THE ROLE OF THE UNITED NATIONS IN THE EMERGENCE AND SECURITY OF SMALL STATES

Waliur Rahman

Historical Background: Supremacy of the Strong over the Weak Since the early dawn of history, men have sought security and protection through the creation of good-will and friendship within their own tribe, their community and their neighbourhood. The transformation from nomadic existence to settled life marks an important change in man's approach to his fellow man. It required gradual development of a whole body of rules and principles governing his individual and corporate conduct and the creation of an atmosphere within which economic and social progress could be pursued in peace and security. Nonetheless, the supremacy of the strong over the weak continued to be the main feature of the system. Imperialism and colonialism which characterised international relations of the 18th and 19th centuries are but global manifestations of the same phenomenon. During the time a handful of European powers succeeded in imposing their political and economic will on the rest of the world through a policy of colonisation in large parts of Asia, Africa and Latin America. The strategy pursued by them in attaining their objective was to maintain balance of power among important European nations through a series of agreements and secret understanding. Whenever this balance was disturbed, war broke out and a new balance of power was sought to be established. Smaller nations in Europe tried to safeguard their interest through alignment with one or the other major powers. The stability of the 19th century thus hung on the thin string of good-will on the part of the dominant European powers.

The out-break of the First World War and the formation of the League of Nations is a turning point in the history of international relations. In spite of the many well-known draw-backs inherent in the system the League of Nations, for the first time, sought to put international
relations within a multilateral framework. It also attempted the creation of a system of Collective Security hitherto unknown. There is, however, no denying the fact that the League itself was founded on the assumption of supremacy of the western industrial metropolis. It was, therefore, inherently unable to create a stable international system.

The next effort to establish a stable system of international relations was the creation of the United Nations Organization after the Second World War. The ability of the UNO to build and guide a new and creative system of international relations, however, depended crucially upon the relationship between the United States and the Soviet Union. The growing rivalry and lack of understanding between the two superpowers immediately after the war led to the emergence of new political and economic alliances along ideological lines. The formation of NATO, Warsaw Pact, the Common Market and the COMECON in a way marked a reversal of the process initiated by the establishment of the United Nations. The universal Collective Security System envisaged in the UN Charter could not become operational.

Collective Security is a worldwide agreement or arrangement through which states try to avoid, prevent or stop wars. Even the Treaty of Westphalia, signed in 1648 after the Thirty Years War, mentions the obligation of the signatories “to defend and protect all and every article of the peace against anyone…...and to join the injured party, assist him with counsel and force to repel the injury”.¹

There were isolated attempts in history to insert the idea of collective security in various treaties and agreements; however, never did the concept receive such serious and elaborate explication as in the case of the Covenant of the League of Nations signed on June 28, 1919.

The disintegration of the Austrian, Russian and Turkish empires and the general destruction of industries and economies of other European powers created a universal concern for a continued and lasting peace to be supervised by an international machinery which would isolate and check the aggressor.

At the outbreak of the First World War, the U.S. President, Woodrow Wilson, soon to become the most vociferous champion of collective security, was an ardent opponent of the age old European concept of balance of power which, because of the permanent temptation of every power to alter the balance in its own favour and a general
disregard to the claims of nationalism and democracy, was perceived by many as responsible for the conflicts and wars in Europe.

The failure of the League of Nations to avert and Second World War did not destroy the conviction that only by forming a general organization of states could we have a system of collective security achieved which could protect the international community from the scourge of war. The allies were, even in 1941, calling themselves "The United Nations" and by 1943 the Moscow Declaration had recognized "the necessity of establishing at the earliest practicable date a general international organisation based upon the principle of sovereign equality of all peace-loving States, large and small, for the maintenance of international peace and security". The formulation of definite plans for such an organization took shape in stages, at Dumbarton Oaks in 1944, at Yalta in 1945, and finally, at the San Francisco Conference in 1945 where fiftyone Governments, upon the basis of the Dumbarton Oaks proposals prepared by the four sponsoring states together drafted the United Nations Charter.

The United Nations

The United Nations since it was founded in 1945, has gone through many vicissitudes: from 5 members at its inception, the membership of the world body has increased to 159 with the admission of the last member, Brunei Darus Salam. In spite of the many difficulties through which the world body has passed in its long journey from 1945, the continuing validity of the United Nations Organization is recognized by all the countries big and small, weak and powerful.

The United Nations is not a super-state or anything resembling a world Government. It is first and foremost a collective security system far more centralized than the League. The Security council can take decisions binding on the members, but, in the main, the Charter provides special forms of cooperation between sovereign states, supplementing the traditional methods of inter-state intercourse, an extending into fields of social and economic affairs, which lie outside the system of collective security. It proceeds essentially on the basis of voluntary cooperation by the members and 'commands' only in the limited field of enforcement action via the Security Council. It follows, therefore, that since each member remains sovereign, the organizations as such
has no competence in matters within the domestic jurisdiction of a State. Article 2(7) provides:

“Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII”.2

Small States Perspective

But inspite of the restrictive nature of the Article, the United Nations has shown extraordinary resilience since its inception. The Assembly’s recommendation in December 1946 that Spain be debarred from membership of any international organization or conference connected with the United Nations and from any discussion on the Tunisian, Moroccan and Algerian questions, have brought forth strong protests from Governments concerned. In the case of Bangladesh, it was pleaded ad nauseam that the ‘East Pakistan’ case was essentially an internal matter and therefore, any outside initiative to resolve the issue would run counter to the spirit of the Charter; the world community judged the case in different light. The crisis became serious enough to threaten international peace and security and ipso facto ceased to be essentially domestic.

The experience of Bangladesh is an interesting one in that the United Nations was instrumental in lending the conflict arising out of the politico-military action in Bangladesh - a better international exposure and recognition. The existence of UNEPRO and UNROD (later UNROB) was important in establishing a link between Bangladesh and the world. The Secretary-General’s decision, in accordance with the mandate given to him by the General Assembly in resolution 2790 (XXVI) and the Security Council resolution 307 (1971) to continue to furnish humanitarian assistance to the area, enabled the organization to act as the catalyst and coordinator needed to mobilize and deliver assistance. As Thomas Oliver said, “The United Nations operation served as a political umbrella under which donor Governments, inter-governmental organization, and voluntary agencies could work in cooperation with the Government of Bangladesh to save the country from disaster......... When the first phase of the operation came to an end in March 1973,
Bangladesh was, as the development conference convened by the Government in Dhaka recognized, ready to move from the relief phase into the phase of reconstruction and to begin the long climb to an acceptable level of development. As Dr. Kurt Waldheim said during his visit to Dhaka in February 1973, the operation had provided a rare example of international cooperation that “has enlarged the scope of constructive United Nations action”. Like Bangladesh, an overwhelming majority of the member-states of the United Nations are relatively small and they attained independent nationhood in the sixties. In this connection the UNGA resolution 1514 (XV) 1960, on decolonization played a catalytic role.

The founding fathers of the United Nations had one predominant thought in their mind i.e., how to ‘save succeeding generations from the scourge of war’. To the extent that a global war has been averted, since 1945, the charter has been a successful instrument in maintaining peace. The Charter notwithstanding, wars have been fought and conflicts are taking place all over the world. It is estimated that over hundred wars have been fought with the loss of millions of lives since the adoption of the UN Charter. Questions have, therefore, been asked as to the efficacy of the UN in avoiding wars and conflicts. For a moment it was perceived that the balance of power concept had been thrown to the dustbin of history, but then article 51 of the Charter did resort, albeit in a more modified form, to some kind of balance of power concept for ensuring the security of the small states.

Dr. Talukder Maniruzzaman in his monograph on The Security of the Small States in the Third World has made some very interesting remarks. He says, “Ideally, the best arrangement for the security of small states would be a global collective security-system where any aggressor would be resisted and punished by all the other states.” It is for this reason that the small states seek so earnestly membership of the United Nations and take the deliberations at the various organs of the UN so seriously. Of course, UN membership gives the small states a degree of confidence and dignity unequalled in any period of their history. But the formal power of the Third World states’ majority has turned the UN into an unreal voting strength of the Third World states within the UN and the power structure in its external international political environment.
Furthermore, there are built-in restrictions on the capacity of the UN to act as an organ of collective security. The pragmatic framers of the UN Charter were well able to understand that the UN would not work without the veto right for the great powers. Moreover, it is doubtful that the collusion of the great powers would have been more favourable to the small states’ security. The way in which three great European powers—Russia, Austria and Prussia—colluded in 1772, 1792 and 1795 to divide Poland among themselves shows that the concerned action of several powers might actually be harmful to the independence and territorial integrity of the smaller states. From 1939 to 1940 Stalin achieved his territorial objectives in the Baltic region and Eastern Europe in alliance with Hitler. The collusion of the Allied Powers during the closing days of the Second World War provided another disheartening example. While the Atlantic Charter was being issued, the Allied Powers were dividing Europe and Korea into their respective spheres of influence without any reference to the peoples concerned. In any case, given the conflicting ideologies and interests of the great powers, any concerted action by them would not have lasted long, even without the provision of the veto power.

It is not always emphasized that the framers of the UN Charter did provide a prescription for dealing with grave international crises involving the great powers. This is to be found in Article 51 of the UN Charter which recognises ‘the inherent right of individual and collective self defence’. After having failed to provide for the ideal of collective security on pragmatic and practical grounds, the framers of the Charter advised the states, through Article 51 to establish alliances for collective defence to deal with the aggression or threat of aggression by the great powers (or their proteges) who are able to take cover under the veto rule to avoid the UN sanctions. In other words, as second best, the Charter recommends the system of the balance of power to ensure the security of states. We thus find the preambles of such international alliances as the North Atlantic Treaty Organization, the Warsaw Pact, the Charter of the Organization of American states, and the Charter of the Organization of the African Unity are all based on ‘the purposes and principles of the United Nations’. Does the key to the security of the small states, then, lie in the operation of the system of the balance of power?
The smaller states, at least some of them, have tried to redress the lacunae, as it were, in the Charter by amending it particularly its provisions relating to the veto power of the 5 permanent members of the United Nations. This move, however, is likely to be unsuccessful since the whole concept and philosophy underlining the framing of the Charter of the United Nations pre-supposes weighted power for the 5 permanent members. There is already a resolution purported to strengthen the Collective Security Provisions of the UN Charter—all these efforts tend to put renewed trust of the smaller states in the world body: it is a demonstration of their confidence in the UN since the UN has lent a new dimension to the respect and dignity of the small states hitherto unknown in the history of mankind.

It is true that “security is not a gift for the international community. Nations do not present gift”. The principles and purposes embodied in the Charter of the UN, however, constitute the best possible instrument in guaranteeing safety and security of the world.

The tremendous economic and social benefits flowing from the UN system to the developing small states give a new dimension to the trust of the small states in the efficacy of the UN system. The Charter together with the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, International Covenant on Civil and Political Rights and Optional Protocol hold out the best hope for the security, political as well as economic of the small states.

The adoption of the resolution in the 41st Session of the UNGA declaring that decision on financial matters will be taken by consensus is indeed a milestone. The small states, while not wishing to sacrifice the principle of one country one vote, the philosophy of democratization underlying the Charter, did not at the same time want to be seen as irresponsible in not adequately responding to the worst ever financial crisis faced by the UN system. The adoption of this resolution has, therefore, been termed and rightly so as historic by the President of the 41st Session of the UNGA. It is not only a victory of the common-sense, but also a victory for the UN in bestowing upon itself greater resilience in meeting the felt needs of the international community in general and the small states in particular.
Notes


2. UN we believe and other Essays - Waliur Rahman.

3. The United Nations in Bangladesh—Thomas W. Oliver.

4. Foreign Policy of Bangladesh - Edited by Emajuddin Ahamed

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