

Is a Multipolar World a Concern to International Law?

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IS A MULTIPOLAR WORLD A CONCERN TO INTERNATIONAL LAW

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Abstract

There is no doubt that the events of the 21st century demand collaborative efforts on the part of the international community to deal with rising global issues. It is indisputable that global issues such as terrorism, nuclear programs in North Korea and Iran, human rights abuse, global warming/climate change, the global financial crisis, etc, demand a collective and collaborative effort on the part of all nations. This is so, in part, because of the level of resources required to address these problems, and the limited or dwindling resources of the few nations and institutions that have been responsible for promoting solutions to these issues.

It seems, therefore, that the need for a joint effort to address global issues is behind the popularity of a multipolar world. A notion, international law commentators have found very attractive and have embraced without circumspection.

The paper looks at what do we mean by a multipolar world. What changes have occurred to create a multipolar world beyond the need for collaboration? What is the role played by China and Russia in the emergence of the so called multipolar world? This paper also examines the proposal to restructure the United Nations Security Council to accommodate new powers (Germany, Japan, India, Brazil, and arguably, South Africa) and explores how the possible restructuring of the UNSC will affect the development, promotion, and application of international law. Should international law be concerned?

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**What Does Multipolar
World Mean?**

Polarity refers to the distribution
of power in the international
community.

What Kind(s) of Power?

- Economic,
- Military and;
- Political powers

What kinds of polarity exists?

Unipolar World

- A unipolar world exists where there is one hegemonic (dominating) state that holds a significant amount of power economically, militarily and politically.

Bipolar World

- A bipolar world on the other hand occurs when two states hold such dominating power which inevitably results in confrontation between the two parties (ex. Cold War).

Multipolar World

- A world having or conceiving of multiple centers of power or influence leading to a multiple approach to global issues.

Multipartner World?

- "We will lead by inducing greater cooperation among a greater number of actors and reducing competition, tilting the balance away from a multipolar world and toward a multipartner world," [Hillary Clinton, former U.S. Secretary of State]

What kind of world was created by the United Nations in 1945?

UN Charter, Preamble

- We the peoples of the United Nations (all states – UN Member States) determined;
- to reaffirm faith in the equal rights of men and women and of nations large and small,
- We the peoples of the United Nations (all states – UN Member States) determined;

UN Charter, Preamble

- And for these ends, to unite our strength to maintain international peace and security, and
- to employ international machinery for the promotion of the economic and social advancement of all peoples,
- **Have resolved to combine our efforts to accomplish these aims**

What changes have occurred to create a multipolar world?

Cold War - Bipolar

- Struggle for global leadership between the United States and the Soviet Union
- On December 25, 1991, the Soviet Union ceased to exist, eliminating the second "pole" and launching a debate about the new world order.

Post-Cold War - Unipolar

- United States [as the dominant force], its Western allies, and their shared economic and geopolitical interests were largely unchallenged in the international arena.

Beginning of Multipolar - China/Russia Relationship

- Fear of U.S. unipolarity inspired **China** and **Russia** to sign a "Joint Declaration on a Multipolar World and the Establishment of a New International Order" in Moscow April 23, 1997.

China/Russia Relationship

- China's decision to assert its own interest on a global scale
- Growth of Russian economy and new found faith in leadership

Emergence of New Economies

- Economic integration (WTO and Trade Agreements) led to economic balancing and development of military capacity
- The emergence of new economies such as Brazil, India, Germany, and Japan

Emergence of New Economies

- These new powers and other States in Asia, Latin America, the Middle East, and Africa are increasingly active voices in international institutions, such as – the IMF, the World Bank, and the WTO, and questioning the dominance of the West in these organizations

America's Woes

- America's faltering economy and a feeling of being overextended abroad
- General feeling of uneasiness with U.S.' questionable actions on its war on terror

What does multipolar world mean:

- The "decline of the West" and ascent of China, India, Brazil, and resurgence of Russia.

Restructuring United Nations Security Council

Restructure for Power?

- Restructure United Nations Security Council to reflect today's global power structure rather than that of postwar 1945
- All of the new economies – India, Brazil, Germany and Japan, as well as South Africa want to be permanent members of the UNSG

Restructure for Representation

- Restructure United Nations Security Council to reflect geographical representation consistent with equality of states
- Europe comprises less than 10% of the world's population but has a 40% vote in the UNSC

Restructure for Representation

- India is a country of over 1 billion people
- Latin America has over 560 million people and
- Africa over 1 billion
- Japan is the United Nations' second largest contributor to the UN
- These countries and continents get no veto on matters of war and peace

Using Veto Power

- Semi-permanent members without veto powers?
- New permanent members with veto powers?
- Allow veto only to peacekeeping and enforcement measures
- Requiring two vetoes instead of one

Chances of Success

- U.S. is receptive to an enlarged security council – President Obama in November 2010 promised India a permanent seat at the UNSC
- American exceptionalism
- Will Russia or China be willing to support Japan or India membership?

Should we be concerned?
Does this pose particular
challenges for international law
and institutions?

Affect of Multipolar World on International Institutions

- How does a multipolar world affect international law issues such as:
- the use of force and the law of armed conflict,
- governance and democracy,
- human rights law,
- environmental law,
- trade law,

Security Council and Client States

- "The shameless protection by P5 countries of client states from international censure did not end with the Cold War." [Middle East Professor Stephen Zunes of the University of San Francisco]

Security Council and Client States

- China's interest/view of the role of international law
- Russia's interest/view of the role of international law
- China's and Russia's questionable human rights records

What do you think now about the fate of international law in a Multipolar World?
