The Supremacy of the United Nations in Maintaining International Peace and the Question of its Reform

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The United Nations (UN) was established in 1945, in principle to cater for global peace and eliminate threats to it. However, in reality this global organisation has been manipulated by those with veto powers in its Security Council, making it inconsistent in executing its primary task. This manipulation has sparked questions about democracy and legitimacy within the organisation, leading to the endeavour for representation in the Security Council by the countries of the South. Multilateralism has been used to advance the interests of the permanent members of the Security Council. As a result the international organisation has been inconsistent in its resolutions on matters of international peace. This policy brief interrogates the conflict in Syria and argues that it is an example of how the manipulation of the Security Council by the permanent five (P5) has undermined the supremacy of the UN as an arbiter of international conflicts.

Introduction

The nature of global politics and world order has transformed and evolved in a remarkable way. In 1911, following the end of the First World War, the League of Nations was formed in order to prevent another catastrophic world war. But it failed, and the Second World War broke out in 1939, lasting till 1945. During the time of the League of Nations, the balance of power was relatively equal, with limited dominance by the United States of America (US). After 1945, however, the US gained dominance over the world order, owing to its powerful economic stature relative to that of the European powers, which were weakened by the war. Thus the end of this war ushered in a new global era, with the formation of the UN in 1945 to cover up the failure of the League of Nations to maintain international peace. This new global organisation was given the privilege and right to intervene militarily in a conflict situation. The international balance of power was characterised by the bipolarity between the East, led by the Soviet Union, and the West, led by the US. This

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world order is often referred to as the Cold War, a sustained ideological war between Capitalism and Communism. 

In the 1980s Communism declined with the collapse of the Soviet Union, giving rise to a new world order led by the US as the principal state of capitalism. This change in the international system gave the UN further powers to intervene in conflict situations in the maintenance of global peace. The dominance of the international system and world order by the US has led some scholars to conclude that there are only two international organisations: the UN, global in membership, and the US, global in reach. It is inevitable to conclude that the US is fundamentally influencing the operations of the UN in key issues concerning global peace and security. However, given the complex nature of such matters, the US cannot handle these issues alone. There is need for a critical examination of the interventions of the UN Security Council in conflict situations under the guise of ‘humanitarian intervention’, and the possibility of its reform.

**The reform of the UN Security Council**

The UN is composed of the six organs in its structure, namely, the Security Council; the Trusteeship Council; the Secretariat; the International Court of Justice; the General Assembly; the Economic and Social Council, as well as ‘semi-autonomous agencies’. The Security Council is the supreme organ, primarily because it is tasked with the responsibility of catering for global peace and security and can decide on the admission or expulsion of a member from the organisation. The supremacy of the Security Council is so evident that for a country even to gain admission to the structure of the UN there must be a recommendation by the Security Council to the General Assembly. Article 5 of the UN Charter stipulates that a member of the UN against which preventive or enforcement action has been taken by the Security Council may be suspended from the exercise of the rights and privileges of membership by the General Assembly upon the recommendation of the Security Council. The exercise of these rights and privileges may be restored by the Security Council.

The Security Council of the UN has gained supremacy and prominence in resolving matters of international peace and security, to the extent that it can be thought of as a permanent feature of global politics, and that it will forever remain so. However, the fact is that global politics evolve and give rise to new features in the international relations.

An example is the emergence of a new global actor in the alliance of Brazil, Russia, India, China and South Africa (BRICS). This new global organisation has the potential to unravel the influence and prominence of the Security Council in global politics. BRICS is composed of emerging prominent actors in global politics. China is regarded as the second-largest economy in the world and the most likely to be the leading economy in the near future. Both China and Russia are permanent members of the UN Security Council; this marks their importance in global politics. India is a technological powerhouse and is taking advantage of its large population for its own development. Brazil is a strong power in its region and the most important actor in the integration and development of the Union of South American Nations (USAN). It is because of the extreme powers of the Security Council and the prerogatives enjoyed by the P5 that there is a relentless call for the reform of this organ.

**The concept of humanitarian intervention**

The principle of humanitarian intervention has been widely used to justify the manipulation of the Security Council by the P5. Humanitarian intervention has been defined as ‘the threat of use of force by a state, group of states, or international organisations for the purpose of protecting the nationals of the target state from widespread deprivations of internationally recognised human rights’. It is an intervention with the purpose of protecting violated human rights. In the realm of international relations, this concept would involve political and economic interests. Intervention would require a state to utilise its resources in protecting the human rights of the people of the other state. In the case of an emergency such as a natural disaster, food parcels would be distributed, but in a conflict situation, military intervention would be required. It is the responsibility of the UN to undertake this action. Article 24 of the UN Charter states that in order to ensure prompt and effective action by the United Nations, its members confer on the Security Council primary responsibility for the maintenance of international peace and
security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf.6

Obviously, as some heads of state, particularly Africans, do not view the UN Security Council as the ‘holy of holies’;7 the validity and authority of the Security Council to carry out this responsibility may be questioned. This is particularly so because some regions of the world, such as the African continent and South and Latin America, are not represented on the Security Council.

The concept of humanitarian intervention is questioned in various sophisticated ways. This problem is found at the centre of the question, posed by Jackson and Sorensen, about ‘the normative basis for claiming that statespeople are only responsible for defending the national interests of their own country’.8 They argue that states have no international obligations that come before their national interest of states. Human beings have rights only by virtue of being citizens of states: each statesperson is responsible for defending his or her own citizens, but not the citizens of other states.

This is the major reason why the concept of humanitarian intervention is problematic. States in their true nature would obviously pursue their own interests under the moral justification of humanitarian intervention. In a globalising world, protection of human rights is not the preserver of states but also of the people of the world. This is the reason why non-governmental organisations (NGOs) have gained relevance and prominence of states but also of the people of the world. This is the reason why non-governmental organisations (NGOs) have gained relevance and prominence of states but also of the people of the world. This is the reason why non-governmental organisations (NGOs) have gained relevance and prominence of states but also of the people of the world. This is the reason why non-governmental organisations (NGOs) have gained relevance and prominence of states but also of the people of the world. This is the reason why non-governmental organisations (NGOs) have gained relevance and prominence of states but also of the people of the world.

The Syrian crisis and multilateralism.

The Syrian crisis has been brewing since the leaderless eruption of the Arab Spring, the uprisings that were sparked by the self-immolation of the young Mohammed Bouazizi of Tunisia. The Independent newspaper captured the impact this self-immolation had on the political discourse around the Arab world:

On 17 December 2010, … after one routine petty harassment too many from the authorities, something inside his long-suffering soul snapped. He dowsed himself in petrol and set himself ablaze. In doing so he lit a fire across the Arab world that blazes to this day. His act of self-immolation stir red protests in his hometown of SidiBouzid, that quickly spread across all Tunisia.9

Starting in Tunisia in January 2011, the Arab Spring had no respect for borders; it migrated from Tunisia to Egypt, Libya, Yemen and ultimately Syria.10 This phenomenon caught the international community by surprise, including the UN Security Council. Russia, China and other countries of the South have since countered the US plan to punish Bashar al-Assad, by campaigning strongly against the use of force against al-Assad’s regime. He is alleged to have crossed the ‘red line’ imposed by the US by unleashing chemical weapons on civilians.11 The use of chemical weapons was a much contested issue; Assad denied that it was his government forces that unleashed the attacks and accused the rebels of being the perpetrators, while the rebels denied using the chemical weapons.

As opposed to its decisive action taken against Libyan leader Muammar Gaddafi, the inability of the UN Security Council to act promptly to prevent violent conflict from escalating and its manipulation by members of the P5 are epitomised by the Syrian crisis. It was the UN which sanctioned both resolutions 1970 and 1973, ushering in the regime change in Libya and the killing of Muammar Gaddafi by the rebels. The UN acted promptly in the Libyan crisis, but is failing to take such a bold action against Syria, despite the similarity of circumstances of the conflict. This paralysis is due to the close relationship between Bashar al-Assad and Russia.

The campaign for the UN to intervene in Libya was led by the West: the US, France and Britain, with China and Russia remaining silent. It is the same Western alliance that is pushing so hard for the UN to resolve the Syrian crisis, to the extent that it is even willing to act alone. But the UN is paralysed in this crisis. Russia and China have vetoed the proposal to allow the UN Security Council to discuss the Syrian crisis. Both Russia and China are adamant in protecting al-Assad from possibly experiencing Muammar Gaddafi’s fate.

The details of the Syrian crisis are very complex. More than 1 000 innocent civilians died as a result of the chemical weapons attack in Damascus.12 The question of who unleashed this
The question of who unleashed this chemical weapons attack remains to be answered. Both the rebels and the Syrian government forces had the capacity to unleash such an attack on the civilians. Rebels could have committed this atrocity with the sole purpose of prompting a UN Security Council-sanctioned reprisal against al-Assad. The rebels have been supported militarily by external forces in order to loosen the grip of power by al-Assad; they were given ammunition to engage in a war with the government forces. Bashar al-Assad could also have ordered it, taking advantage of the complex situation. The UN has sent inspectors to assess whether the chemical weapons were indeed unleashed on civilians. Critically, though, these UN inspectors are not investigating who was the culprit of the chemical weapons attack.

What has further prevented the UN Security Council from intervening in the Syrian crisis is the fact that Bashar al-Assad has a principled, consistent and reliable friend in Russia, as one of the permanent members of the Security Council. Russia has also managed to convince China to support and protect Bashar al-Assad from the West. In fact, Russia resisted the temptation to betray al-Assad when Saudi Arabia pledged the Middle East to Russia’s influence if it was willing to allow the regime change in Syria.

This inability to resolve the Syrian crisis is a tragedy for Syrians, as large-scale violence ensued, relentlessly coupled with widespread human rights violations and the displacement of countless civilians. The Western members are searching for terminology to support their intervention in Syria because the odds are against them. Terms such as ‘an international norm’ and ‘humanitarian intervention’ have been used in an attempt to justify an intervention in Syria, as in Libya, under the guise of ‘responsibility to protect’.15 The Western members of the Security Council sanctioned a reprisal against al-Assad, but the Russian and Chinese veto blocked it. The US, the UK and France eventually sent inspectors to assess whether chemical weapons were indeed unleashed on civilians. It is crucial that these UN inspectors are impartial and unbiased in their investigation.

The Western members of the Security Council are also advocating a Security Council reform. The UN’s permanent members often use their veto to block initiatives from other countries, particularly those from African countries. If South Africa could use its position in BRICS to solicit the support of these two powerful countries for the aspirations of the Ezulwini Consensus, it could be an important step towards reform.

Conclusion and recommendations

The most important lesson to be drawn from the Syrian crisis for the African Union (AU) and the countries of the South is that relationships forged with other countries, particularly permanent members of the UN Security Council, should be on the basis of mutual respect. Interests and reliability. Bashar al-Assad is too arrogant to bow to the pressure of the West because he has the backing of Russia and China. The protection given to Assad by Russia and China could have been provided for Muammar Gaddafi as well, and thus respect and recognition for the roadmap suggested by the AU. The firmness of Russia and China in protecting Bashar al-Assad is also required to advance the reform of the UN Security Council. If South Africa could use its position in BRICS to solicit the support of these two powerful countries for the aspirations of the Ezulwini Consensus, UN Security Council reform might be attempted. It is recommended that:

- The negotiations on Syria should ensue with no terms of reference set by the West.
- The call for an expanded UN Security Council, with the expectation of having representatives from Africa and Latin America, should be pursued relentlessly. The strategies to consolidate support for this initiative should be reviewed to accommodate new ideas for a comprehensive reform.
- Countries calling for the reform of the United Nations should organise a summit to discuss an integrated plan for the reform agenda. This would unite them and close space for divisions.
- The African states need to improve politically, economically and socially to close a space for foreign intervention in their domestic matters, which allows external forces to use the multilateral institutions to intervene.
- The African leaders need to strengthen the AU militarily and economically, to enable it to respond promptly to the conflicts in the continent; this would also close space for external intervention in the continent.

References:

3 Ibid.
4 United Nations Charter, Article 4.2. 
5 Ibid.


12 Ibid.


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