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United nation and collective security

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Abstract

The preamble to the charter of the United Nations Organization states that the maintenance of world peace and security though the combined efforts of its members is the priority for the establishment of the body. The aim of the establishment of an international regime that will enhance an international order policed collectively by all nations found expression in the United Nation. This intention was born from the war time co-operation that led to the success of the Allied forces in World War 11

Keywords: Charter; Collective Security; Peace keeping; Security Council; United Nations

1. Introduction

Collective security can be seeing as a tool for joint action as to prevent or counter an attack against an established order. It all centres on mutual cooperation and assistance. It therefore calls for the establishment of mutual responsibility of all countries in the world for the maintenance of international peace and security in the world (Ukpe, 1997). A collective security system is totally different from an alliance system. It is not only contrived to substitute alliance, but it is in compactible with an antithetical to a policy of alliance. It can be successfully applied to a wider spectrum of conflict solutions, and so is more effective than pacific settlement (Ukpe, 1997). Collective security may be defined as a plan for maintaining peace through an organization of sovereign states, whose members pledge to defend each other against attack (Security Council, 2009)

Collective security is a handier term, and it entered deeply into the international vocabulary when – from about 1931 to 1939 – many hoped, in vain, that League of Nations through its machinery for collective action might avert war by checking the aggression of the revisionist powers- Germany, Italy, and Japan (Encyclopedia, 2021)

The practice of collective security requires all nations to join one universal alliance other than two or mere balancing alliances. Unlike alliances, collective security does not recognise any traditional friendship or enmity. It rather functions with impartiality. Again unlike alliances which are formed to counter a particular threat, collective security is formed to deal with an envisaged or perceived threat to world peace, thus collective security system is a global alliance of nations for the purpose of dealing with possible threat to world peace (Victor, 1991).

To this end it is therefore analysed that collective security zeros down to a machinery designed to ensure global peace by keeping the aggressive instruments of state in check through the application of overwhelming economic sanction. This is due to the fact that the prospect of all-against-me would not only stop aggression but would also prevent potential aggression from constituting a threat (Hisashu, 1991). That will lead to world peace.

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2. The Provisions of the Charter

The charter empowers the responsibility for the maintenance of international peace and security on the Security Council. This is stated on Article 39 of the charter that “The security council shall determine the existence of any threat to the peace, and shall make recommendation or decide what measures shall be taken in accordance with Article 41 and 42 to maintain or restore international peace and security” (Security Council, 2009)

This made it clear that the United Nation never intended to be pacifist organisation. President Truman while addressing the final session of the San Francisco Conference in 1946 where the United Nation Charter was ratified, called the charter “A solid structure upon which we can build a better world”. The charter of the United Nations is therefore a more satisfactory constitutional basis for a collective security system. This convection about the perfection of the charter derives from the fact that it leaves no loopholes which aggressors can capitalize on to carry out their expansionist campaigns. It also subjects all coercive activities to the control and supervision of the Security Council. Although no automatic sanctions are mandated, the Security Council determines when aggressions have been committed; it then orders member nations to implement economic sanctions, which the council will implement if the aggressor. This will serve as a prelude to military sanction which the Council will implement if the aggressor does not acquiesce. The military sanction is carried out with the armed force which will be donated by member nations to the Security Council. All members are legally bound under Article 25 of the charter to implement the Security Council’s agreement (Truman, 1948). Even though the charter also has its defects, its deficiency is at the institutional level, such as the failure to make the contribution of armed at an appointed time peremptory on the members until Gulf War, no member of the United Nations has ever entered into an agreement with the Security Council to contribute arms and personnel for any enforcement action. Another area of deficiency is on the veto problem; for instance the setting of major powers as preponderance over other members through the veto. The United Nations offers no more assurance than the league that the basic prerequisites of collective security will be achieved (Williams, 1991).

The veto has mostly contributed to the incapacitation of the UN since its establishment. For example, since 1945 – 1955, many new members, supported by the United States of America, could not be admitted into the United Nations due to Soviet veto, until the Gulf war, much of the provision of the UN charter has remained relatively fallow since 1945 due to the veto bottle-neck in the Security Council. Much of the achievements of the Organization in collective security have been possible through improvisations rather than the use of charter provision (Rita, 1991).

2.1. Peace Keeping

One of the greatest ad-hoc arrangements used by the United Nations is Peace-keeping. This is a very unique innovation that lays halfway in-between the classical pattern of peaceful settlement and the collective security model. Peace keeping or preventive Diplomacy or “the United Nations Presence” was not provided for in the charter but it was provided for in the charter, but it was successfully been applied both to inter states and intra-state conflict before the tenure of Dag Hamarskjoid as Secretary General. However, it was developed and refined during his tenure. The first United Nations peace-keeping operation was the United Nations Truce Supervision Organization (UNTSO) created in 1948, 10 monitor the uneasy peace in the Middle East. The success of that very first experimentation has given increasing “has given increasing importance to peace-keeping operations of the United Nations in the present setting” (Ukpe, 1997; Hisashi, 1991)

As of September 17 1992 the United Nations has carried out 26 peace-keeping operations costing \$8.3 billion with a total of 527,720 troops deployed. By October 1993, this number has increased to 33 peace-keeping forces. Today, the value of the United Nations depends to a large extent in the effectiveness of its peace-keeping efforts (Ukpe, 1997)

2.2. The Uniting for Peace Resolution

The uniting for Peace Resolution 377 of November 3rd 1950 was an innovation introduced into the United Nations. The resolution was adopted by the General Assembly to bridge the gap left for the non-implementation of Article 43 of the charter (Inis, 1965)

Even though Chapter VII of the UN charter that deals with “Action with respect to threat to the Peace Breaches of the peace and Acts of Aggression” makes the application of sanctions the exclusive prerogative of the Security Council by not assigning any particular role to the General Assembly, in the charter. The General Assembly used this resolution to reverse such implication and formalize collective action against Great power sponsored aggression (Bayo, 1991)

The uniting for Peace Resolutions helps an emergency special session of the General Assembly to be called within 24 hours whenever the Security Council is weak. It is also used when the Security Council “fails to exercise its primary

responsibility for the maintenance of international peace and security in any case where there appears to be a threat to the peace, breach of the peace or act of aggression". The resolution thereby expands the role of the General Assembly to cover all areas of competence relating to collective security. Through the uniting for peace resolution, the General Assembly can by a Two-third majority vote accomplish what the Security Council needs the unanimity of the five permanent members and the affirmative vote of the non-permanent members to accomplish or affirm the decision (Ukpe, 1997)

This United for peace resolution, like the Veto "was an American sponsored project in anticipation of Soviet Communists threat" it was adopted during the absence of the Soviet representative from the Security Council in protest over the issue of Chinese representation. From August 1 1950 when the representative of the Soviet Union returned to the council, action on the plan was stalled. But before that time, the General Assembly through the plan, was able to take practical steps to resolve the Korean conflict in the event of a stalemate in the Security Council on the matter (Anderson, 1983).

2.3. The Korean Experience

The Korean case was the first approximation of collective security operation of all the United Nations peace keeping operations. The conflict was born out of the cold war conflict between the defunct Soviet Union and the United States. The agreement to divide and rule Korea as to cause the surrender of the Japanese troops has kept that country divided till date (Hisashi, 1991)

One achievement of their main goal negotiation to re-unite the country were carried out when these negotiation failed, the United States invited the United Nations intervention in Korea. The two attempts by the UN General Assembly to re-unify the country in 1947 and 1948 ended unfulfilled (Rappard, 1948)

The problem came to a head when the Communist troops from North Korea invaded the United States recognised Southern Republic of Korea. At the instance of the United States the Security Council met and with the gap created by the Soviet Union boycott, adopted three major resolutions which include the declaration of the armed attack by North Korean force a breach of the peace though not necessarily an act of aggression and called for the cessation of hostilities and the withdrawal of the North Korean troops. The other resolution was the recommendation that member states should assist the Republic of Korea in repelling the attack and in restoring international peace and security in the area and finally authorized a unified command using the U.N flag (Mwagwabi, 2010)

With the United States of America as the commander of the combined forces, some of these resolutions were provided by unilateral actions by U.S.A for example, before the last resolution of June 27th 1950 was adopted, President Truman has already ordered the US forces to give air and sea support to South Korea. Thus, the simulants of the Korean conflict and the Gulf war, not only in pre-United Nations actions, but also in the composition of the unified force. The United States supplied 50% of the ground troops, 85% of the naval forces which means that over 90% of the forces involved in repelling the inversion comes from the US and South Korea herself. Some would therefore agree that "The United force that fought in Korean under the United Nations banner was far from a model of an idea and real Collective Security force, but a United States action which it would have carried out with or without the United Nations support". The United Nations emblem only supplied international legitimacy for the US efforts to aid South Korea in repelling the North Korean forces. But the Security Council was not able to apply collective security techniques fully. In spite of the fact that it utilized the stronger measures of Article 40-42, its action was stalled when the Soviet Union representative returned. It was the General Assembly acting through the uniting for peace Resolution that sought to obtain a ceasefire. Then it pronounced Communist China's intervention as aggression and thus recommended economic sanctions, while waiting for the collective military action already planned. This was the first use of the uniting force for Peace Resolution and this experience indicates that it probably would also be the last (Howard, 2001)

As some members of the UN failed to contribute armed contingents as were earlier agreed upon for its execution, thus the ray of hope that the United Nations would become effective as a Collective Security system was dimmed. Four times the Uniting for Peace Resolution plan was invoked between 1956 – 1960 without any impact or success. Thus the plan is as good as buried together with the observation commission and the collective measures commission which were established under its auspices, the plan lapsed into inactivity after performing brief useful functions. It is only now used to bring up a case and add responsibility to General Assembly (James, 2014)

Above all, the Korean conflict ended in deadlock, the invasion was repulsed. But if the United Nation was effective as a collective security organization North Korea would not have dared to challenge this status quo. So, the UN, failed to provide the solution expected of a collective security system (Lefever, 1967)

2.4. The Gulf Crisis (War)

The second gulf war between Iraq and Kuwait in 1991 was the second experiment of a collective security action. Saddam Hussein's Iraq on August 2, 1990 invaded the oil rich State of Kuwait with the aim of making it its 29th Province. Saddam justified his actions on the ground that Kuwait was part of Iraq during the Ottoman Empire (1307-1882) (Bosah, 1991)

2.4.1. International Reaction to the Gulf Crisis

Saudi Arabia tried to mediate into the crises but there was no success. As such, Iraq then invaded Kuwait. This action was condemned by World Powers. So many sanctions was imposed on Iraq, such as economic sanction which was ordered by the United States President, George Walker Bush, the halting of the sales of arms to Iraq by the defunct Soviet Union. Then the United Nations Security Council poked by the United States, condemned the act (invasion) and demanded Iraq to withdraw immediately, by its resolution of 660. Next was the United States and defunct Soviet Union joint communiqué on August 3, 1990 backing the Security Council's Resolutions. The United States also sent troops back to Saudi Arabia, and further went on an international propaganda campaign to cause Saudi Arabia and Turkey to close Iraq oil pipeline, which led to the EU announcement of sanctions against Iraq on the 4th of August 1990 (Bill and Chris, 2003)

But in all this, Saddam remains unshaken and refused to withdraw his troops from Kuwait and in August 8, 1990 he formally annexed Kuwait and changed the name to Kadina (being its former name). After which he made some political and administrative appointments and changes. It was at this point that the United Nations Security Council pass Resolution 661 which ordered a full economic sanctions against Iraq and occupied Kuwait in what was tagged "Operation Desert Shield". Troops were sent by the United States and also aircrafts to Saudi Arabia while calling for multi-national forces to be deployed to the gulf. More conflict actions, which instigated attitudes in conflicts followed (Kevin & Mark 2010)

On August 9, 1990, Saddam closed Iraq border to prevent foreign nationals from leaving Iraq and Kuwait though he later refracted this policy on August 28 1990 but not after the united nations security council resolution 664 of August 18, 1990 demanding the release of all foreign nationals detained in Iraq and Kuwait and resolution 665 of August 25, 1990 authorising the use of all necessary means to enforce the UN embargo. Though the Arab League at an emergency meeting in Cairo Egypt, on August 10, 1990 had earlier voted to send troops to Saudi Arabia and the King Hussein of Jordan had on August 16, 1990 assured President Bush of the United States that he will close Aqaba to Iraq commerce, this finalising the implementation of the embargo. On August 12, 1990 Washington had earlier announced a policy of interdiction to facilitate the enforcement of UN embargo and had for same reason also revived its reserved forces on August 22, 1990 which was the first time that the US actuated its reserved forces since the Vietnam War (MEMRI, 2003)

UN Security Council later passed a resolution on October 23, 1990 calling on Iraq to make reparations to Kuwait for the damages Kuwait had suffered following the invasion, but the US was not satisfied with that policy rather she insisted on an offensive option

Thus the redoubling of her troops in "Operation Desert Shield" On November 8, 1990 more than 400,000 Iraq responded by announcing her own military build-up in Kuwait from about 350,000 to more than 600,000 men, though the exact figure was to ascertained.

The UN Security Council on November 29, 1990 passed a resolution 678giving Iraq up to January 15, 1991 to leave Kuwait. The resolution authorised all countries to use any means necessary to force Iraq out of Kuwait if she failed to comply. Some Arab leaders made so much diplomatic efforts for a peaceful resolution of the conflict after the passage of the UN resolution 678. Owing to the failure of these unsuccessful negotiations, both houses of the US congress on January 12, 1991 approved President Bush's request for authority to lunch a war against Iraq in an effort to enforce the UN Security Council's resolution.

In a final bid, the then UN Secretary General Javier Perez De Cuellar met with Saddam in Baghdad on January 13, 1991 to discuss the possibility of a Peaceful resolution on the crisis. The final bid to broker for peace once again failed, as Saddam Hussein still refused to make a concession. A day to the final day of the UN ultimatum the (January 14, 1991) Iraq National Assembly threw their weight behind their president. Iraqi citizens also demonstrated in support of President Saddam Hussein in a live television broadcast to go to war. The support from the Iraqi and the Iraq National Assembly made him as resolute as ever. Thus the stage for "The Mother of all War"(Howard, 2001)

2.5. Operation Desert Storm

Iraqi soldiers never gave any sign of retreat up till the dawn of January 15, 1991, thus led to the Allied forces a 28 nation multinational force under the UN flag drew near the Kuwait border. The battle line was drawn. But January 16, 1991 passed without an outbreak of war. Then in the early hour of January 17, 1991 the long awaited war starts. US President, George.W. Bush code-named it “Operation Desert Storm” while Iraqi President code-named it “Mother of All Battles” (William, 2010)

For 36 gruesome days Iraq was pounded every now and then, and on February 27, 1991 Iraq announced its withdrawal from Kuwait and acceptance of almost a dozen resolution passed by the UN Security Council which brought to an end of the hostilities in the Gulf war. The annexing of Kuwait to the withdrawal of Iraqi soldiers from Kuwait lasted for about Six months, three week and two days. The actual war lasted for a month and eleven days.(Howard, 2001)

3. Conclusion

In the history of collective security with regards to the UN, the Gulf War stands out as a monumental and remarkable achievement. It was the second time in the history of UN that the Security Council authorized military enforcement action. The first instance was during the Korean conflict of 1950, with a minimal success as the multinational front was not formed. However, the Gulf war was the first time military action was authorised with specific reference to chapter VII of the UN Nations Charter. It was also the closest that members of the organisation have acted in concert since the formation of the UN in 1945.

It is important to note that when one considers the demands and responsibilities of collective security, the execution of the Gulf war still fall well below the expectation and the principles of collective security. Of the about 182 sovereign nations which were members of United Nations Organization by 1991, only just 28 countries representing 6.25% of the entire members of the organisation participated in the “multinational force” that expelled Iraq from Kuwait.

Based on the principles of collective security, the Gulf war cannot be equated with a collective security operation, less than one sixth (1/6) of the members of the United Nations participating, meaning that about 94% of members of the UN did not respond with spontaneity as members of a collective security system as expected to do. Just like the Korean conflict the Gulf war was not a genuine UN action, but a manipulation of the organization by some interest group members and their allied. The United State of America would not have spearheaded the forces if its strategic interest was not involved. The twenty three resolutions passed almost on a daily basis and their rapid execution would not have taken place if the defunct Soviet Union was not in its highest ebb.

The Gulf war was basically a United State project with the United Nation. The series of negotiations that took place before the outbreak of hostilities which were between Iraq officials and US officials, the ratio of troops contributed for the war, the initiation for resolutions; the command of the allied forces that fought the war, and the defraying of the cost of the war, all goes to show that the US is the real protagonist in the war. Thus, the Gulf war was a collective action in default of the UN, except it is agreed that the United State and United Nations Organization are now coterminous by the position it held in the Security Council. The US gathered together few faithful allies, but fouled to acquire the remaining 156 members whose self-interest lay somewhere outside the Gulf to a war that presents the United Nations as a failure and unsuccessful organization.

Compliance with ethical standards

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This work is my sole effort, therefore no conflict of interest at all.

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