, Moscow.

Japan: **Professor Yozo Yokota**, Senior Adviser to the Rector, United Nations University, and Faculty of Law, Chuo University.

Germany: **Professor Harald Mueller**, Director, Peace Research Institute, Frankfurt. *Paper presented by Dr. Fred Tanner.*

Discussant: **Dr. Fred Tanner**, Deputy Director, Geneva Centre for Security Policy.

13.45 - 15.15 SESSION IV: BROADER CONCEPTUAL AND THEORETICAL ISSUES, 1ST PANEL

Chair: **H.E. Mr. Anand Panyarachun**, Chairman, United Nations High-Level Panel on Threats, Challenges and Change. (TBC)

Common Enemies: The US, Israel, and the World Crisis: **Dr. Tarak Barkawi**, Lecturer, Centre of International Studies, Cambridge University.

Iraq and the Competing Cultures of Geostrategy and Solidarity: **Dr. Jean-Marc Coicaud**, Head, United Nations University, New York Office.

The Role of the Media: **Mr. Salim Lone**, Former Director of Communications for the UN Mission in Iraq.

Discussant: **Professor Brian Job**, Director, Centre of International Relations, University of British Columbia.

15.30 - 17.00 SESSION IV: BROADER CONCEPTUAL AND THEORETICAL ISSUES, 2ND PANEL

Chair: **Professor Vanchai Vatanasapt**, Director, Center for Peace and Governance, King Prajadhipok's Institute.

The United Nations, the Universalisation of Human Rights Norms, and the International Use of Force: **Professor Nicholas Wheeler**, Professor, Department of International Politics University of Wales, Aberystwyth.

Iraq and the Responsibility to Protect: **Professor Ramesh Thakur**, Senior Vice-Rector, United Nations University, and Assistant Secretary-General, United Nations.

The War on Iraq and International Legality and Legitimacy: Papers by **Professor Ruth Wedgwood**, Edward B. Burling Professor of International Law and Diplomacy, School of Advanced International Studies, Johns Hopkins University; **Dr. Charlotte Ku**, Executive Director and Executive Vice President, American Society of International Law; **Professor Richard Falk**, Albert G. Milbank Professor Emeritus of International Law and Practice, Princeton University, Nuclear Age Peace Foundation; and **Dr. David Krieger**, President, Nuclear Age Peace Foundation. *Papers presented by Dr. Simon Chesterman and Professor Yozo Yokota.*

Discussants: **Dr. Simon Chesterman** and **Professor Yozo Yokota**.

17.00 - 17.15 CLOSING REMARKS

ANNEX II: List of Participants

Professor Mohammad Ayoob
Michigan State University

Dr. Tarak Barkawi
University of Cambridge

Dr. Simon Chesterman
New York University School of Law

Mr. James Cockayne
International Peace Academy

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United Nations University

Professor Ayla Gol
London School of Economics and Political Science

Professor Mark Heller
Jaffee Center for Strategic Studies,
Tel Aviv University

Professor Brian Job
University of British Columbia

Mr. Salim Lone
Formerly United Nations Mission in Iraq

Dr. David M. Malone
International Peace Academy

Ms. Midori Okabe
United Nations University

Mr. Anand Panyarachun
High-level Panel on Threats, Challenges and Change

Mr. Supanat Permpoonwiwat
King Prajadhipok's Institute

Mr. Uthai Pimchaichon
Government of Thailand

Dr. Surin Pitsuwan
Government of Thailand

Professor Hasan Askari Rizvi

Professor Amin Saikal
Australian National University

Mr. Cyrus Samii
International Peace Academy

Professor Monica Serrano
El Colegio de Mexico

Professor Noranit Setabutr
King Prajadhipok's Institute

Dr. Waheguru Pal Singh Sidhu
International Peace Academy

Dr. Ekatarina Stepanova
Institute of World Economy and International
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Geneva Center for Security Policy

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United Nations University

Professor Vanchai Vatanasapt
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Ministry of Foreign Affairs, Malaysia

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University of Durham

Professor Richard Falk
Princeton University

Professor A.J.R. Groom
University of Kent

Professor Ibrahim Karawan
University of Utah

Dr. David Krieger
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