
INTERNATIONAL PEACE AND SECURITY IN MULTIPOLAR WORLD ORDER

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ABSTRACT

When we talk about the multi-polar world, we have seen that the world has gone through the Bipolar world during the Cold War era and the Unipolar world after the disintegration of the USSR. But now, we do not have only one superpower like the USA. We are now living in the era of multiple superpowers. We have emerging superpowers like India, China, and resurgent Russia. But when we talk about the basic purpose of the United Nations Charter to maintain international peace and security, have we succeeded in achieving this goal? Whether the current world order has been able to fulfill the objective of the UN charter. The international law or the charter of the United Nations has not been tested anywhere more than the conflict in Syria, where thousands of people have been killed and millions of people have migrated. The world has rarely seen such kind of inhuman mass migration. What have been the reasons that despite many superpowers like the US, Russia, and China, we have not been able to resolve the Syrian crisis? Is there an inherent default in the current bipolar world order? Is it the right time to go beyond this world order?

Introduction

When we talk about the charters of the United Nations, article 1(1) says about maintaining international peace and security. United Nations Security Council failed more often to perform its primary duty because of the veto power of its permanent members, most of the time, it happens due to different bipolar ideologies, whether Uniting for Peace Resolution 377 A (V), 1950 can play a subsidiary role for maintaining international peace and security? Whether uniting for peace resolution can give greater legitimacy to humanitarian military intervention? if an international crisis like Syria or Kosovo comes before us in the future again, when the General Assembly is dominated by third-world countries, can India play a leading role in invoking uniting for peace resolution as an emerging next superpower for world peace? In this article, instead of understanding and examining the perspective, on the title, referred to several articles, books, ICJ cases, comments, International Law Commission reports, and government documents, mentioned under the heading 'Bibliography'. During the literature review of various articles on the subject matter, it has been observed that the majority of authors talked about their dissatisfaction with the current world order. Here the author will discuss the following questions. 1. Is a multipolar world order possible without India's active global leadership? 2. Can the United Nations Security Council be replaced by the Uniting for Peace resolution due to its veto power impasse in preserving global peace and security? 3. Does the resolution of global crises like the war in Ukraine and the conflict in Syria have more credibility under a multipolar world order? 4. Is this not the appropriate moment to establish humanitarian military intervention as a standard international norm to address exceptional circumstances that pose a threat to global peace and security, such as the Syrian Conflict? 5. Can the international community use a fictitious or abstract concept of state sovereignty as a justification for not intervening while millions of defenseless civilians are killed or maimed?

The Role of the United Nations Security Council

When we talk about the United Nations Security Council, it has primary duty to maintain international peace and security. If we start from the Korean crisis (1950) to the Syrian conflict (2011). It has miserably failed to resolve this international crisis.¹ There are several reasons for the failure of the Security Council. First, whenever any international crisis like Syria happens, members of the Security Council are divided based on ideologies and

¹ United Nations Security Council has failed to maintain International peace and security under Chapter -7 of the UN Charter.

favoritism. Most of the council's resolutions are vetoed by other members. Second, the Security Council is the geo-political reality of 1945 when only 51 members were the part of United Nations. Now it has more than 193 members and we have still five permanent members. UNSC is grossly underrepresented in Africa, South America, and Asia. Therefore, we can say that the Security Council has failed in its primary responsibility to maintain international peace and security because of the bipolar world order, in which millions of people were killed in Rwanda, Kenya, Syria, and many more countries like them, in most of the cases, it has not taken any action because of the deadlock of veto power and in some, it has acted very late. So here, the researcher will find out, whether it is the right time for the International community to think of alternatives for maintaining international peace and security beyond UNSC resolution.

The Uniting for Peace Resolution in General Assembly

Uniting for Peace resolution was passed in 1950 by the General Assembly because of the veto by Russia during the Korean crisis.² Under this resolution, it was said that, if the Security Council fails to perform its primary duty to maintain international peace and security due to a lack of unanimity of permanent members, the General Assembly shall consider the matter immediately and may recommend collective action, including use of force if it is necessary to maintain or restore international peace and security. It also says that the General Assembly has the power to convene a special emergency session upon the request of nine members of the security council or by a simple majority of the General Assembly within twenty-four- four hours if it is not in session.

Uniting for peace resolution was a great achievement for the United Nations, so far, it has been invoked almost ten to eleven times and has been mostly successful. When we talk about the Suez Crisis in 1956, in which Israel and Egypt were the main parties, this issue was further complicated by France and the UK because of their Veto power in the Security Council. This issue was only resolved after passing a resolution by the General Assembly under Uniting for Peace which recommended keeping the United Nations Emergency Force on the disputed area. We have another example of the illegal occupation of Namibia by South Africa in 1981, in which the General Assembly passed a resolution against South Africa by urging strongly all states to cease individually and collectively all kinds of dealings with him to isolate it politically, economically, militarily, and culturally.

² The Uniting for Peace Resolution, Part A UNGA Resolution 377 A (V), 1950.

When we talk about the present situation, things have changed very much after 1999. The importance of United for peace resolution was undermined very much. This is surprising that there have been many more grievous international crises but this clause was not invoked by the US, UK, France, or other countries. When we talk about the Kosovo crisis in 1999, NATO interfered on the grounds of humanitarian intervention, because there was a deadlock in the security council due to Russia. This issue was not taken to the General Assembly under uniting for peace resolution, again there were other issues like Ukraine and Syria which were also not taken to the General Assembly. What happened suddenly was that these powerful nations were no longer interested in taking such an international crisis to the General Assembly. There is a strong line of argument that after the Cold War, the world is moving slowly towards a multi-polar world order. Earlier, most of the major powerful countries were divided into a bipolar world where countries were bandwagon with other powerful countries. Now we have countries like India, France, Brazil, Germany, and many more nations that have independent foreign policy and are not influenced by bipolar ideology. The most dramatic change happened after the Cold War the General Assembly was dominated by third-world countries, and it was very hard for the US, Russia, or China to pass any resolution.

So here, Uniting for Peace Resolution 377 A (V), 1950 can play an effective role in maintaining international peace and security when it is dominated by third-world countries. whether India can be a leading light for these third world countries in resolving international crises under uniting for peace resolution.

International Court of Justice and Uniting for Peace Resolution:

When ICJ was discussing the matter of the Israel Wall Advisory Opinion in July 2004, the court had talked about uniting for peace resolution, regarding the legality of the advisory opinion sought by the General Assembly while the matter was before the Security Council.³ The ICJ has said explicitly that the UNSC has primary responsibility in maintaining international peace and security but not exclusively, if the UNSC has failed to perform its primary responsibility because of the lack of unanimity of permanent members, uniting for peace resolution by the General Assembly can step in. Therefore, UNGA has subsidiary competence for the maintenance of international peace and security. The court had also

³ By resolution ES-10/14, adopted on 8 December 2003 at its Tenth Emergency Special Session, the General Assembly decided to request the Court for an advisory opinion.

interpreted Article 12 of the UN charter and talked about its evolving nature with time.

In this case, the court has made crystal clear regarding the legal sanctity of Uniting for peace resolution. Many countries still doubt and debate about the validity of uniting for peace resolution by saying that, whether it has the power to recommend the use of force in maintaining international peace and security.

Responsibility to Protect (R2P or RtoP) by the General Assembly

When we talk about the background regarding the Responsibility to Protect resolution,⁴ it came under consideration after the serious tragedy of Rwanda where 8 lacs people were killed in just 100 days. There was enough forewarning for the international community regarding this Genocide. It has been a faster rate of killing than holocaust. This was a deep sense of shame for the international community for their indifference and callousness. When a similar kind of ethnic conflict arose in Kosovo, it was dealt with by NATO without the authorization of the UNSC, which is still debatable regarding its legality by many nations. Therefore, the responsibility to protect is a global commitment to address four key concerns preventing genocide, war crime, crime against humanity, and ethnic cleansing. It was endorsed by all states of the United Nations at the World Summit 2005. The clearest formulation comes from Secretary-General Ban Ki-moon's 2009 report characterizing R2P as comprising of three pillars. Pillar one asserts that state sovereignty includes a responsibility to protect its population from atrocities. Building on this, pillar two affirms that the international community has a role to play in supporting states in fulfilling this responsibility. Finally, the third pillar suggests that if a state does not comply with its responsibility then the international community may take action, through peaceful means at first, but with potentially more coercive measures if necessary.

Humanitarian Military Intervention and Prohibition Against Use of Force

When we see the recent developments of international law under the United Nations, we see that there is a great debate between **state sovereignty** and **humanitarian military intervention**. Some people say that the sovereignty of the state is supreme, although it was taken from the Westphalian model but it took several centuries to develop and is still developing. They also say that humanitarian military intervention is unlawful and against

⁴ Responsibility to Protect (R2P or RtoP) Resolution 60/1 of 2005 was adopted by the General Assembly during World Summit.

Article 2(4) of the UN charter which says about prohibition against use of force. There are only two expressed exceptions for the use of force under Article -51 (right to individual or collective self-defense) and acts authorized by the Security Council under Chapter 7 of the UN charter. It is again a strong argument that humanitarian intervention would encourage powerful nations to interfere selectively for vested interest and would be the highest possibility for abuse of power, it will also set a dangerous precedent that would collapse the current international order.

But there is also another side of powerful arguments by those people who support humanitarian military intervention and say that although “humanitarian military intervention” was not permitted under international law as it existed in 1999, the law could or should develop a doctrine of “humanitarian military intervention”. For example, Professor Vaughan Lowe argued that it is desirable that a right of humanitarian intervention must be allowed or encouraged to develop in customary international law. No one, no State, should be driven by the abstract and artificial concepts of State sovereignty to watch innocent people being massacred, refraining from intervention because they believe themselves to have no legal right to intervene. This is also the argument by supporters of this theory that the protection of fundamental human rights is also vital to the purposes of the UN, as reflected in the preamble to the UN Charter. They also cite potential precedents for “humanitarian military intervention” such as Uganda, Liberia and now Kosovo.

Now the question arises, who will determine that there is an urgent need for humanitarian military intervention? If we face international crises like Rwanda and Syria, who will give the legitimacy to intervene in a state whose sovereignty and territorial integrity could be violated? Would the international community be a mute spectator in the name of an abstract concept of sovereignty of state? If the lives of millions of people are at stake, and we would be waiting for action by the security council which is always divided based on bipolar ideology and mostly paralyzed in doing anything. Is it not the right time to invoke the clause “Uniting for peace resolution 377 A (V)” for dealing with such kinds of international crises which will also give greater legitimacy to any humanitarian military intervention by taking the two-thirds majority of members-nation on board? But we have seen that neither in the case of Kosovo nor in Syria, uniting for peace resolution was invoked.

Opportunities and Challenges in the Multipolar World

Bipolarity was prevalent throughout the Cold War, which dominated a large portion of

the second half of the 20th century. After it ended, the USA ruled a "unipolar moment." The unipolar era is very quickly coming to an end; many academics believe that a multipolar/multicenter world is emerging, which Amitav Acharya (2014) likes to refer to as a "multiplex" world. India's foreign policy has both possibilities and problems in the new multipolar world. Barry Buzan discusses the growing dispersion of power in the context of rising powers in the new world order as a "rise of the rest," which would result in an international system with several regional powers, many great powers, and no superpowers (Acharya & Buzan, 2019). A small number of superpowers and their coalitions, as well as smaller, regional powers, international organizations, businesses, social movements, and terrorist networks, all influence the multicenter/multipolar globe. In the multipolar world, economic interconnectedness is intricate and varied. There are several levels of government in a multicenter world, and regional institutions and powers are far more important than in a bipolar or unipolar one (Acharya, 2014).

India has a lot of chances in a multipolar world. India's potential to influence the global order was limited by the unipolar American world order and the bipolar Cold War. As Western supremacy declines, new nations like India can actively participate in world politics. By fostering global interdependence, pursuing proactive shared leadership of global governance, and creating a favorable regional environment in South Asia and the Asia-Pacific, a multipolar world shaped by geopolitics increasingly gives India more options to pursue its national interests and leadership aspirations.

India's Foreign Policy under Modi

Modi's foreign policy establishes more ambitious international objectives for India while building on the groundwork established by his previous predecessors, former Prime Minister Manmohan Singh and Atal Bihari Vajpayee. Mohan, a prominent expert on strategic diplomacy, claims that India's new initiative under Modi is to use diplomacy to support economic development, strengthen ties with the diaspora, try to stop Delhi from being defensive on the international scene, give India's stances on trade and climate change more flexibility, create a new framework of pragmatic internationalism, and create a new vocabulary for Indian foreign policy. But in his interactions with China and Pakistan, the Prime Minister appears to have been far less prepared (Mohan, 2015, p. 203).

Economic Diplomacy

FDI inflows have hit a new high of US\$61.9 billion in 2017–2018. India's economic Diplomacy must be the handmaid of India's economic interests and serve the goals of speeding national development, according to Modi, whether it is negotiating trade deals, engaging with large nations or neighbours, or promoting India's spiritual legacy. Three goals have been given top priority by Modi: bringing in foreign direct investment (FDI), interacting with the 20 million Indians living abroad, and promoting India's involvement in regional and international fora. Modi's aggressive international marketing of India as a top investment destination has the dual goals of boosting his signature initiatives, including Make in India, Digital India, Skill India, and Startup India, and supplementing his foreign investment for infrastructure development. Between May 2014 and February 2018, more than US\$209 billion was invested in diplomacy. India has entered into several international bilateral agreements with the European Union (EU), the Association for South-East Asian Nations (ASEAN), Sri Lanka, Singapore, Thailand, and Malaysia as a result of the new prospects that have been discovered. In order to safeguard our trade interests, India has been fighting for increased market access for our products under the World Trade Organization's (WTO) Doha Development Round.

An examination of the Modi government's stances in trade negotiations shows consistency, but there are also discernible shifts in the way policies are made and their declared purpose. Compared to past governments, Modi's trade policy is more mercantilist in tone and has taken an overtly nationalist stance. Lastly, Modi has increased the centrality of policy and decision-making inside the Prime Minister's Office (Mullen, 2019, p. 19). Furthermore, some argue that India's major shortcoming is the government's failure to integrate investment, commerce, and technology into its foreign policy. In trade talks, the Modi administration has frequently demonstrated its incapacity and narrow-mindedness. Modi has adopted a more explicitly nationalist approach and a more mercantilist trade strategy than previous administrations. Finally, Modi has made the Prime Minister's Office a more central place for policy and decision-making (Mullen, 2019, p. 19).

Additionally, others contend that the government's inability to incorporate technology, trade, and investment into its foreign policy is India's main weakness. The Modi government has often shown its incompetence and narrow-mindedness in trade negotiations. However, given the EU's difficulties with Brexit and the USA's growing protectionist stance, New Delhi cannot shut down the largest economy in the world. Newer markets are necessary for India's

company to develop more quickly and realise economies of scale. If India participates, China may emerge as the new export destination. In a similar vein, increasing India's appeal to international investors by resolving their main issues with tax ambiguity, contract enforcement, and investment protection agreements will increase FDI inflows and further aid India's economic expansion. India ought to place greater emphasis on sound economic management. India, on the other hand, is moving towards a perplexed view of technology, with the competing technical ecosystems in the military and civilian sectors determining the future global order.

Conclusion

So here, we can see the binary in international politics, especially in the Syria conflict where on one hand, the US and other Western countries were against the Assad regime of Syria, and on the other hand, Russia and China were in favor of the current regime, So, we can say that Syrian crisis was prolonged for many years because of this bipolar system. One follows the socialist or Communist model of development and the other follows the pure Capitalist model of development. If a country follows one of these models, it becomes the enemy of those countries who follow the opposite model. We have a great charter of the United Nations, Security Council, International Court of Justice, and International Criminal Court, but all these organizations failed to resolve the Syrian Crisis. Therefore, this is the right time to go beyond this bipolar system where every powerful country is divided between two Ideologies, and because of this deadlock, most of the time the purpose and principles of the United Nations are failed. Now I strongly believe that we are entering into the era of a Multipolar world where a deadlock between two Ideologies could be broken and would be able to maintain international peace and security.

India can be the leading light for resolving this kind of international crisis through uniting for peace resolution as an emerging superpower. India is among the very few countries in the world that has good relations with the other two superpowers the US and Russia but has also the most independent foreign policy. There can be two ways to resolve any international crisis by India, first, by taking these two superpowers on board for negotiation, mediation, conciliation, or good office. Second, India can play an important role in taking this issue to the General Assembly for uniting for peace resolution. General Assembly is now dominated by third-world countries, which is why, the US, UK or other major nations are now reluctant to invoke this resolution. India can be a natural global leader for these third-world countries because we are not aligned with any of these two superpowers based on their ideology. we also

can be role models for these third-world countries because we have traveled a long way from a third-world country to an emerging superpower. As it was also said by current UN secretary general, Antonio Guttres when he visited our country recently there can not be a multipolar world order without the active involvement of India.

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