

# Foreword

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Three score years ago this June, representatives of various nations met in San Francisco at the United Nations Conference on International Organization to draw up the United Nations Charter (Charter).<sup>1</sup> When the Charter was ratified four months later by signatories including China, France, the Soviet Union, the United Kingdom, and the United States (U.S.), the United Nations (U.N.) was officially formed.<sup>2</sup>

In preparation for the turn of the century five years ago, the U.N. presented a comprehensive outlook of its mission in the Millennium Report (Report), entitled: “We the Peoples: The Role of the U.N. in the 21st Century.”<sup>3</sup> The Report called on Member States to commit themselves to certain goals of the U.N. Included in the Report’s proposals was the view that “globalization is a powerful force offering both opportunities and challenges for nations and people, and must be made to work for all people.”<sup>4</sup>

Later that year, the largest ever gathering of Heads of State or Government (Heads of State) met in New York to set the international agenda for the beginning of the 21st century.<sup>5</sup> The result was the

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This Foreword is dedicated to my mother, Damyanti S. Parekh.

1. *UN Timeline*, BRITISH BROADCASTING CORPORATION, Sept. 9, 2003, at <http://www.bbc.co.uk/radio4/news/un/timeline.shtml> (last visited Apr. 19, 2005).

2. *Id.*

3. *The Role of the Secretary-General*, United Nations, at [http://www.un.org/News/oss/sg/pages/sg\\_office.html](http://www.un.org/News/oss/sg/pages/sg_office.html) (last visited Apr. 19, 2005).

4. *Id.*

5. *UN in Brief*, United Nations, at <http://www.un.org/Overview/brief.html> (last visited Apr. 19, 2005).

Millennium Declaration (Declaration), which set out measurable goals to be attained in seven key areas: peace, security, and disarmament; development and poverty eradication; protecting the common environment; human rights, democracy, and good governance; protecting the vulnerable; meeting the special needs of Africa; and strengthening the U.N.<sup>6</sup>

The Declaration reaffirmed the U.N.'s commitment to the purposes and principles of the Charter, "which have proved timeless and universal. Indeed, their relevance and capacity to inspire have increased, as nations and peoples have become increasingly interconnected and interdependent."<sup>7</sup> The Declaration further resolved to "strengthen respect for the rule of law in international as in national affairs."<sup>8</sup>

Regarding the last key area for which the Declaration set measurable goals, the Declaration stated that the U.N. would "spare no effort" in making the U.N. a "more effective instrument."<sup>9</sup> In order to achieve this goal, the Declaration resolved to "strengthen further cooperation" between the U.N. and national governments.<sup>10</sup> It ended by stating: "[T]he United Nations is the indispensable common house of the entire human family, through which we will seek to realize our universal aspirations for peace, cooperation and development. We therefore pledge our unstinting support for [the stated] common objectives and our determination to achieve them."<sup>11</sup>

In order for the U.N. to keep its pledge, like any business, it must have an effective leader. The Chief Administrative Officer of the U.N. is the Secretary-General: "Equal parts diplomat and advocate, civil servant and CEO, the Secretary-General is a symbol of United Nations ideals and a spokesman for the interests of the world's peoples."<sup>12</sup>

The Secretary-General is more than a figurehead—he offers proposals for change and frequently meets with Heads of State. "One of the most vital roles played by the Secretary-General is the use of his 'good steps'—steps taken publicly and in private, drawing upon his independence, impartiality and integrity, to prevent international disputes from arising, escalating and spreading."<sup>13</sup>

The current Secretary-General of the U.N. is Kofi Annan. His second term in office is due to expire on December 31, 2006; however, there are rumors that he may resign from his position at an earlier date due to

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6. *Id.*

7. *United Nations Millennium Declaration*, G.A. Res. 55/2, U.N. GAOR, 55th Sess., ¶ 3, U.N. Doc. A/Res/55/2 (2000).

8. *Id.* ¶ 9.

9. *Id.* ¶ 29.

10. *Id.* ¶ 30.

11. *Id.* ¶ 32.

12. *The Role of the Secretary-General*, *supra* note 3.

13. *Id.*

mounting pressure, stress, and depression.<sup>14</sup> Either way, the U.N. will soon need to pick Annan's successor. At a time when international law is having a greater influence on domestic and global matters than ever before, the next Secretary-General has to be someone who the world visualizes as a strong leader—one who commands the attention of Heads of States and citizens alike.

President Franklin D. Roosevelt coined the term "United Nations" in 1942<sup>15</sup>—it seems only appropriate then that another American president take the role as leader of the organization bearing such name. That President is William Jefferson Clinton. There are several reports that Clinton, who is already involved in the U.N. as envoy for the tsunami reconstruction efforts in South Asia,<sup>16</sup> is intrigued by the possibility of becoming Secretary-General.<sup>17</sup> A Clinton insider and senior U.N. source said the former president would like to be named leader of the world body when Annan's term ends.<sup>18</sup> "He definitely wants to do it," the Clinton insider said.<sup>19</sup>

It is generally considered that it is Asia's turn to fill the post of Secretary-General,<sup>20</sup> but this is not a done deal. While China seems to be pushing the candidacy of Thai's Foreign Minister, if Clinton emerges as a candidate, experts believe China would shift its support.<sup>21</sup> There are also reports that Clinton has backing for his candidacy from several key nations, including Germany, France, England, Ireland, and New Zealand.<sup>22</sup> Nigeria, Morocco, and Egypt are thought to be pulling for Clinton as well, while Russia would seemingly not object to Clinton as the new

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14. Sarah Baxter, *Depressed Annan Close to Quitting over UN Scandals*, THE SUNDAY TIMES, Mar. 27, 2005, available at <http://www.timesonline.co.uk/article/0,,2089-1543360,00.html> (last visited Apr. 19, 2005).

15. *UN Timeline*, *supra* note 1.

16. *Clinton Named Head of U.N. Tsunami Rebuilding*, CNN, Feb. 2, 2005, at <http://www.cnn.com/2005/US/02/01/clinton.tsunami/> (last visited Apr. 19, 2005).

17. Roland Flamini, *Analysis: Clinton Eyes U.N. Post*, WASHINGTON TIMES, Oct. 20, 2004, available at <http://washingtontimes.com/upi-breaking/20041020-025642-9944r.htm> (last visited Apr. 19, 2005). See also *Helms Fears Clinton will Head U.N.*, FOX NEWS, Feb. 1, 2005, at <http://www.foxnews.com/story/0,2933,146056,00.html> (last visited Apr. 19, 2005).

18. Flamini, *supra* note 17.

19. *Id.*

20. *Id.*

21. *Id.*

22. *Secretary-General Clinton?*, PITTSBURGLIVE, Feb. 16, 2003, at [http://www.pittsburghlive.com/x/search/s\\_118230.html](http://www.pittsburghlive.com/x/search/s_118230.html) (last visited Apr. 19, 2005).

Secretary-General.<sup>23</sup> Furthermore, India, Ecuador, and Brazil are believed to be Clinton supporters.<sup>24</sup> “A Clinton candidacy is likely to receive overwhelming support from U.N. member states, particularly the Third World. Diplomats in Washington say Clinton would galvanize the United Nations and give an enormous boost to its prestige.”<sup>25</sup>

The idea of Clinton becoming the eighth Secretary-General of the U.N. will undoubtedly begin to gain momentum as Annan’s term nears an end, and if speculation grows regarding Annan’s resignation, it is clear that Clinton’s name will again be in the headlines. Clinton becoming the first American Secretary-General has the possibility of bringing stability to the international community and realigning the U.S.’ and the U.N.’s political, economic, and social interests and goals. “Critics of the U.N. complain that it’s an organization without the muscle and will to put its decisions into effect. There’s a good chance that Clinton could significantly change that situation . . .”<sup>26</sup>

Since the U.N. claims to be sparing no effort in making it a “more effective instrument,” it must realize that to achieve the Declaration’s common objectives, it needs a leader that has the respect of the international community while not being afraid to showcase the U.N.’s “muscle and will.”<sup>27</sup> Nations must therefore rally around each other and pledge themselves to a Secretary-General who will fight to protect the integrity of the international community—and President Clinton may be the right person to lead such a charge.

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23. *Id.*

24. *Id.*

25. Flamini, *supra* note 17.

26. *Id.*

27. *United Nations Millennium Declaration*, *supra* note 7, ¶ 29; Flamini, *supra* note 17.