

Remarks
Federalist Society for Law and Public Policy
Ambassador John D. Negroponte
November 13, 2003

Thank you for that kind introduction. It's a great pleasure to be here with you this afternoon to participate in what surely must be one of the best programs assembled for a Washington convention in years.

I don't think I've been in the presence of so many lawyers since my brief stay at Harvard Law School some forty years ago. Fortunately for me, at least, the Foreign Service intervened with an offer I couldn't refuse, and so I switched from studying contract law to consular training, and have been rather happy about it ever since. True, the pay isn't as good, but the courtroom of international affairs has provided some fascinating challenges.

None of these has been more stimulating than my current assignment at the United Nations, and that's what I would like to talk with you about this afternoon—sovereignty, the United Nations, and US national interests.

In 1945, after two World Wars and the failed experiment with the League of Nations, the international community took a new look at an old problem: how to maintain peace in a world of independent and sovereign nation states. The solution was the articulation of fundamental rules regarding the international use of force in the UN Charter and the creation of a forum and organization through which states could pursue their common interest in a strengthened peace and in achieving transnational solutions to transnational problems.

The founders of the United Nations did not create a world government or even plant the seeds of one. Rather, they wanted to learn from the experience of the League and to engage the most powerful states in the enterprise of maintaining peace. Thus, they gave to the new institution a Security Council capable of taking decisions that all other member states, in the words of Article 25 of the UN Charter, must "accept and carry out".

Without this authority, the UN would not have any chance to be more effective than the League of Nations.

You see, the founders of the United Nations recognized and accepted a fundamental truth about the nature of the world. In the words of the scholar,

Martin Wight¹: “International politics have never revealed, nor do they reveal today, a habitual recognition among states of a community of interest overriding their separate interest, comparable to that which normally binds individuals within the state.”

Thus, the Security Council at the heart of the founders’ vision was designed to enlist preponderant powers in the cause of securing the peace—and to encourage coalitions of said preponderant powers to maintain a balance of forces, especially if one of their members sought hegemony.

The United States was at that time and remains a preponderant power; but it did not then nor does it now seek hegemony. This feature of U.S. foreign policy makes us historically different from all other

¹ FYI: Martin Wight was an Oxford don in the ‘50s and ‘60s in political science. He wrote little but brilliantly and, through his teaching, had a big influence on an entire generation of international relations experts more famous than he.

preponderant powers in modern times and puts something of an asterisk next to realist statements about international relations. It also often confuses people and governments who assume that we must want to dominate because we have great power.

Of course, the United States has global interests, and where our national security truly is in jeopardy, we cannot and will not defer to other states. This is not hegemony, however; it's sovereignty, perfectly in line with the precepts of the UN Charter itself. Further, the threats to the United States of this nature are few, and we seek to delimit them as sharply as possible.

Indeed, we have many more national interests where the cooperation of other countries is welcome, to our benefit, and essential. These include matters in the aforementioned area of national security as

well as in the health, environmental, social, and economic areas. Such matters are given important places on member states' agendas for the United Nations and on the agenda of the UN Organization itself. Working on them constructively—supporting good ideas and opposing bad ones—is not easy. By now it's old news to you, I'm sure, that American foreign policy is subject to unique challenges at the United Nations. The tremendous effort required to advance positions within an institution comprising 191 nations inevitably generates undertows that threaten to sweep you where you do not necessarily want to go. But it is an analytic mistake to think of the UN as an independent entity separate and distinct from its members.

The UN is not a monolithic "other" standing over and against US interests. To be sure, there **are**

groupings of different kinds and characters within the UN, and at times these groupings are inimical to US interests. Yet the challenge is not to undo these affiliations any more than it is to adhere to a homogeneous multilateralism that brings us all together. The challenge is to keep advancing US national interests. In other words, American diplomacy at the UN can best succeed—and perhaps only succeed—if it remains focused, on message, and practical. We must establish and stick to priorities; and we must know when an issue is best dealt with outside the UN context altogether.

Having said that, let me run through some of the major issues it *has* made sense to address at the UN.

Terrorism: The nature of the war against terror is such that the President is pushing hard to promote

both homeland and international security at one and the same time. This is an extremely urgent and complex task. We have long worked closely with our friends and allies to fight terrorism, and the success we have had has been based in large part on that collaboration. The United Nations now plays an important role in the effort to deny terrorists every conceivable nook and cranny of operating room. From September 11 forward, the Security Council, the General Assembly, and the Secretary-General have understood and supported the requirements for worldwide action. The UN has been an important engine for putting counter-terrorism on every country's and every international organization's agenda. The Security Council's Counter-Terrorism Committee has proved its worth so far both in bringing institutions and states into the counter-

terrorism effort that previously had been on the sidelines and in serving as world-wide coordinator among international organizations. The Counter-Terrorism Committee also helps states in need of counter-terrorist assistance to obtain that assistance. The UN is not the only or the most important actor in the war against terror, but its contribution is real and constructive.

Afghanistan: Afghanistan was a terrorist-sponsored state. The US military and our allies took the lead in changing that, but the UN very quickly became a key partner in helping the Afghans establish an interim government, raise international financial support, and move in the direction of drafting and enacting a constitution. Indeed, the Secretary General's man in Afghanistan, Lakhdar

Brahimi, has done a brilliant job, as I was able to witness first-hand during my visit there last week.

Iraq: In many ways, Saddam made and sustained the case against his own regime himself, but in another sense, that case was made and sustained for many years at the United Nations. This was necessary and useful, but time ran out on Saddam when the President decided that the Security Council's numerous resolutions directed at his regime must be enforced. The President did this based on US vital interests, but not alone, and not without regard to the interests of the Iraqi people, or the people of the Middle East. Both before and after the liberation of Iraq, the debates and votes we engaged in at the UN have helped advance peace, reconstruction, and the eventual reintegration into the community of nations for 25 million Iraqis.

The Coalition and citizens of Iraq continue to face difficult challenges. There's no question about that. But Security Council Resolution 1511 strengthened the international framework for bolstering Iraq's future, and the UN-supported donors conference in Madrid generated more international resources for rebuilding Iraq on an entirely new political foundation than ever before committed to a single country.

Middle East: When the President's vision of two states, Israel and Palestine, living side by side in peace and security is achieved, three key UN resolutions—242, 338 and 1397—will have been the agreed framework for peace. Indeed, they are the only framework accepted by Arabs and Israelis. In this sense, the UN contribution to eventual Middle East peace has been substantial. Regrettably, one-

sided denunciations of Israel distract the Security Council from the real business of advancing peace and limit the degree to which the UN can usefully contribute to resolving a critical challenge.

Africa: The UN has devoted enormous amounts of time and money to the conflicts and humanitarian crises in Africa. Whether it is peacekeeping in Sierra Leone, seeking to bring an end to the fighting in Liberia, combating famine, or building and sustaining an international response to the AIDS pandemic, we have found useful partners within the UN framework.

To dwell on the question of humanitarian assistance for a moment, let me just point out that the United States is the world's largest provider of humanitarian food supplies, bar none, but we are able to deliver more food assistance at lower cost through the UN's World Food Program (WFP) than we

could do on our own. Last spring, a burgeoning food crisis in southern Africa convinced us that we had to act quickly. WFP clearly was the humanitarian organization most capable of helping us prevent a famine by delivering 566,000 metric tons of food aid to enormous populations in peril. Similarly, WFP laudably played a major role in averting potential humanitarian need in Iraq by ensuring the continuity of the food pipeline and distribution. So, we are WFP's major donor for good reason—it's in our interest, and it's in the world's interest as well.

I could go on at some length enumerating problems and challenges that the United States seeks to address but cannot do so alone. Two weeks ago the General Assembly approved the new UN convention against corruption, for instance, with strong US support. This improves prospects for the

effective use of our foreign aid abroad; it also improves prospects for American business abroad. As some of you may know through bitter experience, bribes were still tax deductible in certain countries ten years ago; and no international anticorruption treaties existed. The new UN convention is a milestone achievement in the global effort to ensure transparency, fairness, and justice in public affairs. This is vitally important, not only to the rule of law, but also to the fundamental confidence citizens must have for representative government and private enterprise to succeed.

In summary, ladies and gentlemen, we have no illusions about the limitations and weaknesses of the UN as an organization and as a forum. We were there at the beginning. It was not then nor should it ever become a substitute for member states.

Nonetheless, at the outset of the 21st century, we live in a world of interdependent economies, terror networks, migratory health crises, environmental challenges, and conflicts that too readily spill from one state and region to the next. Our democratic values as well as our global interests require that we do our part to address these problems. The United States therefore engages vigorously at the UN and supports it generously as its largest contributor because there are so many ways in which the UN enables us to express our sovereign views and to advance our national interests.

Our responsibility to ourselves and the world is to be the rule of law's relentless advocate and democracy's best friend. This, if anything, is the overarching task we confront each day at the UN—it is what holds our efforts together, and it provides a

great shield against those who would be our enemies
and a great support to those who would be our
friends.

Thank you very much.