THE POWER, POLITICS AND PRAGMATISM OF THE SECURITY COUNCIL

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ABSTRACT

This article begins with the identification of the triple Ps [3Ps] of the Security Council, which has shaped the international political system. The article argues recognises the occasional incapacity of the Security Council to function within the framework of the charter provisions, but also, expresses concern over the emergence of geopolitical forces too strong for a legalist institution to withstand.

Arising from this, the article adopts the realist approach with a blend of the liberal perspective to explain the dynamics of the International Political System and how they clearly molds and shape the functioning of the Security Council. The central conclusion, is the shift in world power [the rise of American unipolarity] towards a configuration that was simply incompatible with the way the Security Council was meant to function. The article further demonstrates that power remains a key independent variable in shaping modern international relations.

Nevertheless, through cooperation and a balanced, and a just international system, the Security Council can be a key to the fulfillment of humanity’s highest aspiration.

Keywords: Power Politics, Security Council, Hegemonic, International Peace and Security.
INTRODUCTION

A central issue for global security organisation since 1815 has been the character of its central decision-making body, particularly its memberships, its agenda setting, and its voting roles. The 1815 Congress of Vienna established that the membership of the Concert of Europe would be confined to great power, and that decisions would only be made by unanimous votes. The Hague Peace Conference of 1899 and 1907 introduced the need to include large number of non-great powers in deliberations over the basic norms and institutions of the international security order, and the 1907 conference even adopted the practice of passing recommendations by simple majority. At the 1919 Versailles Conference that formulated the covenant of the league of Nations, there were certainly differences over the respective roles and voting rules of the council and the Assembly, but the dominant consensus was that a council of great power and a small number from the rest of the members was a desirable route to take1.

A unique feature of the development of the United Nations was that it occurred during a major war. One important impact of this was that the major powers that were winning the war had an overriding impact on the deliberations concerning the nature of the organisation. Consequently, in 1945 all states recognised that the major military powers had to have a central role in UN Security Council.

However, there were some important differences among states over the role of the great powers and the character of the Security Council. The central issue was the scope of the veto of the permanent and six (then), of non-permanent member of the Security Council, and that the passage of resolutions would require the approval of seven members. But a large number of the states at the San Francisco conference wanted the veto to be limited to issues concerning the use of military force. However, the Soviet Union made it clear that it would not join the organisation if the scope of the veto did not apply to all resolutions.

At last, the Western powers supported the Soviet stance because in part they had some sympathy for the inclusion of the Soviet Union as crucial for the future of the UN2.

This is because, it was thought that great power opposition would lead to serious discrediting of the organisation, and its lack
of relevance to the control of international conflicts. Thus, at the
time of its foundations, it was hoped that the United Nations would
enjoy great success in preventing and curtailing international wars,
but it was also not assumed that this would be the case since the
history of international relations has largely been dominated by
great power politics and conflicts.

THE ORIGIN AND FUNCTIONS OF THE SECURITY COUNCIL

In a way, it is perhaps important to reflect briefly on the emergence
of the United Nations and situate it within the context of the role
of one of its principle organs-the Security Council. Franklin Roosevelt
suggested the name United Nations. From August to October 1944,
representatives of its US, UK, France, U.S.S.R. and China met to
elaborate the plans at the Dumbarton Oaks Estate in Washington
D.C.

The U.S senate, by a vote of 89 to 2, gave its consent to the
ratification of the UN Charter on July 28, 1945 and on October 24,
1945; the Charter was ratified by five permanent member of the
Security Council, and by a majority of the other 46 Signatories. In
December 1945, the Senate and House of Representatives, by
unanimous votes requested that the UN make its headquarters in
the US. Under special arrangement with the US, certain diplomatic
privileges and immunities have been granted, but generally the

Under chapter five, article 24 of the United Nations charter, the
Security Council has “primary responsibility for the maintenance
of international peace and security”, and all UN members “agree to
accept and carry out the decisions of the Security Council in
accordance with the charter.” Other organs of the UN make
recommendations to member governments. The Security Council,
however, has the power to make decisions, which member
governments must carry out under the charter.

Decisions in the 15-member Security Council on all substantive
matters—for example, a decision calling for direct measures related
the settlement of dispute—require the affirmative votes of nine members,
including the support of all five permanent members. A negative
vote—a vote by a permanent member prevents adoption of a proposal
that has received the required number of affirmative votes.
Under chapter six of the charter “Pacific Settlement of Disputes”, the Security Council may investigate any dispute which might lead to international friction or give rise to a dispute. The council may recommend appropriate procedures or methods of adjustment if it determines that the situation might endanger international peace and security. However, these recommendations are not binding on UN members.

Under chapter Seven, the Council has broader powers to decide what measures are to be taken in situation involving “threat to the peace, breaches of the peace, or acts of aggression”. In such situations, the Council is not limited to recommendations but may take action, including the use of armed force “to maintain or restore international peace and Security.” This arguably, was the basis for the UN armed action in Korea, in 1950 and the use of coalition forces in Iraq and Kuwait in 1991. Decisions taken under chapter seven, such as economic sanctions, are binding on UN members.

Therefore, in comparative terms, the Security Council is the United Nations’ most powerful body. Each month, the Council establishes a program of work that includes a daily schedule of meetings. The council makes formal decisions such as Resolutions, Presidential Press Statements and Presidential Assessments. Similarly, the Council usually has a very full agenda. It responds to new-emerging crises and supervises sanctions and sometimes-peacekeeping operations. It also considers broad thematic issue, such as Natural Resources in conflicts, Diamond, and Small Arms and light weapons.

Though the first peacekeeping force was established by the General Assembly, subsequent forces have been established by the Security Council, which exercises authority over them. The Council delegates to the Security General power to organise and to exercise command and effort over the force, but it retains close management and oversight, much so, in the view of many secretariat officials and military commanders. Through the charter does not expressly provide powers to the Council for peace keeping force, the international court of justice in a 1962 case found that the Council has an implied power for this purpose.

In the early 1990s, the Security Council launched an unprecedented number of peacekeeping operations, sometimes highly ambitious and very costly. By the mid-nineties, political and financial support for Peacekeeping Operations (PKO’s) had waned, especially in the U.S, which started to promote “regional” approaches to peacekeeping.
But the war in Kosovo broad opposition to unilateral peacekeeping led to a revival of the UN variety, even though the UN reigned under funded and ill equipped for this task, as the Brahmin Report of 2000 made very clear⁶.

The drafters of the Charter without doubt envisaged more active and effective role for the Security Council. Nevertheless, by giving the right of veto to the Permanent members they also excluded such a role if there were no consensus between these five.

The post-Cold War era has been characterised not only by new (often internal) conflicts, but also by the increased possibility for the Security Council to address these conflicts: the number of resolutions adopted has risen rapidly, more frequent recourse is made to Chapter VII; a widening interpretation of the notion of a ‘thread to the peace’ has evolved; the second and even third generation of UN peacekeeping has been established; discussions concerning the creation of a UN standing force have taken place and so on⁷.

Under Article 42, power given to the Security Council to take enforcement action. The only explicit power given to the Council under this provision is a power to undertake such action by the use of force made available to it (and thus under its direct control) by the members in accordance with Article 43(2). When no such forces are available to the Council, the question arises whether this gap could be filled by implying powers, such as the power to use forces that are not under the Council’s direct control. Such delegated enforcement action has been considered a ‘half-way house’ between the unilateral recourse to force by states and collective security as laid down in the charter⁸.

The mode of delegated enforcement action was used for the first time in 1950 (Korea). In this case, due to the absence of the Soviet Union, the Security Council was able to determine that a ‘breach of peace’ had occurred, and recommended the UN member states to make such military forces and other assistance available to a unified command under the United States of America. (Resolution 84).

In the years after 1990, the activism the Security Council demonstrated for the first time in its history, gave rise to the question whether the body’s power under chapter VII of the UN charter are virtually unlimited, how far the Council can extend the scope of its activities, and whether there are sufficient legal control⁹.
The determination of a threat to the peace…. in article 39, presents primarily a factual question left to the discretion of the Security Council alone. This discretion remains, however, contingent on, and thus limited by the purposes and principles of the UN. A threat to peace and Security may also result from a breach of an international obligation of essential importance for the safeguarding and preservation of the human environment, or from the international trade in drugs. There are thus, wide discretionary powers of the Security Council in assessing a factual situation with regard to its potential impact on international peace and security.

THEORETICAL APPROACHES TO UNDERSTANDING THE ROLE OF THE SECURITY COUNCIL

The power, politics and pragmatism of the Security Council can best be expressed from theoretical perspectives. Thus, the study of international relations is best understood as a protracted competition between the realist, liberal and radical traditions. Often thought as the “Conventional Wisdom” in international governance, realism and liberalism approximates widely held views about how states and non-state actors should behave within the broader context of world politics. Both approaches are rooted in rich intellectual traditions, and each describes different actors and dynamics in international politics.

Realism often referred to as power politics or real politik emphasis the ending propensity for conflict between states; liberalism identifies several ways to mitigate these conflictive tendencies; and the radical tradition describes how the entire system of states relations might be transformed.

This article will adopt the realist approach, and owning to the nature of the cooperative endeavors of international organisations (UN), it will blend the discussions here with the liberal perspectives where necessary. In reality however, international relations expresses relationships in the analysis of issues and events. It may therefore not be out of place if this study also finds it relevant to adopt the thesis of James Roszna, chief proponent of the linkage theory to analyse the relationships of the permanent five against the background of their psychological insights with conflict behavior, such as the Frustration-Aggression Theory.
Classical realists such as Hans Morgenthau and Reinhold Niehbur believed that states, like human beings, had an innate desire to dominate others, which led them to fight wars. Neo-realist theory advanced by Kenneth Waltz ignored human nature and focused on the effects of international system. For him, the international systems consisted of a number of great powers, each seeking to survive. Because the system is anarchic (i.e., there is no central authority to protect states from one another), each states had to survive on its own\textsuperscript{15}.

Henry Kissinger and Zbigniew Brezninski are well known realist in America politics, and they laid significant foundations in America’s realist foreign policy posture.

The principal challenge to realism came from a broad family of liberal theories. One strand of liberal argued that economic interdependence would encourage states from using force against each other because warfare would threaten each side’s propensity. A second strand, often associated with Woodrow Wilson, saw the spread of democracy as the key to world peace, based on the claim that democratic states were inherently more peaceful than authoritarian states. A third and more recent stand, argued that international institutions such as the International Energy Agency and the International Monetary Fund could help overcome selfish state behavior, mainly by encouraging states to forgo immediate gains for the greater benefit of enduring cooperation\textsuperscript{16}.

Thus, the power component of the Security Council is therefore deeply rooted in the realist conception of power. But power is not alone; it comes with its ingredients-force, influence, legitimacy and authority.

Power has historically been measured in terms of military capabilities, economic strength and natural resources, and the capacity to transform these assets into the exertion of influence. In the classic sense, power is the ability to get one to do something that he otherwise would not do (Morgenthau, Keohane and Nye). In security terms, the distribution of power might lead to competitive arms races and wars, and a stable balance of power to prevent war. Traditionally, the central measure of power in security context is derived from military capabilities assessed in either offensive or defensive terms\textsuperscript{17}. (Claude, Walt, Kaufman).
The powers given to the Security Council in chapters VI, VII, VIII and XII, and in particular, article 25 that members carry out the security council’s decisions seem an usually great centralisation of power. But it is well known, such Security Council decisions depends on the “concurring votes of the permanent members-that is, the veto power. Thus the Security Council arrangement was hybrid, - a unit of veto for the Big Five Countries, whose consent was deemed essential to the working of the Security Council System, but a high degree of centralisation from the perceptions of all other members.  

The power of the Security Council is also measured through the exercise of vote. The exercise of a unit veto was defined by Morton Kaplan as a ‘standoff system. He implied that a veto might be employed to block action when actors have the ability to threaten sufficient harm, or other actors to persuade them, and they cannot afford to act as they wish. He was concerned with the force and the threat of force in international system. High-level politics is being played out in the Security Council. This is not strange considering the nature of the international system. In international politics, the contemporary scene with its ever shifting emphasis and changing perspectives surrounds the observer. He cannot find solid ground on which to stand, or objective standards of evaluation, without getting down to fundamentals that are revealed only by the correlations of recent events with the more distant past and the perennial qualities of human nature underlying both. Thus, international politics is primarily based on the need for states to survive and increase their power in an anarchical system. This is the reality, which confronts the Security Council.  

In its moment of efficiency and genuine commitment to the fulfillment of humanity’s highest aspiration, the Security Council has demonstrated some measures of pragmatism. Pragmatism as a tendency in philosophy signifies the insistence on usefulness or practical consequences as a test of truth. It sets up as the standard of truth some non-rational test, such as action, satisfaction of needs, realisation in conduct, the possibility of being lived, and judge’s reality by this norm to the exclusion of all others. The men who represent pragmatism are of the motor-active type. The age in which pragmatism has appeared is the one, which bestows its highest praise on successful endeavors. The first of pragmatists declare that pragmatism rest on the axiom “end of man is action.  

William James in his address delivered at the University of California in 1898, observed that pragmatism is a temper of mind, an attitude,
it is also a theory of the nature of ideas and truth; and finally, it is a theory of reality\(^{23}\).

**CRITICAL PERCEPTIONS ABOUT THE SECURITY COUNCIL**

Michael Glennon\(^{24}\), in his article “Why the Security Council Failed”, probably drew a hasty conclusion that tends to imply a universal judgement, and that, the Security Council has seized to exist. This conclusion can only be made if in its entire period of existence [1945 to date], the Security Council has not recorded any achievement in advancing human aspiration. If this is so, then it will be incumbent on the international community to terminate its existence, as was the case with the League of Nations. Otherwise, what needs to be done is to revamp the Security Council in order to ameliorate its shortcomings.

However this article recognises the growing inefficiency of the Security Council and tries to situate it within the context of contemporary political system. The constitutional scheme of the United Nations was built upon three political assumptions. First, the great powers, acting in unison, would deal with any threat to peace and security, regardless of its source. Second, their combined wisdom and strength would be sufficient to meet all such threats without resort to war. Third, no such threat would emanate from one great power. These assumptions have not stand the test of experience. The great powers have not been able to act in unison only in rare and exceptional circumstances. And the main threat to the peace and security of the world largely emanates from the great powers themselves. Thus, the constitutional scheme of the Charter has been defied by the political reality of the post-cold war\(^{25}\).

Consequently the concurrent jurisdiction of a deciding Council and a deciding Assembly, which was a distinguishing feature of the League of Nations, is replaced by the alternate jurisdiction of a deciding Council and a recommending General Assembly. When the Security Council concerns itself with a matter, the General Assembly may still debate, but it can no longer even recommend. By simply putting a matter on its agenda [exercise of double veto on non-procedural matters], the Security Council can transform the General Assembly into a ‘debating society’ without even the right to express its collective opinion on the matter\(^{26}\).
The international community now lives in a dangerous and lawless place. Sergio Viera de Mello paid the price for the inefficiency of the Security Council. His death sadly expresses the Security Council’s failing responsibilities when Kofi Annan pessimistically stated during the post-bombing press conference “that he had thought that the coalition forces would have made the Iraqi environment comfortable for the United Nations to carry on its reconstruction work”\textsuperscript{27}. The Security Council, propelled by power and politics, helped to nurture the existence of a ‘primitive’ international system, characterised by mutual suspicion and hostility. As “The Economist” commented as early as 1992; The council, exult northerners, has been born to keep peace in a manner that fits with modern times. No grumble southerners; the council is becoming a flag of convenience for the old-time neo-imperialists\textsuperscript{28}.

Richard Butler\textsuperscript{29}, in his article “\textit{Bewitched, Bothered and Bewildered: Repairing the Security Council}”, describes how the Security Council has been bypassed, defied and abused. It was bypassed when NATO began military action against Slobodan Milosovic’s Yugoslavia without first seeking the Security Council’s approval that NATO countries knew would be vetoed by Russia and China. And to add, the Security Council was bypassed in the coalition attack on Iraq led by the United States. American unipolarity had already debilitated the Council, just as bipolarity paralysed it during the Cold War. The old power structure gave the Soviet Union an incentive to deadlock the Council; the current power structure encourages the United States to bypass it. The Security Council has rarely any good options when it comes to taking major decisions. Its approval of an American attack would have seemed to rubber-stamp what it could not stop. Express disapproval of a war, and the United States would have vetoed the attempt. Decline to take any action, and the Council would again have been ignored. Disagreement over Iraq did not doom the council; geopolitical reality did\textsuperscript{30}.

Elsewhere in Africa, the Council has a bad reputation. In 1994, the Security Council did not act as the Hutu regime in Kigali systematically killed over eight hundred thousand Tutsi’s and moderate Hutus. It was business as usual in New York, while the genocide raged on. No apologies have been offered to the Rwandans people, who where seriously let down.

In Somalia, law and order have broken down over a decade now. For more than twenty years in Sudan, the slave trade continues with the full knowledge of the Security Council, as the Arab north
oppresses the poorer south. Nothing substantial has been done. Not much has been achieved in the DR Congo either\textsuperscript{31}. Consequently, the Security Council’s ability to function as the guardian of international peace and security has continued to be viewed with much skepticism. The UN’s rule governing the use of force, laid out in the charter and managed by Security Council had fallen victim to geopolitical forces too strong for a legalistic institution to withstand\textsuperscript{32}.

The debate within the Security Council over the resolution authorising the use of force against Iraq again highlighted the rift in transatlantic relations and therefore cast serious doubt on the effectiveness of the Security Council.

**CHALLENGES AND OPPORTUNITIES**

This article has tried to capture the linkages between power, politics and pragmatism. It also demonstrated how frustration could quickly turn to scorn and hostility, occasioned by unilateral and illegal action by the Security Council. The council is being critically scrutinised by observers of multilateral governance who recognises that analysis of the nexus between evolving global order and changes to the concrete manifestations of multilateralism can reveal much about the extent of the relevance and legitimacy of multilateral institutions\textsuperscript{33}. A major challenge facing the international community is the “veto regime” in the Security Council. As was evident during the Cold War period, the veto severely limited the possibility of discourse within the Security Council, and it reinforces the perceptions of the dominance of the P5. This scenario has also created elitism within the UN organisation that runs contrary to the Charter principle of sovereign equality of states. This is a reflection of realpolitik being play in the international arena, and will most likely remain with us for sometimes to come\textsuperscript{34}.

The fading into history of the Security Council as an ineffective body should constitute a big challenge in the transatlantic relations. In reality however, the problem of the Council was not the second gulf war that brought the transatlantic partnership into disrepute, “but rather an earlier shift in world power towards a configuration that was simply incompatible with the way the UN was meant to function. It was the rise in American unipolarity- not the Iraqi crises- that, along with cultural clashes and different attitudes towards the use of force, gradually eroded the Council’s credibility\textsuperscript{35}.\n
Changes in power politics could serve as challenges and also provide opportunities for shaping world order. Reactions to the United States’ gradual ascent to towering preeminence have been predictable: coalition of competitors has emerged. Since the end of the Cold War, the French, the Chinese, and the Russians have sought to return the world to a more balanced system. France’s former foreign minister Hubert Vedrine openly confessed this goal in 1988: “We cannot accept—— a politically unipolar world” and that is why we are fighting for a multipolar one. French President has actually battled tirelessly to achieve this end. According to Pierre Lellouche, who was Chirac’s foreign policy adviser in the early 1990s, says his boss wants “a multipolar world in which Europe is the counterweight to American political and military power” Chirac himself further explained, “any community with only one dominant power is always a dangerous one and provokes reaction”\textsuperscript{36}.

In recent years, Russia and China have displayed a similar pre-occupation. Indeed, this objective was formalised in a treaty the two countries signed in July 2001, explicitly confirming their commitment to “a multipolar world”. President Vladimir Putin has declared that Russia will not tolerate a unipolar system, and China’s former President Jiang Zemin has said the same. Germany, although it joined the cause late, has recently become highly visible partner in the effort to confront American hegemony. Foreign Minister Joschka Fischer said in 2000 that the “core concept of Europe after 1945 was, and still is a rejection of—— the hegemonic ambitions of individual states” Even Germany’s former Chancellor Helmut Schmidt recently weighted in, opinion that Germany and France “share a common interest in not delivering ourselves into the hegemony of our mighty all, the United States\textsuperscript{37}

No doubt, American hegemony has contributed to the abysmal performance of the Security Council in recent time, through its new doctrine of preemptive diplomacy. But, the United States can also incline towards multilateralism as a way to legitimise its power and to gain acceptance for its new strategy. Preemption that is legitimised by multilateral sanction is far less costly and sets a far less dangerous precedence than, the United States asserting that it can act as a judge, jury and executioner. It is now time to work out a new transatlantic bargain, one that redirects a complimentary military and civilian instrument towards common ends and new security threats.
Without such a deal, danger exists that Europeans- who were rolled over in the run-up to the Iraqi war, frozen out by unilateral U.S nation building, disparaged by triumph list American pundits and politicians- will keep their distance, and leave the United States to its own device\textsuperscript{36}. Though such a reaction would be a recipe for a disaster, since the United States lacks the both the will and the institutional capacity to follow up its military triumphs properly, as the initial haphazard efforts at Iraqi reconstruction demonstrates.

CONCLUSION

With a metaphor that, like most metaphors, is not altogether accurate, the Security Council could be described as a whale which for reasons known and unknown, lay quietly somewhere on a high sea for most of its life. Some ten years ago, the whale awoke and turned once or twice, sending waves to distance shores which, in turn, set in motion the ships and boats, and canoes of legal science. They are still nervously cruising while the whale, as it turned out, did not really leave its place\textsuperscript{39}.

The first to take in ensuring credibility within the Security Council is to restore the transatlantic cooperation. Transatlantic partnership is strategic in the future of the Security Council in maintaining international peace and security. Another key issue, which is perhaps fundamental to the rejuvenation of the Council, is the reform agenda. However, the discussions on this for the last eight years in the open-ended Working Group established by the General Assembly to consider the “Question of Equitable Representation on, and Increase in the Membership of the Security Council and other Matters Related to the Council” has resulted in virtual “log jam”\textsuperscript{40}.

Commenting on its anachronistic, dysfunctional and unrepresentative nature, Paul Knox, observed thus:

“The Security Council- the ossified nuclear unit of the UN’s extended family-does not accurately reflect the distribution of population, wealth, contribution to the UN, or ability to project military force in today’s world. As long as this remains true, not only will it lack credibility in many of the most acute security crises, but key members and coalition will have structured incentives to paralyze or undermine it”\textsuperscript{41}.
Nations will continue to seek greater power and security at the expense of others. Nations will continue to pursue their national interest with every means at their disposal. And as far as the Security Council is being controlled by states and indeed the most powerful state[s] demonstrates the reality of international politics.

NOTES


2 Ibid, pp.2-3

3 U.S Department of State, Bureau for International Organization. http:/www.state.gov/www/background-notes/un

4 Ibid


10 Ibid


13 Walt, op. cit

14 James Rosenau [eds.] Linkage Politics. New York, Free Press, p.44

15 Walt, op.cit,p.31
16 Ibid, p.32


23 Ibid


25 Morgenthau, ibid, p.473

26 Ibid, p.469

27 The Nigerian THISDAY Newspaper, Wednesday January 7, 2004, p.8

28 The Economist, ‘Open the Club” August 29, 1992, p.4

29 Richard Butler, 1999, Bewitched, Bothered and Bewildered: Reparing the Security Council, in Foreign Affairs, vol.78, No 5, September-October, p. 10

30 Glennon, ibid.


32 Glennon, ibid.


34 Ibid, p.29

35 Glennon, ibid

36 Ibid.

37 Ibid.
38 Andrew Moravcsik, 2003, Striking a New Transatlantic Bargain. Foreign Affairs, July/August. P.75

39 Fassbender, op. cit

40 Cooper, ibid., p.32

41 Ibid., pp.32-33