

TALLINN UNIVERSITY OF TECHNOLOGY

School of Business and Governance

Department of Law

Krista Tammila

**THE UNITED NATIONS BEYOND REFORMING?**

Bachelor's thesis

Programme International Relations

Supervisor: Vlad Vernygora, MA

Tallinn 2019

I hereby declare that I have compiled the paper independently and all works, important standpoints and data by other authors has been properly referenced and the same paper has not been previously presented for grading. The document length is ..... words from the introduction to the end of conclusion.

Krista Tammila .....

(signature, date)

Student code: 166275TASB

Student e-mail address: kristasftammila@gmail.com

Supervisor: Vlad Vernygora, MA:

The paper conforms to requirements in force

.....

(signature, date)

Chairman of the Defence Committee:

Permitted to the defence

.....

(name, signature, date)

## TABLE OF CONTENTS

ABSTRACT .....	5
LIST OF ABBREVIATIONS .....	6
INTRODUCTION .....	7
1. THE UNITED NATIONS – WHAT IS IT? .....	10
1.1. The United Nations Charter and the notions of peace and security.....	10
1.2. The Security Council and its Authority .....	11
1.2.1. The Security Council’s Chapter VII Powers to maintain peace and security .....	11
1.2.2. Five to rule them all – The Permanent five and the Right of the Veto.....	12
1.2.3. Collective security as a concept and the threats to it.....	12
1.3. Peacekeeping, Peacebuilding, and the Responsibility to Protect – Humanitarian Intervention.....	14
2. THE NOTIONS OF PEACE AND SECURITY .....	16
2.1. Peace – what is it? .....	16
2.2. Security: Contextualising the notion .....	17
3. DISCUSSION .....	20
3.1. Literature review.....	20
3.2. The Security Council and its ability to apply the Chapter VII powers .....	21
3.3. Problems with the Security Council’s Permanent five and the veto power .....	24
3.4. Problems with Humanitarian Intervention (Peacekeeping, Peacebuilding, and the Responsibility to Protect).....	27
3.5. The Critique of Collective Security .....	29
4. ARE PREMISES OF REFORM POSSIBLE?.....	31
4.1. United Nations Peacebuilding Commission .....	31
4.2. The Expansion of the Security Council, Permanent Five, and the Veto Power: A means to an end? .....	31
4.3. Amendments to the UN Charter .....	32
CONCLUSION.....	33

LIST OF REFERENCES .....35

## **ABSTRACT**

Using the liberal internationalism-originated framework, this paper attempts to detect and critically analyse the reasons why the UN is and has not been able to effectively carry out its main task of maintaining international peace and security. As the UN is the core element of the world's current international system, it is important to assess the organisation's competences in regards to some of its major failures, not only acknowledging its undisputed successes. Therefore, this paper, firstly, outlines the UN's structural and operational capacities, then, secondly, moves into conceptually determining the notions of peace and security, to be able to connect the two aforementioned empirical segments of research in the discussional part, using the liberal internationalism-supplied academic instrumentation. A range of case studies are to be utilised to further amplify the argument.

Key words: the UN, the UN reform, peace, security, liberal internationalism.

## **LIST OF ABBREVIATIONS**

ECHR - European Court of Human Rights

ONUMOZ – United Nations Operation in Mozambique

SC – Security Council

UNCIO – United Nations Conference on International Organisations

UNTAC – United Nations Transitional Authority in Cambodia

USSR – Union of Soviet Socialist Republics

WWI – World War I

WWII – World War II

## INTRODUCTION

“More than ever before in human history, we share a common destiny. We can master it only if we face it together. And that, my friends, is why we have the United Nations”: these are the words of Kofi Annan (1999), the seventh Secretary General of the United Nations (UN), articulating his stance that the world is better off having the UN in it. Whether one perceives the UN as a socio-legal project, which is softly ‘pushing’ its member states away from older politics of deterrence, self-help, diplomacy, and legitimate warfare, or as an organisation, which is trying to establish some kind of effective as well as the rule of law-based collective security, the main purpose of the UN remains the same – the maintenance of international peace and security and the elimination of the scourge of war (Danchin 2010, 1). International organisations play a significant role in international relations as they are able to create a working balance between justice and pragmatism in many post-war peacebuilding efforts. This is because they can yield both the ‘carrots’ and the ‘sticks’, which would thus encourage a more successful transition process (Schnabel, 2002, 31).

However, many have pondered on whether or not the UN, being full of structural obstacles and heavy bureaucratised, is a wasteful drain on global resources. With its large size combined with its complex bodies, the UN has been able to tackle a myriad of different situations in the ever-widening global agenda but with this size and complexity, it has resulted in the organisation being highly cumbersome and often conflict ridden to the extent that it is potentially ineffective in safeguarding international peace and security (Heywood 2014, 445). It seemed that after the Cold War, the UN has been bypassed as well as disregarded by other organisations as, for example, NATO intervened in Kosovo without the initial blessing from the UN (Junne 2001, 5). The UN is, and has been, the figure for the quest for world peace but with many wars across the world, the build-up of weapons created to kill millions, along with countless genocides which could have been prevented, many have questioned how adequately the UN has been doing its job (Bonta, 2003, i). With the UN being born amid the destruction and ashes of the second world war (WWII), it was trusted that it would be the new breath of hope towards a worldwide organisation that would maintain international peace and security. As peace and security are the main reasons for establishing an international system, it is important to assess how well those are being maintained,

especially with the help of an international organisation that represents the core element of the existing international system. However, this paper argues that the UN has not lived up to its potential in many respects, primarily in the context of being able to effectively establish the international system-wide understanding of what peace and security actually mean and then connect this common understanding with the actuality. Basics aside, the UN has had many major achievements in its existence such as negotiating around 172 peace settlements which have in turn ended regional conflicts, served as a catalyst for the prevention of rising crisis such as in the 1950-53 Korean War and 1991 Persian Gulf War, and essentially promoting peace, in reality the UN is highly flawed both structurally and because of its bureaucratic nature (Heywood 2014, 165)

Framework wise, it could be argued that liberal internationalism is a relevant theory in the process of testing the aforementioned argument, because it considers international institutions the key actors in the international system. The UN is the largest and most important international organisation with powerful institutions, containing almost all sovereign states in the world and dealing with a myriad of situations. Therefore, liberal internationalism will be used in order to highlight the ways in which the UN carries out its competences in order to safeguard international peace and security. Since the UN is an organisation that fully exhibits and, to an extent, enjoys employing liberal internationalism, it is important to analyse the extent to which it has been able to uphold the theory through the means it uses to spread liberal ideals such as democracy.

The primary goal of this thesis will be to execute a critical analysis of the problems with the UN within its structure and members and to make alternative normative suggestions for a possible reform and solution. It will be suggested that, although the UN has had many achievements, it is pertinent that one evaluates and balances these achievements with those of the organisation's failures. It will claim that due to structural reasons, bolstered by the veto power over UN reform bestowed by the Charter to its permanent five members, the UN is essentially in dire need for reform in order to be an organisation that seeks to fulfil what is laid out in its Charter - the maintenance of international peace and security. It is therefore vital for the UN to be either replaced by a new and improved Charter which lays out a more dynamic and appropriate systems of governance, or for it to be modified to fit the current international needs. All of these options, as argued, would thus have to be underpinned by a comprehensive system of global jurisprudence (Horgan 2008, 3).

The central arguments of this thesis will be that throughout its existence, although having many achievements, the UN has failed to provide its central aim and function – the maintenance of international peace and security. It will also claim that possible changes must be implemented, especially in the Security Council (SC) with its veto power and the permanent five as one of the



default mechanisms towards the attainment of international peace and security. Before discussing its findings in the context of the claim, this paper will be attempting to answer the following two research questions: a) what are the competences that the UN has in order to safeguard peace and security, and b) what the features of international peace and security are.

The methodology that will be used will be normative discourse analysis as this thesis will focus its discussion on the formulation of the creation of value judgements. In using this methodology one can understand and outline the flaws as well as what can be done in the future. In analysing various case studies such as Rwanda, Somalia, Srebrenica, and many more, one can fully grasp the extent to which the UN has been unable to carry out its main task as well as answer the research questions. This paper is a contribution to the greater debate on the question if the UN is indeed an effective organization that is able to implement change in a positive way which will enable it to become a highly effective organization with the ability to tackle a myriad of situations.

## **1. THE UNITED NATIONS – WHAT IS IT?**

In February 1945, Franklin D. Roosevelt, Joseph Stalin, and Winston Churchill, respectively representing the USA, USSR, and the United Kingdom, met in Yalta to set up and shape out a post war world via a new collective system (Stettinius 2017, 10). Formally established on 24 October 1945, the UN is the successor to the dramatically failed League of Nations and arose due to the end of WWII with the victorious countries yearning for a strong mechanism that would help bring peace to the world and stop the formation of new wars (United Nations...2013, 5). It is an intergovernmental organisation that is composed of 193 independent countries, containing six principle organs that make up the core of the UN however its influence and power goes far beyond just those six into a myriad of different competences and bodies. One of the most powerful and important organs in the UN is the Security Council. It holds the primary responsibility for pursuing security and is also the most visible organ. Within the Security Council is the Secretary General who is the most important individual in the UN as they are the symbolic representative of the UN to the global public (Kranso 2004, 3). On paper, the UN seems to be the perfect organization set out with the aim to promote peace and security. But what is written on paper is not always so easy to carry out in real life.

### **1.1. The United Nations Charter and the notions of peace and security**

An international treaty, the UN Charter is the constitutive instrument of the UN. This means that it sets out the rights and obligations of the member states, as well as establishes the principles and organs of the organisation. It also contains certain features which distinguishes it from other ordinary treaties and has been labelled as the constitution for the world community (Scwhweigman 2001, 14). According to the Charter of the UN, its principle aims that is sets out for the organisation include defending and maintaining peace and security in order to save following generations from war through collective means, reiterate faith in the fundamental human rights, uphold international law, achieve international cooperation in solving problems in many aspects of life, as well as to develop friendly relations amongst its nations and to take appropriate measures to strengthen universal peace.

As the primary objective of the UN is to safeguard international peace and security, it undertakes certain competences in order to uphold its mission – firstly, it does this by working to prevent conflicts from rising, aiding the parties already in a conflict to make peace, and creates the conditions needed for peace to flourish and grow; and, secondly, it is in the SC where the primary responsibility is held for the upkeep (Shapiro and Lampert 2014, 21). It does this by, the SC’s ability to delegate its Chapter VII powers, the veto power of permanent five, the concept of collective security, and through peacekeeping and peacebuilding.

## **1.2. The Security Council and its authority**

Due to the obvious fact that the UN does not really possess any military capacity on its own, it depends on the Security Council with its authority to create resolutions combined with the power of the permanent five to provide it with power (Kranso, 2004, 4). The SC holds the ultimate power when it comes to dealing with issues of international peace and security and is charged with the duty to maintain international it and is, therefore, the UN’s negotiator, peacekeeper, and eventually peace enforcer (Heywood 2014, 446). It does this mainly through the decisions of the permanent five with its powerful veto power (Heywood 2014, 445) as well as its ability to delegate its Chapter VII powers (Sarooshi 1999, 3). It was also established within the UN to fulfil the ideal of collective security which the League of Nations failed to do so as the idea of collective security was far weaker (White 1988, 18).

### **1.2.1. The Security Council’s Chapter VII Powers to maintain peace and security**

With the creation of the SC, it was agreed on that member states, in accordance to Article 24 of the Charter, to give the SC the leading role in the maintenance of peace and security. It is in Chapter VII where the Charter gives the specific powers in order to reach the primary objectives and goals and gives the Council certain prerogatives (Sarooshi 1999, 3). As Schweigman summarised (2001, 33), Chapter VII, entitled “Action with Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression”, lays down a system in which the SC decides to, then deals with a situation. Firstly, the SC shall decide whether or not a particular situation calls for action to be taken. Then, if decided action is to be taken, “it may either make recommendations (Article 39), take provisional measures (Article 40), or decide on enforcement measures not involving the use of force (Article 41), in order to remedy the situation”. The Chapter VII powers are essential in laying out what the SC must do in crisis situations.

### **1.2.2. Five to rule them all – The Permanent Five and the right of the Veto**

It is also important to mention that the permanent five, with their powerful veto, is another reason as to why not only the SC, but the UN is lacking in its ability to react and solve international crisis. Fassbender (1998, 163) argued that the specific form of the power of the veto right is laid down in Article 27 of the UN Charter was born out of the special circumstances prevailing the end of World War II and at the time of the Yalta Conference in 1945. The right of veto materialized as the main feature of a new type of hierarchy in international relations where the major powers of the post-World War II were collectively making decisions together and one that they were determined to maintain (Fassbender 1998, 165). The power of the veto has its birth in the “desire to prevent the permanent members from being the potential objects of collective measures” (White 1988, 26).

### **1.2.3. Collective security as a concept and the threats to it**

Arguably, it was not much on the concept of collective security delivered by the Congress of Vienna (1814-1815), which created a new international system based on the upper-class states and the other ones. At the same time, surprisingly and, perhaps, unwillingly, the post-Napoleonic ‘Concert of Europe’ set a new wave of geo-strategic innovation, ideas, and learning processes that formed the core of what would become international organisations. One of the major innovations at Vienna was the follow-up conference which was the practice of the states to convene after an agreement has been reached to evaluate whether or not previously agreed-upon decisions and policies had been completed (Reinalda 2014).

With the outbreak of WWI, a new era of reforms, thanks to good team work in time established between Immanuel Kant and Woodrow Wilson, eventuated with the formation of the League of Nations – this is when the idea of collective security became a ‘household expression’ (see more in Negretto 1993, 4). These days, collective security is a concept that is notoriously difficult to define as, like democracy, it is associated with a loose set of assumptions and ideas (Danchin 2010, 40). According to John Mearsheimer, collective security deals with the issue of how to create peace (1994, 26). According to the UN, collective security can be defined as “a system where a collective measure is taken against a member of a community that has violated certain community defined values” (Sarooshi 1999, 5). However, the central thread stays the same: all states will join forces to stop one of their number from the use of coercion to gain an advantage (Weiss *et al* 2010, 4). It

can only mean that, in accordance to this system, no government would or could conquer another as an attack on one would be an attack on all.

It is also a theory that is anti-realist as its proponents convey a dislike for traditional alliances and balance-of-power logic (Mearsheimer 1994, 26). One of the key components of collective theory is the maintenance of the status quo of the system. But this, however, relies on the awareness by states that the way to ensure their own self-interest is to ensure that the interest of the community of states is preserved (Sarooshi 1999, 5). Nevertheless, collective security will only work if all the nations that are taking part in it are prepared to simultaneously threaten with sanctions and even to fight with the aggressor if necessary (Ebegbulem 2011). Institutions are also the key, according to collective security, to accomplishing the arduous task of moving beyond the self-help world of realism (Mearsheimer 1994, 28). Although there is an apparent common sense to collective security and appeal to its simplicity, the difficulty of its application contrasts considerably. The main problem is the question of whether or not, with so many states in the UN (192 to be exact), states will defect from collective security to pursue their own national goals. This is the problem of the hunters and the stag. This is where, as the hunters hunt the stag, one of the hunters goes to pursue a rabbit so that they will not have to share with others. Then another does the same until the stag escapes through the gaps of the collective security. This is not only a hypothetical game but is shown through the experiences of collective security. Firstly, “some states refuse to join a collective security as they have already defined their friends and enemies” (Weiss *et al.* 2010, 5). For example, speculatively, Finland decides to not join NATO in the near future as it can compromise its relatively good relationship with Russia. Under a true collective security, all aggressors must be treated the same.

However, this has not been the case as for most great powers in history as it seems to be beyond the realm as they have typically had their cultural and strategic friends. Secondly, there is a vital problem of power. In the context of the UN, this mainly applies to the application of power against nuclear powers which is also the permanent five members (Weiss *et al.* 2010, 5). Therefore, the dilemma remains of how one could justify the massive destruction that could occur if one were to apply forcible collective security against one of these states. Thirdly, collective security can be costly to those supporting it. This is because sanctions cut both the aggressor and the defenders. For example, the UN-issued sanctions against Iraq in the 1990's and in Sudan were crippled by their major trading partners. And lastly, the concept of collective security assumes that all the victims are equally important. This means that a situation occurring in Armenia or Uganda will be met with the same response and attitude as in Germany or Sweden (Weiss *et al.* 2010, 6). This has clearly not been the case especially for the UN as, for example, the signs of an impending genocide

were painstakingly ignored. This aspect is one that holds a high standard and is very hard to achieve even for modern states.

The central challenge of collective security in the context of the UN is to understand what collective security is and all the responsibilities, strategies, commitments etc. There are six clusters of threats defined by the UN's High-Level Panel Report. They include economic and social threats, interstate conflict, weapons of mass destruction, terrorism, transnational organized crime, and internal state conflict. The vast majority of the UN's peace and security operations are mainly to do with peacemaking, peacebuilding, and peacekeeping and is one of the sections with is the most unstable due to the interests of the powerful states within the UN disrupting and interfering in the processes (Danchin and Fischer 2010, 15).

### **1.3 Peacekeeping, Peacebuilding, and the Responsibility to Protect – Humanitarian Intervention**

Humanitarian intervention has been a topic that took momentum primarily after the Cold War. According to Martin Griffiths (2002, 145), “the word intervention describes the exercise of public authority by one state in the territory of another without the consent of the latter”. Thus, intervention can be seen as more of an interference in the internal affairs of one state to another. Humanitarian intervention therefore refers to the forcible action by one state or a group of states into the territory of another on the grounds of humanitarian action or to restore constitutional governance. Humanitarian aid was almost universally deemed unlawful up until 1990 and was expressly forbidden in the UN Charter (Article 2 (4)(7)) due to the fact that it undermines state sovereignty and the territorial integrity of other states. (Griffiths 2002, 145) It was only after massive human rights violations such as in former Yugoslavia and numerous African states that public opinion in the USA as well as Western Europe started to demand that governments do something to stop what seemed to be an ever-expanding list of internal conflicts from growing (Griffiths 2002, 146). According to Berdal (2008, 191), “[t]he sheer number of operations and the multi-tasking of UN forces have also created severe strains of the organisation's limited capacity...and in the planning for large scale operations”. Therefore, nothing illustrates the faults of the UN and its state of affairs than its operations during the 1990s.

During the era of countless humanitarian crisis-associated situations in the 1990s, the UN Secretary General was Boutros Boutros-Ghali. His tenure in office witnessed many of the humanitarian crisis that occurred after the end of the Cold War from Bosnia to Rwanda. In 1994,

at the peak of peacekeeping missions, the UN deployed 75,000 peacekeepers to 17 places at an annual cost of \$3.6 billion (Fröhlich and Williams 2018, 28). However, there was, and still is, a complex dynamic on how the UN should react to crisis situations dealing with peacekeeping. This is due to the fact that as the main aim of the UN is the maintenance and restoration of peace and security it is required to act in these situations. However, the UN receives mixed signals from the various sources of its legitimacy, for example but not limited to the Permanent Five, and therefore the way it has carried out its peacekeeping operations has often been ambiguous and contradictory (Coicud 2001, 257). Thus, one can deduce that it is due to the problem of national interests superseding the sense of international responsibility that hinders the UN in efficiently carrying out its duties.

Rwanda is seen as one of the biggest disasters during Boutros-Ghali's tenure. One of the main problems was that Boutros-Ghali constantly portrayed the crisis as a civil war rather than an impending genocide. It was only after the SC decided to withdraw most of its 25,000 peacekeepers in April 1994 that the term genocide in Rwanda was used. One of the reasons the term genocide was not being used was because of the fear that it might trigger a legal obligation to intervene to stop it (Fröhlich and Williams 2018, 28). Here, one can see how even though the main task of the SC and its members is to come to the aid of states in crisis, as liberal internationalism lays out, they still refused to acknowledge the impending crisis that was to happen. This thus further proves how there is an ineffectiveness in the UN that hinders its ability to act.

In order for one to fully analyse why the UN has not been able to secure international peace and security, one must define what peace and security is. This section will outline the features of peace and security which this thesis will be analysing in the discussion section.

## **2. THE NOTIONS OF PEACE AND SECURITY**

### **2.1. Peace - what is it?**

The principle function of the UN is to provide, maintain and foster international peace. The UN Charter gave the primary responsibility for the maintenance of international peace to the SC, accompanied by comprehensive powers in order for it to fulfil its task (White 1988, 17). In his monumental 'Perpetual Peace: A Philosophical Sketch', Immanuel Kant laid out the foundation as to what peace actually is. According to Kant, peace can be perpetual as "The state of peace among men living side by side is not the natural state (*status naturalis*); the natural state is one of war." (Kant 1795, 118). By this he does not mean open hostilities, but at least the incessant threat of war therefore, it is not enough that hostilities not only be committed but also that one "may treat his neighbour, from whom he demands this security, as an enemy" (Kant 1795, 119). In his fifth chapter on section I, "No State Shall by Force Interfere with the Constitution of Government of Another State", Kant talks about the authority, or lack thereof, for one state to intervene in another state. He states that there is no authority for one state to show authority over another and thus intervene. However, an important point he emphasized is that to lend assistance is not considered as interference in the constitution of another state as that state is in a state of anarchy; therefore, one meaning for peace is the dissolution of hostilities between the opposing parties (Kant 1795, 108).

Another feature of international peace is the absence of war and abandonment of "just" wars. A peaceful and lawful international order can only be acquired if nations agree to renounce any kind of war of aggression (Negretto 2016, 10). According to Kant, the only acceptable legal means for wars are that of defensive wars and not offensive. Kant lays this out by stating that standing armies should be abolished with time. This is because the presence of one army, even though it is not intended as a means for hostility against another state merely for the states own protection, essentially relentlessly menaces other states because of their readiness for war (Kant 1795, 111). This is the security dilemma which means that each state will continuously keep building their defences as a means for their own protection thus causing the threat of war and consequently the absence of peace. Therefore, it is not to say that war must be all together eradicated from international relations but after the long process of perpetual peace is attained, war must be



preserved as a legitimate defence (Negretto 2016, 10). Thus, according to Negretto, “Kant agreed that peace cannot be attained until statesmen abandon the idea that there are “just” wars which entitle the “justified” party to wage a punitive war against the wrongdoer” (2016, 10).

It is also important to lay out what the SC means when it distinguishes what is a ‘threat to peace’ as it is a phrase that is written into the Charter and especially in chapter VII. In chapter I of the Charter, it is implied that the antithesis of peace is war, which is logical as the UN was created during a time of wars, and therefore the Charter only deals with threats to international peace and not that of internal peace (United Nations...1945, 3). Moreover, since the UN was created during a time of war, the main threat to peace were arguably military threats to international peace (Österdahl 1998, 18). However, since its creation, what concerns the nature of a threat to peace has undergone a radical transformation as it would be naïve to only think of a threat as a military one and not incorporate other side effects of globalization such as economic, humanitarian, political, and social threats. This is an area in which the UN has not acted in a situation until it had essentially deteriorated so badly that it would constitute a civil war with international repercussions. For example, there was the situation in the Congo during the 1960’s following Belgium granting it independence where the UN did not consider the crisis a threat to peace until the situation had international repercussions which also meant that the crisis had worsened so badly (White 1988, 88). Another example is the Rwandan Genocide that took place in 1993 where not only did the SC not want to regard the situation as an impending genocide but also, along with other factors such as the previous situation in Somalia in 1990, did not consider it a matter which was a threat to peace as thus did not act in time to prevent it (LeBor 2006, 170). These examples further argue that the UN is not able to act efficiently as, in most cases, situations that start internally in one country usually constitute a threat to its neighboring countries and therefore become a threat to international peace one way or another (Österdahl 1998, 19). Moreover, since the UN is an upholder of liberal internationalism, it is its duty to deal with situations that warrant its actions.

## **2.2. Security: Contextualizing the notion**

It was the US President Woodrow Wilson who proposed that some form of international cooperation was needed in order to maintain international peace and security and prevent future wars from occurring stating that “Mere agreements may not make peace secure; it will be

absolutely necessary that force be created as a guarantor of the permanence of the settlement...” (Wilson 1917). This changed the phrase balance of power to that of collective security.

The concept of security and what defines it has long since engrossed the minds of many and, according to Heywood (2014, 18), “is the deepest and most abiding issue in politics.” It is important to clarify what is meant by the concept of security as without a precise and clear definition, it is impossible to use the concept to make empirical definitions (Sulovic 2010, 1). The realist view of security is primarily understood in terms of national security and holds that it is the derivative of power, especially military power. This means that the world is in a self-help situation where every state must defend themselves against the others. (Heywood 2014, 18) This type of definition could be considered pertinent during the time of the World Wars however, when the Cold War came into existence the definition of security took many other aspects into its framework. This is mainly due to the rise of a more liberal stance on collective security where Barry Buzan started to offer a broader framework of security, adding in other dimensions such as environmental destruction, disease, regional security, or the societal sectors of security as the concept of security is more versatile than previously thought of (Buzan 1998, 26). Security has, and still is, a word that is depicted as a contested concept which means that no amount of evidence or argument can lead to an agreement on a single correct definition of the word, and this contention should be addressed before discussing what the concept of security is. According to David Baldwin (1997, 10), there are three main reasons for this dispute. The first reason is the ambiguity that is attached to the word itself, security may not reach the requirements for classification as an ‘essentially contested concept’, and third, the implications for security studies if security were to be classified may be incorrectly specified. The word security is a contested concept, as there will never be an argument or evidence, which will lead to a single coherent definition for the word (Baldwin 1997, 10).

According to Buzan, the definition of security is “security is pursuit of freedom from threats” and “the bottom line of security is survival, but it also reasonably includes a substantial range of concerns about the conditions of existence” (1991, 433). Here, Buzan’s analysis is intertwining conceptual analysis with empirical observations as, for example, he gives believable arguments for the empirical preposition that individual level security is intertwined at the state and international level security. Buzan was also a part of the school of thought known as the wideners which challenged the traditional concept of security both horizontally and vertically. This brings in the constructivist theory that “security threats do not exist independently from the discourse which marks them as such” (Sulovic 2010, 4). This means that that by verbally labeling something to be a security threat makes it one. Therefore, in an objective sense, security can come to mean

the measurement of the absence of threats and in a subjective sense, the absence of fear of a threat (Wolfers 1952, 485). In this thesis, security is taken to be about the pursuit of freedom from threat coupled with the ability of states to maintain their independent structure and identity.

### **3. DISCUSSION**

#### **3.1. Literature review**

The theory that will be used in this thesis will be liberal internationalism as it is a theory which argues that liberal states should intervene in other states in order to spread liberal ideas and democracy around the world in order to end conflicts (Hoffman 1995) as well as holds the perspective that states cooperate because it is rational and sensible as their interests are always harmoniously in agreement (Heywood 2014, 444). Liberal internationalism is theory that “emerged as a coherent worldview in the Enlightenment and reached its height as a systematic statement of international reform with Woodrow Wilson’s Fourteen Points, intended to form the basis of the post-World War I peace” (Macmillan 2007, 21). It was after World War I (WWI) that the world of international relations sought to establish a liberal peace as an arbiter of political freedom, human rights, democracy, and equality before the law (Burchill, 2005, 55) and the founding of an international organisation that would oversee international peace and security (Macmillan 2007, 21). That organisation would thus be the League of Nations and later on, after the onset of World War II and the start of the Cold War, the UN. Hoffman (1995) argues that “[t]he aims of liberal internationalism are expanding democratic practices and free trade, defending democracy from its rivals while promoting human rights”. The theory contains two elements: liberalism and internationalism. Liberalism is essentially the protection of individual freedom, democracy, equality before the law, and constitutionally guaranteed rights (Burchill 2005, 55). The internationalism element is a little more difficult to define than liberalism but in its broadest sense, it the opposite of isolationism and suggests active engagement in international affairs particularly through international institutions and multilateral cooperation. (Paris 1997, 59)

It is useful to outline the class-based approaches to international relations as they can be used to examine how authentic liberal internationalism is. The state is the key actor, as identified in the theory, Marxists would argue that stability is sustained through hegemony instead of the promotion of democracy (Dornan 2011). This can be reflected in the permanent five of the SC as they are the leading powers, or hegemons, in the international system and mould the interests of international relations to suit their goals, especially through the UN and their veto power. Through this class theory of liberal internationalism, the main argument is that the ruling class of the international system, and in this respect the permanent five, manipulate the situations the UN deals with,

especially with regards to interventions, in order to accommodate their own interests. On the contrary, liberal internationalism can be argued that it has been relatively successful in creating the opportunities for citizens to stand up against what Marxists term the ruling class and in sustaining stability as it is praised for speaking up against violations of human rights through the use of international institutions such as the UN, European Court of Human Rights (ECHR), and those alike (Dornan 2011). For example, there was a case called the ‘Siliadin vs. France’ case that was submitted to the ECHR in 2001 which claimed that French laws were “inadequate in preventing domestic slavery and thus violated the ECHR’s article 4, the prohibition of slavery and forced labour (European Court of Human Rights 2008, 7). Essentially, liberal internationalism is a project created in order to transform international relations so that it conforms with the ideas of peace, democracy, and freedom (Griffiths 2002, 180). Thus, this theory is can be used to analyse or assess how much success has been gained.

With all this said, it would seem that international institutions that are created and intended to protect the aims of liberal internationalism are indeed fulfilling their goals. However, it has not always been the case that the promoters of liberal internationalism such as the UN have always been active when there are cases of certain human rights violations. Examples include the Rwandan genocide, Lebanon, Somalia and so on. From this, one can see how the Marxian assumption that world leaders in the international system do indeed pursue their own ideals at the expense of others being exploited in order to either avoid responsibility or gain some form of influence in particular points of time (Dornan 2011). The dilemma of whether to intervene to assist movements for national independence or to relieve human rights violations have caused legitimate differences in the liberal tradition. For example, Emmanuel Kant was a strong noninterventionist but did sanction the right of forced constitutional change against the regimes that were persistent as well as serious violators of the law. Even John Stuart Mill, as argued by Macmillan (2007, 28) came to sanction a right of counter intervention in cases where a foreign power had intervened to suppress liberal forces, after the suppression of liberal revolutions in 1848. Liberal internationalism has however struggled to resolve tensions in the political, policy, and structural realms as well as faces an underlying crisis of belief in the intellectual and normative realms. Until these are satisfactorily addressed it is unlikely that liberal internationalism will rise to be one of the strong political theories in the twenty first century (Macmillan 2007, 29).

### **3.2. The Security Council and its ability to apply the Chapter VII powers**

“We the peoples of the United Nations determined to save succeeding generations from the scourge of war...”. Preamble, the UN Charter

This quote is from the first line of the UN Charter Preamble and epitomizes an unambiguous goal towards the prevention of conflicts. However, it is watered down by the Articles within the charter which give priority of the sovereignty held by states over the rights of the individual, as well as the Article that give the Permanent Five the power to make war over other states. This undoubtedly shows how there are already structural issues within the UN as it is contradicting its own charter. Chapter VII of the UN Charter sets out the UN SC’s powers to maintain peace, determination of the existence of a threat to the peace, as well as the enforcement mechanisms to said threat (Natsu 2007, 90). One of the main advantages of Chapter VII is that it enables the SC to use entities which it does not currently contain such as military force which it can use directly to carry out military enforcement when needed.

However, it is one thing for a UN principle organ to possess a particular power such as this, but another for it to be able to delegate that power correctly. This means that the organ must possess either the express or implied competence to do so (Sarooshi 1999, 16). Both of these aspects are necessary preconditions for a lawful delegation to occur. The SC does have both of these preconditions, but the question is that even if both preconditions are present, how effective does that make the UN SC in carrying out its competences with regards to maintaining international peace? This question can be answered by analysing the extent to which those powers have been invoked. For example, with the upsurge of different types of crisis the SC has adopted the policy of refraining from using the Chapter VII powers until there is an overwhelming amount of political pressure that forces it to intervene in a conflict (Natsu 2007, 96). This means that many conflicts remain stagnant until enough damage has been done to induce the amount of pressure needed for the UN to act. This can be seen through the example of Rwanda where it was only when thousands of Tutsis were slaughtered (Salton 2017). However, according to Sarooshi (1999, 27), “[...] the source of the Council’s enforcement powers is not in fact a delegation of powers by UN Members”. Here he is arguing that since the SC is an official organ of the UN, it derives its powers from the UN Charter itself and not from the individual member states as it is not possible for member states to delegate powers to the council since it is technically the Charter which confers them. As it was specified by Sarooshi (1999, 28), “[a]ccordingly, it is contended that UN Member states have delegated Chapter VII powers to the Security Council through the mechanism of the Charter”. Hence, one of the problems facing the SC is that when there is a breach of, or threat to international peace and security, means that the Council cannot delegate the power needed to any other entity

which thus hinders the amount the SC can do when there is a threat to international peace and security.

With Africa being one of the most poor and unstable regions in the world, the UN has been inside its many countries attempting to rebuild peace or prevent conflict. However, this region has been one of the UN's most criticized areas as it has failed to prevent a myriad of large-scale disasters. "The UN's successes in Africa tended to be small scale ones, while its failures had disastrous consequences." (Horgan 2008, 3). It was in part due to the Charter flaws that led to UN conflict prevention failures which thus shows how already from the start, there was no way any of the large-scale missions could have been a success.

It is important to analyse how the SC determines what is a threat to peace as it does not define it in Article 39. If the SC were to determine whether or not to take enforcement actions under Articles 41 and 42, it first needs to make a recommendation (Article 39) (Schweigman 2001, 34). Through the cases of Yemen, Liberia, and Rwanda and the initial resolutions that were passed, one can see the factors which made the SC determine that there was a threat to peace. Yemen fell into crisis in 1994 when the rebels sought to establish a state in the south that would be under the rule of the rebel leader Ali Salim al-Bidh (Pike 2011). There were intense objections to any outside intervention from Yemeni's political parties however the SC adopted Resolution 924 with the argument that without intervention, the situation would deteriorate into that of an international threat (Rudnick, Cary 2005, 88). The SC in Rwanda adopted Resolution 812 in March 1993 on the basis that again, the crisis would have consequences for international peace and security. This was mainly due to the increasing number of refugees appearing due to the genocide. (Rudnick, Cary 2005, 90) And in the case of Liberia 1989, the SC adopted Resolution 788 on 19 November 1992 "denouncing the violations of the ceasefire agreement and demanded that parties abide by the already established settlement framework" (Rudnick and Cary 2005, 92). The reasoning for the SC to act was because neighbouring countries expressed worry that the war might spread to the entire West-African subcontinent if no action were to be taken. "The deterioration of the situation in Liberia constitutes a threat to international peace and security, particularly in West Africa as a whole." (Schweigman 2001, 88). From these three cases, one can see that the factors which caused the initial SC intervention were conflict among factions, human right violations, and refugee outflows. In accordance to liberal internationalism, which is the main theory the UN upholds, sovereign states are supposed to intervene in other states when they are in crisis. However, in all three of these cases the SC has not been able to actively solve the main problems that would thus enable the states to resurface again.

It is interesting to compare the main initial determining factors in the aforementioned cases to that of the situation in Burma in arguing that the situation warrants the SC intervention as it is indeed a threat to international peace and security. This is because not only does the situation in Burma have all three of the factors present in the three other cases, but also has additional ones such as the overthrow of the democratic government, drug trafficking, the spread of HIV/AIDS etc. which all add to the magnitude of the situation. (Rudnick and Cary 2005, 93). As the theory of liberal internationalism states, liberal states should intervene in other states in order to spread liberal ideas and democracy around the world in order to end conflicts (Hoffman 1995). In short, the UN's efforts have failed as they have not been able to place the blame for the crisis in Burma and leads one to question whether or not the UN can uphold its own Charter.

It is argued, however, that the definition of what constitutes a threat of international peace and security is left intentionally undefined. This is because “during the United Nations Conference on International Organisations (UNCIO), the wide discretion afforded to the Council in the Dumbarton Oaks proposals as regards the determination of which situations pose a threat to international peace and security, was a matter of serious debate.” (Schweigman 2001, 34). It was after consideration that it would be up to the SC's discretion to determine what it constitutes as a threat to international peace and security. This approach to a wide interpretation has both its advantages and drawbacks. The main advantage is that it enables the SC to act in a myriad of situations as well as adapt as the international situation changes. However, this entails its main disadvantage – its members own interpretations (Österdahl 1998, 21). Due to the ambiguity of the definition coupled with the rivalry between the permanent members of the SC, they “[...] run the risk of opening the door to abuse and detournement de pouvoir” (Österdahl 1998, 22). Therefore, this hinders the UN in acting in vital situations that need fast and reliable action to be taken in order to defend international peace and security.

### **3.3. Problems with the Security Council's Permanent Five and the veto power**

Although in 1945 when the veto was invented, there were great prospects for the victors of World War II to maintain international peace and security with their veto power, it was soon clear that there were inherent flaws with it. Indeed, in many cases, the superpowers did not operate the veto in order to protect vital interests but instead used it to build fruitful flavour with other states or as to oppose the other superpower's voting intentions (White 1988, 29). For example, there was the case of the annexation of Goa in 1961 from Portuguese colonization where the Indian military



invaded (Supriya and Vohra 2017). The USSR decided to use its veto not for any important protective purpose but instead to indicate support for the so-called Third World, India, and anti-colonialism (White 1988, 29) as well as the complications that occurred due to the US-Soviet competition (Rubinoff 2001). This thus does not coincide with what the UN, together with its main theory liberal internationalism, built the veto right for. Another example occurred in 1982 when the US vetoed a minor recommendatory draft resolution which called for non-interference and negotiations in the troubled area of Central America (White 1988, 29). On one hand, it can be seen as a supreme achievement that there has not been a following world war after the two previous ones. However, it can be argued that the absence of a third world war has little to nothing to do with the UN but mainly because of the nuclear stalemate that was created during the Cold War between the USA and USSR. (Heywood 2014, 447)

On the subject of the Cold War, it was in fact due to this stalemate between the USSR and USA that thus cemented a large reason as to why the SC cannot take decisive action. There were also two other factor which added to the opposing positions of the USSR and USA. The first one is that the use of the veto power by the permanent five dramatically reduced the number of threats to international peace and security the SC could take action over. For example, the USSR was the most active user of the veto right using it no fewer than 82 times between 1945 and 1955. Secondly, even though the UN Charter had set up provisions for a Military Staff Committee as a subsidiary body of the SC, opposition from and within the permanent five have prevented the UN from being able to deploy its own military capacity. For example, when the UN has authorized military action it has either been through other organisation s such as NATO in Kosovo, the African Union in Darfur, or by a multinational force of 'blue berets' or 'blue helmets' organized by its own member states. (Heywood 2014, 447) Therefore, in accordance to liberal internationalism, this shows how there are flaws with the structure of the UN and SC as not all states are collectively willing to bear the costs and responsibilities of taking action when certain interests are at stake as well as the fact that one of the key components of a collective security has not been fulfilled – the availability of permanent UN troops to implement its will.

Thus, the Cold War, as well as into the XXI century, the UN has been in a paralysis and deadlock. However, it is not just to not bring up the times the SC has indeed been able to agree on measures. For example, an arms embargo was imposed on the apartheid regime in 1977 in South Africa as well as the economic sanctions imposed in 1956 in Rhodesia based on the conclusion that the white minority regime's unilateral declaration of independence was seen as a threat to security. (Heywood 2014, 448) But, there are just a handful of cases in which there was successful agreement within the SC coupled with special circumstances. For example, during the Cuban

Missile Crisis in 1962, the UN was essentially a powerless spectator watching as the world grew closer and closer to mutual destruction by nuclear war. The UN also was unable to prevent the USSR's invasion of Hungary in 1956, Czechoslovakia in 1968, and Afghanistan in 1979. (Heywood 2014, 448) Hence, the deadlock of the SC and especially the permanent five hinder the ultimate goal of the UN which is to prevent threats of international peace and security from growing.

There is also the constraint of international law which provides limitations on the SC's authority to act. For example, there is the prohibition of genocide. This is a customary international law that all actors must follow so the consequence for the SC is that it has to ensure that it does not interfere with the prohibition of genocide. This means that when the SC takes actions to protect international peace and security, it abstains from contributing to the acts of genocide. This thus hinders the SC's powers to carry out its function as, according to liberal internationalism, the UN must speak up and act against the violations of human rights. An example of this is the case of Bosnia where the SC inadvertently contributed to the ongoing acts of genocide carried out by the Federal Republic of Yugoslavia when it imposed an arms embargo on the territory of Former Yugoslavia (Schweigman 2001, 200).

Through the cases of Somalia and Bosnia, one can fully grasp the problem of the UN as an inefficient bureaucracy. One of the problems stems from the fact that the Secretary General only has the power of suggestion when it comes to dealing with peacekeeping operations. This thus causes problems due to the fact that many, if not all, of the members of the SC are primarily motivated by their own national interests. For example, during the peacekeeping operation in Somalia 1993, when 18 US soldiers were killed during a peacekeeping operation on the 3<sup>rd</sup> of October, mixed with the different views Boutros-Ghali and the US had on how to conduct the operation 'Restore Hope', the US involvement ended and, de facto, the peacekeeping operation. This thus altered the USA's stance on multilateral management of crisis as, from then on, the US chose selective engagement over assertive multilateralism. (Coicaud 2001, 269) Clinton was president at the time, and although the UN had little to do with the deaths of the soldiers, the Clinton Administration was keen not to take any more of the blame for more deaths that could occur in Somalia. This therefore led to the failure of the enforcement measures established by the SC and thus the deaths of many (Rittberger *et al.* 2006, 253). Another example is the case of Bosnia in 1995 where the members of the SC rejected the Secretary General's suggestion to have 30,000 troops protecting the safe areas but instead they decided to deploy only a few thousand soldiers (Coicaud 2001, 272). This thus led many to question who was actually in charge of the operation in Bosnia and consequently undermined the entire operation.

### **3.4. Problems with Humanitarian Intervention (Peacekeeping, Peacebuilding, and the Responsibility to Protect)**

President George H.W. Bush's proclamation of the 'New World Order' reflected many liberal hopes for a new democratic way of thinking in the wake of the Persian Gulf War of 1990-1991. However, there was a lack of substance to the 'New World Order' as a number of complex, specific, and urgent challenges soon emerged. The situations of intrastate conflict, ethnic conflict, and humanitarian emergencies in regions such as Rwanda, Somalia, Lebanon, and Northern Iraq thus exposed the problem of humanitarian intervention. This therefore exposed the convoluted thinking of the Western powers that in turn undermined its claim to political and moral authority (Ludlow 1999). For example, when the US troops were withdrawn from Somalia in 1993 essentially precluded the prospect of intervention in the Rwandan genocide in the coming years. Another example of the problems with intervention is when the UN was unable to protect its own 'safe havens' in Srebrenica which thus resulted in the genocide of over 7,000 Muslim males as well as in the case of Bosnia (Rohdes 2012). The case of the Kosovan War in 1999 where the lack of UN authorization left it and illegal war also highlights how there is a contradiction between humanitarian aims and military means as the aerial bombing strategy that was undertaken was responsible for the deaths of many civilians but was indeed required due to the political sensitiveness within democracies to the loss of their own citizens. It is cases such as these which illustrate the problems liberals face when it comes to using force for non-defensive purposes. (Macmillan 2007, 30)

One of the main problems with humanitarian intervention is that by itself, it cannot resolve the fundamental social and political root causes of conflicts. This is because the relationship between humanitarian intervention and state sovereignty is a complex one (Heywood 2014, 39). As the word intervention implies that one state or group of states intends to influence the internal affairs of another, it does not imply the act of an annexation or even war. For example, the Molotov-Ribbentrop pact-related invasion into Poland in 1939 was an act of war and not an act of intervention; European colonialism in Africa and Asia was not intervention but that of conquest and so on. Intervention in contrast to war and conquests has the aim of influencing the internal affairs of a state towards a specific direction without the endeavour of a military confrontation or taking it over. Therefore, acts of humanitarian intervention are meant to be short-lived unlike conquests (Griffiths 2002, 146). According to Berdal (2008, 176), "UN peacekeeping evolved, in part, as a device to reduce the likelihood of war between Council members that were locked in a global struggle for political and ideological influence but were nonetheless anxious to avoid direct

confrontation". Here, Berdal is explaining that from its founding peacekeeping was used as an instrument for the great powers to exert their influence in unstable states to manage relations and thus prevent a more catastrophic war from breaking out.

Another, and greater problem, is that of who the appropriate agents to properly engage in humanitarian intervention. The UN is one of the front runners, and perhaps the most suitable actor to deal with humanitarian crisis as it is a collection of states and has the aim of safeguarding international peace and security. Within the UN, the main responsibility of using collective measures to deal with threats to peace falls in the hands of the SC. However, there is not a single instance when the motive of intervening in a state was not one of a number of goals. States always place their own national interest in front of humanitarian concerns simply because that is the normal thing to do. This factor raises a problem within the UN's structure as many states have chosen to intervene in some states rather than another. For example, the great powers, especially in the permanent five, did not see it in their primary interest to intervene in the Rwandan genocide in 1994 nor did they see it as their responsibility to separate refugees from the military and political elements in the Zairean and Tanzanian camps. Yet, the UN along with NATO found it justified to provide humanitarian intervention in Kosovo 1999 due to the interests the great powers, mainly the US, had in that area (Griffiths 2002, 266). Thus, as long as the UN is dominated by powers such as the US who holds the power of the veto, the problem will remain.

There is also a reoccurring confusion between peacekeeping and peacemaking that occurs within the UN. For example, in the case of Former Yugoslavia, the resolutions that were intended for peacemaking – calling for force – continually asked for the respect of previous resolutions aimed at peacekeeping measures and to conduct the two tasks at the same time was impossible (Coicaud 2001, 272). This therefore added to the culmination of failures that were to occur.

Notwithstanding these circumstances, it is not just to assess the comparative successes and failures of the SC's peacekeeping missions without balancing out the role of the SC as measured by the clarity of its mandate, readiness to support, and by the relative absence of tensions between the permanent five members to name a few. Clear examples of this are the United Nations Transitional Authority in Cambodia (UNTAC) in Cambodia and the United Nations Operation in Mozambique (ONUMOZ). Both of these operations had elements that made them both successful cases. In the case of UNTAC, even with the violent rejection of the operation by the Khmer Rouge, the SC's support remained strong which thus produced the success of the mission. Similarly, ONUMOZ was a success due to the responsiveness of the SC to respond to the needs of the Secretary General at the time. (Berdal 2008, 192). From these examples, one can see how, according to the theory of

liberal internationalism, peace and cooperation are the best options for everybody and without it the SC becomes an inefficient body incapable of dealing with conflicts it should be able to.

To contrast the above-mentioned cases, the UN's mission in both Liberia and Sierra Leone will be analysed to further amplify the argument of this thesis. Both nations have endured a decade of civil war with the result of hundreds of thousands of deaths coupled with the overflow of refugees across their borders. In the case of Liberia, the SC's response to the conflict was slow and tentative (Adebajo 2008, 470). Here, one can see the UN's historical reluctance to intervene and undertake peacekeeping operations as there was no positive response to initiating any form of a solution. Similarly, in Sierra Leone even though there was an observer mission established, with only around 50 observers being stationed there the UN played a very limited role in the situation (Adebajo 2008, 476). From these examples, as well as the successful ones of UNTAC and ONUMOZ, when the UN and the SC put a collective effort into dealing with a situation through the means that they bear, they can have success and *vice versa*.

### **3.5. The Critique of Collective Security**

When the UN was established, there was a goal for it to rectify the flaw present in its predecessor the League of Nations. According to Luard, there were four main reasons for the League's failure. Firstly, it had no armed force, or 'teeth' as Woodrow Wilson put it, of its own and therefore could not withstand aggression, there was no authority which was above all the authority in order to enforce collective measures, there was the paralyzing unanimity rule which did not enable it to deal with crisis situations, and finally it was missing several major powers such as the USA, Japan, Germany, Italy and so on (1979, 9). Therefore, when the UN was created it was to tackle these main reasons for the League's failure and set up a new international organisation with the competences to maintain international peace and security through a functioning collective security system.

Nevertheless, the UN does not satisfy the contemporary requirements needed to fit the ideal of collective security. One reason for this is, and as stated above, the UN needed some sort of armed force of military contingent in case the SC decides to use coercive measures in a crisis situation. "[...] the Council does not cite any particular article when it decides on military enforcement measures since it is impossible...since the UN forces presumed to carry out the enforcement measures are lacking" (Österdahl 1998, 89). However, the UN charter does not provide the mechanisms through which military contingents can be supplied. (Negretto 1993, 20) Even though

the UN did abandon the unanimity rule, there was still the problem of the permanent five and their veto power which essentially sent the SC into a state of paralysis when it came to dealing with crisis situations as, for example, the USSR used its veto right not to protect vital concerns but to prevent a resolution which it disagreed on from being carried out (Luard, 1979, 11). Thus, it shows how the Cold war between the USSR and the US, and even at the present time, are a major factor in the incapability of the UN as a functioning collective security system (Negretto 1993, 21). Thus, it can be concluded that the competency of the UN to impose a collective security is “severely limited by the fact that it is essentially a creature of its members: it can do no more than its member states, and particularly the permanent members of the Security Council, permit” (Heywood 2014, 447). As Luard states, “the UN is as good or as bad as the nations which compose it” (1979, 4).

## **4. ARE PREMISES OF REFORM POSSIBLE?**

### **4.1. United Nations Peacebuilding Commission**

One solution that has been discussed is a peacebuilding commission due to the recognition of a blatant institutional gap as there is no body in the UN that is explicitly designed to avoid a state's collapse or to help them transition from a time of war into peace (Danchin, 2010, 26). This intergovernmental body would be a 31-member organisation comprised SC members, ECOSOC members, and leading troop contributors. The Commission's mandate would be mainly focused on post-conflict peacebuilding, aid, and protection in the earlier stages of a growing conflict (Schrijver 2006, 29). This would in turn help with the ineffectiveness of the SC to act in peacebuilding and thus peacekeeping situations as instead of having only an ambiguous set of Articles to guide the SC's actions, there is an organ that will deal with it instead. However, part of what the mandate proposed was to have a pro-active monitoring system and to provide assistance to prevent countries from sliding to the risk of collapse. However, Kofi Annan had to limit these functions due to the worry of the infringement of national sovereignty (Schrijver 2006, 30)

### **4.2. The Expansion of the Security Council, Permanent Five, and the Veto Power: A means to an end?**

After the Cold War, there was an increase in the yearning for reform and especially at this time, it appeared the UN was ripe for reform, especially with regards to the SC. During this time, the UN Secretary General was Boutros Boutros-Ghali and whilst under him, there were many talks of expanding the SC by including Japan and Germany in the permanent five. This is because there was a constant reoccurring theme when it came to discussions of the SC reform – the inequality of its membership (Cronin 2008, 212). However, by the time Boutros-Ghali ended his term, there was still little prospect for reforming the SC. One of the main elements that connects both the SC and the permanent five is the veto power. The veto power is an element that has come under a lot of scrutiny from the inception of the UN. It is a power that was given to the permanent five

members as a special privilege and responsibility in the collective-security schema (Weiss et al 2010, 5). “The veto power ensures that no enforcement action takes place against one of the great powers of the international system...” (Burgess 2001, 200)

This essentially ensures that there will be no major war as one of the primary objectives on the UN has. However, by giving each one of the permanent five members the power of the veto – to unilaterally prevent a decision from being made by any state, establishes a hierarchy within the organisation’s members. This ironically means that, under the UN charter, the states with the veto power are of higher importance and thus the charter departs from the principle of equality before the law. (Fassbender 1998, 8) Yet, the solution here is not to expand the SC into a mass of two dozen or more members as that will guarantee that no serious negotiations would, or decision making would occur, nor would it stimulate activism by the body. One prospective solution could be to expand the current permanent five members plus 10 non-permanent members elected to two-year terms. (Weiss et al 2010) Another reform would be to change the rules of procedure so that the SC is required to scrutinize all international conflicts (White 1988, 66).

### **4.3. Amendments to the UN Charter**

As discussed before, the UN Charter is not merely a treaty of an international organisation, but instead it is the constitutive instrument of the largest organisation in the world. However, since its birth in 1945, amendments to the Charter must be made for the UN to become a better functioning arbitrator of peace and security. A change to the Charter is vital as, since the foundation of the UN in 1945, the nature of the threats to international peace and security has changed. During pre-WWII era, conflicts mainly took the shape of interstate wars which are envisioned in Article 2(4) but after they became more complex to those expressed in the Charter originally (Gray 2008, 87). According to Chapter XVIII in Article 109 of the Charter, “A General Conference of the Members of the United Nations for the purpose of reviewing the present Charter may be held...” (United Nations...1945, 19). However, there remains the main argument for against the application of Article 109 which is that it “provides the basis for the complete overhaul of the Charter.” (Hassler 2013, 69). Thus, many members are not in favour of pursuing Article 109 due to the major changes that could arise.



## CONCLUSION

To conclude, even though the UN has had major achievements in different situations and conflicts, when one weighs its failures, it is clear that it has not been able to fulfill its main purpose of maintaining international peace and security. The ability of the UN was researched by first explaining what the UN is along with its competences, then defining what is meant by peace and security, and finally connecting the two sections with the aid of liberal internationalism. This thesis added to the general debate of the efficiency and effectiveness that the UN plays on the international stage in order to maintain international peace and security through the lens of liberal internationalism.

Through such analysis, this thesis found that although the UN has had many achievements, its failures outweigh them significantly. This is due to the UN's structural problems, reinforced by the veto power bestowed to the permanent five members by the Charter. From the research, this thesis found that the problems lay in the SC's inability to provide action in a quick and timely manner in order to prevent or take appropriate action in regard to a situation of a threat to international peace and security mixed with the issue of how the permanent five's veto power is interfering with said ability as well as the critique of collective security. The problem with the Permanent Five's veto power was that it hinders the SC and ultimately the UN's ability to act to a surfacing crisis.

Overall, the findings in this thesis suggest that the UN has become an outdated, heavily bureaucratic, and inefficient organization that needs to be reformed if it is to properly carry out its main function. One of the main reasons is due to the stagnation that the Permanent Five create as they use their veto power only when suitable to their own national interests. Coupled with this, even though it does have the Chapter VII powers, the question of the actual enforcement of these powers has not been accomplished to the extent that it has prevented an internal conflict from transforming into an international one. The concepts of peace and security are also two issues that add to the problems faced by the UN. This is because as the two terms are so broadly defined, it is difficult to know when something is a threat to them. This makes it difficult for the members of the SC to come to an agreement on whether or not to act and what means to take.

The findings of this study have to be seen in light of some limitations. As this thesis was not able to examine case studies from all regions of the world, there is a distinct limitation in regards of obtaining a larger scope of information on different examples. However, there was still a sufficient volume of data gathered to test the main argument of the paper. Another limitation was that this research work only evaluated the UN through the prism of liberal internationalism, which affected

the way the UN was analytically looked at on this occasion. Albeit using liberal internationalism, it could be argued that it is still one of the most pertinent and relevant theoretical concepts to analyse the effectiveness of the UN. This factor will add to the further discussion on the debate about the success and efficiency of the UN for possible future research.

## LIST OF REFERENCES

- Adebajo, A. (2008). *The United Nations Security Council and War. The Evolution of Thought and Practice since 1945*. Oxford: Oxford University Press.
- Anna, K. (1999). *UN millennium message* Accessible: [http://news.bbc.co.uk/2/hi/special\\_report/millennium/584374.stm](http://news.bbc.co.uk/2/hi/special_report/millennium/584374.stm) , 3 March 2019
- Baldwin, D. (1997). *The concept of security*. British International Studies Association. Accessible: <https://www.princeton.edu/~dbaldwin/selected%20articles/Baldwin%20%281997%29%20The%20Concept%20of%20Security.pdf> , 25 March 2019.
- Berdal, M. (2008). *The United Nations Security Council and War. The Evolution of Thought and Practice since 1945*. Oxford: Oxford University Press.
- Bonta, S. (2003). *Inside the United Nations: a critical look at the UN*. Wisconsin, United States: John Birch Society.
- Burgess, S. (2001). *The United Nations under Boutros Boutros-Ghali, 1992-1997*. Maryland, United States of America: Scarecrow Press.
- Buzan, B. (1991). *New Patterns of Global Security in the Twenty-first Century*. Blackwell Publishing. Accessible: [http://home.sogang.ac.kr/sites/jaechun/courses/Lists/b7/Attachments/10/New%20Patterns%20of%20Global%20Security%20in%20the%20TwentyFirst%20Century\\_Buzan.pdf](http://home.sogang.ac.kr/sites/jaechun/courses/Lists/b7/Attachments/10/New%20Patterns%20of%20Global%20Security%20in%20the%20TwentyFirst%20Century_Buzan.pdf) , 02 April 2019.
- Buzan, B. (1998). *People, States & Fear: An Agenda for International Security Studies in the Post-Cold War Era*. Colchester, United Kingdom: ECPR Press.
- Coicaud, J. (2001). *The Legitimacy of International Organisation s*. Tokyo: United Nations University Press.
- Cronin, B., Hurd, I. (2008). *The UN Security Council and the Politics of International Authority*. Abingdon: Routledge.
- Danchin, P. (2010). *United Nations and the New Collective Security*. Cambridge: Cambridge University Press.
- Danchin, P., Fischer, H. (2010). *United Nations Reform and the New Collective Security*. Cambridge: Cambridge University Press.
- Dornan, M. (2011). *Liberal Internationalism*. Accessible: <https://www.e-ir.info/2011/08/02/liberal-internationalism/> , 26 March 2019.
- Ebegbulem, J. (2011). *The Failure of Collective Security in the Post World Wars I and II International System*. Accessible: [https://www2.hu-berlin.de/transcience/Vol2\\_Issue2\\_2011\\_23\\_29.pdf](https://www2.hu-berlin.de/transcience/Vol2_Issue2_2011_23_29.pdf) , 01 April 2019.
- European Court of Human Rights (2008). *The European Court of Human Rights: Some Facts and Figures 1998-2008*. Accessible: [https://www.echr.coe.int/Documents/Facts\\_Figures\\_1998\\_2008\\_ENG.pdf](https://www.echr.coe.int/Documents/Facts_Figures_1998_2008_ENG.pdf) , 24 March 2019.
- Fassbender, B. (1998). *UN Security Council Reform and the right of Veto: A Constitutional Perspective*. Alphen aan den Rijn: Kluwer Law International Publishers.
- Fröhlich, M., Williams, A. (2018). *The UN Secretary-General and the Security Council: A Dynamic Relationship*. Accessible: <http://www.oxfordscholarship.com/view/10.1093/oso/9780198748915.001.0001/oso-9780198748915-chapter-7?print=pdf> , 30 March 2019.
- Gray, C. (2008). *The United Nations Security Council and War. The Evolution of Thought and Practice since 1945*. Oxford: Oxford University Press.

- Griffiths, M., O’Callaghan, T. (2002). *International Relations. The Key Concepts*. Abingdon,: Routledge.
- Hanhimäki, J. (2015). *The United Nations: A very short introduction*. Oxford: Oxford University Press.
- Hassler, S. (2013). *Reforming the UN Security Council Membership. The Illusion of Representativeness*. Abingdon: Routledge.
- Heywood, A. (2014). *Global Politics*. United Kingdom: Palgrave foundations.
- Hoffman. S, (1995). *The Crisis of Liberal Internationalism, Foreign Policy*. Accessible: <https://search.proquest.com/docview/224054147?pq-origsite=gscholar> , 30 March 2019.
- Horgan, E. (2008). *The United Nations – Beyond Reform? The collective insecurity of the international system and the prospects for sustainable global peace and justice*. Accessible: [https://www.pana.ie/download/Thesis-Edward\\_Horgan%20-United\\_Nations\\_Reform.pdf](https://www.pana.ie/download/Thesis-Edward_Horgan%20-United_Nations_Reform.pdf) , 14 March 2019.
- <https://www.globalsecurity.org/military/world/war/yemen1.htm> , 30 April 2019.
- Jahn, B. (2018). *Liberal internationalism: historical trajectory and current prospects*.
- Junne, G. (2001). *The Legitimacy of International Organisation s*. Tokyo: United Nations University Press.
- Kant, I. (1975). *Perpetual Peace: A Philosophical Sketch*. Accessible: [http://www.gutenberg.org/files/50922/50922-h/50922-h.htm#Page\\_106](http://www.gutenberg.org/files/50922/50922-h/50922-h.htm#Page_106) , 27 March 2019.
- Krasno, J. (2004). *The United Nations: Confronting the Challenges of a Global Society*. Boulder, Colorado: Lynne Rienner Publishers.
- LeBor A. (2006). *“Complicity with Evil” : The United Nations in the Age of Modern Genocide*. New Haven, Connecticut: Yale University Press.
- Luard, E. (1979). *The United Nations: How it works and what it does*. The MacMillan Press LTD. Accessible: [https://books.google.ee/books?hl=en&lr=&id=kf-wCwAAQBAJ&oi=fnd&pg=PP7&dq=what+is+the+united+nations&ots=TkNJYdoOE&sig=d2akBIZeBX05MpppSx-P4syeXFc&redir\\_esc=y#v=onepage&q&f=false](https://books.google.ee/books?hl=en&lr=&id=kf-wCwAAQBAJ&oi=fnd&pg=PP7&dq=what+is+the+united+nations&ots=TkNJYdoOE&sig=d2akBIZeBX05MpppSx-P4syeXFc&redir_esc=y#v=onepage&q&f=false) , 31 March 2019.
- Ludlow, D. (1999). *Humanitarian Intervention and the Rwandan Genocide* Accessible: <https://journals.lib.unb.ca/index.php/JCS/article/view/4378/5055> , 8 April 2019.
- Macmillan, J. (2007). *International Relations Theory for the Twenty-First Century: An Introduction*. Abingdon: Routledge.
- Mearsheimer, J. (1994). *The False Promise of International Institutions*. Accessible: [http://www.guillaumenicaise.com/wp-content/uploads/2013/10/mearsheimer\\_The-False-Promise-of-International-Institutions.pdf](http://www.guillaumenicaise.com/wp-content/uploads/2013/10/mearsheimer_The-False-Promise-of-International-Institutions.pdf) , 27 February 2019.
- Murphy, R. (2007). *UN Peacekeeping in Lebanon, Somalia and Kosovo*. Cambridge: Cambridge University Press.
- Nachimias, N. (1999). *UNIFIL: When peace is non-existent, peacekeeping is impossible, International Peacekeeping*. Abingdon: Routledge.
- Natsu, H. (2017). *Chapter VII Powers and the Rule of Law: The Jurisdictional Limits*. Accessible: <http://classic.austlii.edu.au/au/journals/AUYrBkIntLaw/2007/4.pdf> , 15 April 2019.
- Negretto, G. (1993). *Kant and the Illusion of Collective Security*. Accessible: <http://gabrielnegretto.com/wp-content/uploads/2016/04/KantAndTheIllusion.pdf> , 27 March 2019. pp. 501-523
- Österdahl, I. (1998). *Threat to Peace. The Interpretation by the Security Council of Article 39 of the UN Charter*. London: Coronet Books Incorporated.
- Paris, R. (1997). *Peacebuilding and the Limits of Liberal Internationalism*. Pp 54-89. Accessible: [http://graduateinstitute.ch/files/live/sites/iheid/files/sites/international\\_law/users/vessier9/public/Paris%20-](http://graduateinstitute.ch/files/live/sites/iheid/files/sites/international_law/users/vessier9/public/Paris%20-)

- [%20Peacebuilding%20and%20the%20Limits%20of%20Liberal%20Internationalism.pdf](#), 27 March 2019.
- Pike, J. (2011). *Yemeni Civil War (1990-1994)*. Accessible:
- Reinalda, B. (2014). *From the Congress of Vienna to Present-Day International Organizations*. Accessible: <https://unchronicle.un.org/article/congress-vienna-present-day-international-organizations> , 10 May 2019.
- Rittberger, V., Zangl, B., Kruck, A. (2006). *International Organisation*. United Kingdom: Palgrave Macmillan.
- Rohdes, D. (2012). *Endgame: the Betrayal and Fall of Srebrenica, Europe's Worst Massacre Since World War II*. Accessible: [https://books.google.ee/books?hl=en&lr=&id=tBWHVLcsXIMC&oi=fnd&pg=PT7&dq=srebrenica+massacre&ots=pcC7Toq1-h&sig=O1UVXq-tkNcFepNtoelJDKxX1Qs&redir\\_esc=y#v=onepage&q=safe&f=false](https://books.google.ee/books?hl=en&lr=&id=tBWHVLcsXIMC&oi=fnd&pg=PT7&dq=srebrenica+massacre&ots=pcC7Toq1-h&sig=O1UVXq-tkNcFepNtoelJDKxX1Qs&redir_esc=y#v=onepage&q=safe&f=false) , 18 March 2019.
- Rubinoff, A. (2001). *Changing Perceptions of India in the U.S Congress* Accessible: [https://web.archive.org/web/20091210050251/http://sga.myweb.uga.edu/readings/changing\\_perceptions\\_of\\_india.htm](https://web.archive.org/web/20091210050251/http://sga.myweb.uga.edu/readings/changing_perceptions_of_india.htm) , 25 March 2019.
- Rudnick, P., Cary, G. (2005). *Threat to Peace. A call for the UN Security Council to Act in Burma*. DLA Piper.
- Rudnick, P., Cary, G. (2005). *Threat to Peace. A call for the UN Security Council to Act in Burma*. DLA Piper.
- Sarooshi, D. (1999). *The United Nations and the Development of Collective Security: The Delegation by the UN Security Council of its Chapter VII Powers*. Oxford: Clarendon Press.
- Schnabel, A. (2002). *Democratization in the Middle East: Experiences, struggles, challenges*. Accessible: <http://ebookcentral.proquest.com/lib/nlibee-ebooks/detail.action?docID=253815> , 15 March 2019.
- Schrijver, N. (2006). *The Future of the Charter of the United Nations*. Accessible: [http://www.mpil.de/files/pdf1/mpunyb\\_01\\_schrijver\\_10.pdf](http://www.mpil.de/files/pdf1/mpunyb_01_schrijver_10.pdf) , 2 May 2019.
- Schweigman, D. (2001). *The Authority of the Security Council under Chapter VII of the UN Charter. Legal limits and the Role of the International Court of Justice*. The Hague, Netherlands: Kluwer Law International.
- Shapiro, I., Lampert, J. (2014). *Charter of the United Nations*. Connecticut, United States: Yale University Press.
- Sitkowski, A. (2006). *UN Peacekeeping: Myth and Reality*. Connecticut: Greenwood Publishing Group.
- Slaton, H. (2017). *Dangerous Diplomacy: Bureaucracy, Power Politics, and the Role of the UN Secretariat in Rwanda*. Accessible: <http://www.oxfordscholarship.com/portaal.nlib.ee:2048/view/10.1093/oso/9780198733591.001.0001/oso-9780198733591-part-2> , 15 April 2019.
- Stettinius, E. (2017). *Roosevelt and the Russians: The Yalta Conference*. USA: Pickle Partners Publishing.
- Stone, M. (2009). *Security According to Buzan: A Comprehensive Security Analysis*. Accessible: [http://geest.msh-paris.fr/IMG/pdf/Security\\_for\\_Buzan.mp3.pdf](http://geest.msh-paris.fr/IMG/pdf/Security_for_Buzan.mp3.pdf) , 02 April 2019.
- Sulovic, V. (2010). *Meaning of Security and Theory of Securitization*. Accessible: [http://www.bezbednost.org/upload/document/sulovic\\_\(2010\)\\_meaning\\_of\\_secu.pdf](http://www.bezbednost.org/upload/document/sulovic_(2010)_meaning_of_secu.pdf) , 12 April 2019.
- United Nations,. (2011). *Basic Facts about the United Nations*. Tokyo: United Nations Publishing Press.
- United Nations,. (2013). *United Nations at a Glance*. Tokyo: United Nations Publishing Press.

- United Nations. (1945). Accessible: <https://treaties.un.org/doc/publication/ctc/uncharter.pdf> , 31 March 2019.
- Vohra, S. (2017). *The day India freed Goa from Portuguese rule*. Accessible: <https://www.bbc.com/news/world-asia-india-42390008> , 25 March 2019.
- Weiss, T., Forsythe, D., Coate, R., Pease, K. (2010). *The United Nations and Changing World*. Colorado: Westview Press.
- White, N. (1988) *The United Nations and the maintenance of international peace and security*. Accessible: <http://eprints.nottingham.ac.uk/13282/1/383611.pdf> , 25 March 2019.
- Wilson, W. (1917). *January 22, 1917: "A World League for Peace" Speech*. Accessible: <https://millercenter.org/the-presidency/presidential-speeches/january-22-1917-world-league-peace-speech> , 25 March 2019.
- Wolfers, A. (1952). *"National Security" as an Ambiguous Symbol*. pp. 481-502 Accessible: [https://www.jstor.org/stable/2145138?seq=1#page\\_scan\\_tab\\_contents](https://www.jstor.org/stable/2145138?seq=1#page_scan_tab_contents) , 13 April 2019.