

The UN And The Rule Of Law

Kofi Annan is complaining that the US should sign up to the International Criminal Court rather than seeking an exemption **because:**

"It would discredit the council and the United Nations that stands for rule of law."

We should like to make something clear to Mr Annan. The United Nations does not stand for the rule of law and never has.

No doubt there are many pieces of paper in the UN building on which the word law appears. But those words confer upon the UN neither the right nor the ability to enforce the rule of law. For there are at least two additional requirements.

The first is that legitimate laws come about via a process that allows the people subject to those laws to replace the lawmakers by voting them out of office. The UN's 'laws' do not satisfy this criterion since (amongst other reasons) dictatorships are allowed to participate in making them.

The second requirement is that legitimate laws are enforced impartially on all parties subject to them. But suppose, for example, that the UN General Assembly passes a resolution condemning Israel for its **accidental** killing of children while it is trying to take out terrorists. Then it must also be willing to pass a **resolution** condemning Palestinian terrorists who deliberately murder Israeli children. The UN **does not** pass this test.

If the UN stands for any kind of rule, it is not the rule of law. It is the arbitrary rule of corrupt bureaucrats at the behest of mass-murdering tyrants.

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Rule Of Law

1. The UN's 'laws' do not satisfy this criterion since (amongst other reasons) dictatorships are allowed to participate in making them.

Does this also mean that U.S. laws do not satisfy this criterion since corrupt state regimes (such as Richard Daley's Illinois or Huey Long's Louisiana) are allowed to participate in making them?

2.The second requirement is that legitimate laws are enforced impartially on all parties subject to them. This a nice fantasy, do U.S. judges stopped for DUIs get the same treatment as a poor immigrant stopped for the same offense?

by a reader on Mon, 06/21/2004 - 03:39 | [reply](#)

Re: Rule Of Law

1) Umm, I googled those people and they *aren't in charge anymore*. Thus they are good examples of how corrupt leaders are replaced (well I didn't actually check if they were corrupt, but whatever). You'd need like some current governors who rig elections to have a case.

2) Although I expect you can find a few unfortunate example cases (no one is perfect), can you demonstrate that this happens consistently?

-- Elliot Temple
<http://www.curi.us/>

by [Elliot Temple](#) on Mon, 06/21/2004 - 04:52 | [reply](#)

Re: Rule Of Law

Perhaps the difference is that the UN has laws which dictatorships are allowed to participate in making them *indefinitely*, whereas damage caused by a corrupt mayor or governor in the US is limited by a finite term and impeachability.

-Nic

by a reader on Mon, 06/21/2004 - 16:58 | [reply](#)

Re: Rule Of Law

I agree with the above comment by Nic. The UN has no mechanism, even in principle, for excluding dictators from its decision making.

by [David Deutsch](#) on Mon, 06/21/2004 - 17:31 | [reply](#)

Make a new rule

I know this might not be easy to do given the structure of the U.N. as a world body which is not a world government. It does seem vital to have a U.N.. Therefore we might reasonably expect the U.N., or a viable world body alternative, to be an evolving body. This flaw needs to be corrected by the U.N. governing council or the U.N. will always be limited in its moral power and therefore also in its moral usefulness. Some dictators might not like it but rules can change for the better by a majority vote or by governing council action. The one problem with dictators is that they can be expected

to represent themselves but not the peoples of their country. How

might such resolutions regarding decision making be introduced?

by a reader on Mon, 06/21/2004 - 18:15 | [reply](#)

Why

...do we need a UN?

What has the UN ever achieved? How much has it cost, in money and in lives?

What *could* the UN ever achieve that voluntary international agreements and 'coalitions of the willing' could not?

There's no a priori advantage to uniting nations. Diversity and spontaneous order rule.

by [Tom Robinson](#) on Mon, 06/21/2004 - 21:52 | [reply](#)

As far as I can tell, we need

As far as I can tell, we need the UN because, even if it accomplishes little, its presence provides a useful focus of attention, and emotional outlet, for the types of people inclined to think that we need a UN. Those people might cause real trouble otherwise. ;-)

--Blix

by a reader on Mon, 06/21/2004 - 23:29 | [reply](#)

they *aren't in charge anymore*

because they are dead. Not good examples of how corrupt leaders are replaced. When they were alive they were notorious for their rigged elections.

by a reader on Mon, 06/21/2004 - 23:47 | [reply](#)

Re: they *aren't in charge anymore*

Are their sons in charge now? Isn't that how it works with dictators?

-- Elliot Temple

<http://www.curi.us/>

by [Elliot Temple](#) on Tue, 06/22/2004 - 15:41 | [reply](#)

Re: they *aren't in charge anymore*

Vladimir Lenin. Joseph Stalin. Nikita Khrushchev. Leonid Brezhnev. Konstantin Chernenko. Yuri Andropov. None of these men had their sons as successors.

by a reader on Wed, 06/23/2004 - 13:35 | [reply](#)

sheesh

ummm, so? it doesn't have to literally be a son. are you saying these ppl were succeeded in a corrupt dynasty, and elections are rigged today, etc, or is it fixed and over and done with?

-- Elliot Temple

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by **Elliot Temple** on Wed, 06/23/2004 - 17:24 | [reply](#)

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