



To Save Israel, US Destroys International System it Built

Description

WORLD : In a conversation in 2020, Princeton Professor Emeritus Richard Falk told me that historically, colonized nations that have won the battle for legitimacy have always won their freedom.

Palestine is unlikely to be the exception. The Gaza war, however, is confronting the world with an unprecedented challenge, specifically to governments' relationship with international law and their obligations to international institutions, such as the United Nations, the International Court of Justice (ICJ), the International Criminal Court (ICC) and others.

"The government is not legitimate unless it is carried on with the consent of the governed," English philosopher John Locke said in the 17th century. This is not a mere theory, and it will always be applicable.

Consent, however, does not always reflect itself in the form of transparent and democratic elections. Legitimacy and loyalty to governments can be expressed in other ways as well.

Those who do not respect this maxim could easily find themselves embroiled in political upheavals and violent rebellions resulting from popular dissent.

To maintain a degree of international consensus, the United Nations was founded in 1945. It was obvious, from the very start, that the U.N. did not truly reflect the universal desires of all people.

To the contrary, it was structured on a hierarchical power paradigm, where the victors of World War II emerged as the masters, assigning themselves veto rights and permanent membership at the U.N. Security Council (UNSC). As for the serfs, they were assigned with far less consequential seats in the General Assembly.

The U.N. provided the absolute minimum platform of international legitimacy, but its unequal structure spurred yet another conflict, expressed in the words of British scholar Adam Groves, who described the "privileged status of the permanent five" in the U.N. Security Council not only "as a Western-centric relic of the past, but worse, a means for the status-quo powers to limit the influence

and development of other states.”

[To survive](#) the inequality of the new international system, smaller countries worked together to create alternative, albeit smaller, political bodies within the larger institutions.

They used their large numbers to overcome the concentrated power in the hands of the few. They exploited every margin to [represent the](#) rights of the world’s poorest and most oppressed nations.

The Non-Aligned Movement (NAM), founded in 1961, was one of several examples that served as, though in relative terms, a success story.

Molding a Version of Legitimacy

Throughout the years, the U.S. and its Western allies molded their own version of “legitimacy” in the way they interpreted international law, in the way they vetoed U.N. resolutions whenever they did not serve their interests, and in the way they isolated defiant members.

During the Soviet era, the U.N. and its relevant institutions seemed nominally balanced, as the world was, indeed, divided between East and West, which gave the Nonaligned Movement and other mostly Global South-based organizations and alliances greater political value.

Back then, China’s economic power did not allow it to impose its version of legitimacy on the rest of the world.

Things have changed. The Soviet front crashed in the early 1990s, breaking down a power paradigm that allowed Moscow to maintain a balancing act. On the other hand, China rose in power, slowly acquiring greater influence, thus legitimacy, from countries that grew reliant on the Chinese economic engine.

Another Shift

Another shift is underway. When one listens to the impassioned speeches of Russian, Chinese, Brazilian, South African, Irish, Egyptian, Saudi, and UAE representatives, one can see that international consensus is strongly coalescing around the legitimacy of international and humanitarian laws, not only regarding the ongoing war on Gaza, but in other matters of international peace and justice.

Yet, when U.S. Ambassador Linda Thomas-Greenfield raised her hand for the fourth time, on Feb. 20, casting yet another veto, thus rejecting the Algerian call for an immediate humanitarian cease-fire in the Gaza Strip, another pillar of international legitimacy broke down.

Even at the ICJ, when the whole world made a case for Palestinian freedom, the U.S. opposed. “The Court should not find that Israel is legally obligated to immediately and unconditionally withdraw from occupied territory,” the acting legal adviser for the U.S. State Department, Richard Vissek, said on Feb. 21.

Ironically, the U.S. has resorted to these various institutions, including the ICC, of which the U.S. is not even a member, to rationalize its actions in Iraq, in Serbia, in Libya, in Ukraine, and many other areas of conflict.

There will be consequences to all of this, and the coming years shall prove that the crisis in international legitimacy, resulting from the abuse of power, will hardly be rectified with superficial changes and reforms. The problem is now much more profound and destructive, and the price is simply too high to bear.

Military might alone is hardly enough for any country to acquire and sustain its legitimacy. Neither does economic influence or clever diplomacy. For legitimacy to be maintained, it requires much more than this, starting with the very basic premise that the spirit of international law was not meant to prolong war, but to end it.

By Ramzy Baroud

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