



**The Predominance of an Ethic of Double Standards in the United Nations Security Council Humanitarian Intervention Missions: A Critical Study based on the Ethical Concepts of Mutual Aid and Equal Recognition**

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## DECLARATION

I, **Constantino Guveya Chiwenga** declare that,

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## DEDICATION

Being a Revolutionary icon, renowned Pan Africanist, and Principled leader, His Excellency the President of the Republic of Zimbabwe and Commander-in-Chief of the Zimbabwe Defence Forces, Cde RG Mugabe has always remained a humble and selfless educationist. His vision in promoting education not only for the ordinary people but across the societal divide has significantly contributed to tangible manpower resource growth not only Zimbabwe but Africa and beyond. His quest to see to it that any member of society who in one way or the other could have been disadvantaged in getting basic education especially at early childhood, has seen people like me, being able to pursue studies of this magnitude at this age in time. It is my sincere hope that such zeal and never-say-die attitude, through the selfless efforts of His Excellency, will in one way or the other continue to inspire others, particularly the youths, at national, subregional and even continental levels to undertake doctoral studies. I humbly dedicate this thesis to all his efforts in making sure that everyone has a right to education.

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## ABSTRACT

The United Nations Security Council (UNSC) is the organ of the United Nations (UN), which according to the United Nations Charter has been mandated with the maintenance of peace and security in the whole world. The UNSC is composed of 5 permanent members in accordance with Chapter V, Article 23 of the UN Charter. These P5 were not democratically elected because the UN General Assembly has never been involved in the election of these P5 members. Instead, the UN General Assembly has been given the responsibility of electing 6 non-permanent members. From the history of the formation of the UNSC, I have argued that the members of this organ of the UN end up promoting their own national self-interests under the guise of promoting peace and security in the world. The practice of double standards (being morally hypocritical with regards to one's commitment to justice and fairness) in the UNSC hinges mainly on the rationale of P5 members pursuing their self-national interests instead of the interests of the whole world in accordance with the UN Charter.

Also the rationale of having a UNSC whose justification for its existence is based on the idea of a World War that was fought six decades ago undermines a democratic ethos as well as any prospect for the UNSC democratic reforms. The P5 talk about democratic accountability to other countries and yet they themselves are not accountable to the UN General Assembly. The idea of a P5 membership that wields vetoing powers makes the prospects of democratic reforms in the UNSC untenable. The fact that the UNSC has on several occasion talked about good governance as synonymous with a democratic government smacks of double standards because the modus operandi of this organ of the UN does not show any shred of the existence of democratic practices. Another factor that exacerbates the practice of double standards in the UNSC is that the politically cherished values of this organ of the UN are mainly Euro-centric. The interests of the P5 are usually regional interests, and not the interests of

the whole world. It is a central argument that is raised in this study that the practice of double standards undermines the ideal of shared moral values among nations.

A special attention to the practice of double standards in the UNSC is made with specific reference to the UNSC authorised military interventions in Iraq and Libya. The UNSC's condemnation of Iraq's invasion of Kuwait was mainly motivated by the USA (United States of America) and her Western allies' need for cheap oil. I have demonstrated that this practice of double standards can be discerned if we make a comparative study on UNSC response towards Iraq's invasion of Iran. The practice of double standards was further highlighted by examples where other countries such as Israel, South Africa and Rhodesia invaded sovereign countries whilst the UNSC did not authorise military interventions against those countries. In the case of Iraq, the practice of double standards involved lying about the motives of imposing sanctions and inspecting Iraq's weapons capability. The same practice of double standards by the UNSC led to the UNSC passing a resolution of no fly-zone under the pretext of protecting civilians and yet NATO and its sponsored rebels killed more civilians than what Gaddafi government ever did. The presumption that the UNSC is there to promote peace and security in the whole world is empirically questionable.

The main argument that was advanced in this study was that the pursuit of national self-interests among the P5 members of the UNSC is the main contributory factor to the practice of double standards in its modus operandi. The practice of double standards in the UNSC makes the prospects of a new world order something that will remain unrealisable. For this reason, my critique of double standards was that it has eroded the moral legitimacy of the UNSC. For this reason, my main critical tools against double standards were ethical concepts of equal recognition - all countries of the world should be recognised in terms of their capabilities to contribute to peace and security in the world and of mutual aid - which is based on the

presumption that all countries of the world should be seen as indispensable to the promotion of peace and security in the world.

## **KEY TERMS**

United Nations Security Council, Permanent Members, Peace and Security, Double Standards, United Nations, United Nations Charter, United Nations General Assembly, Modus Operandi, National Self-Interests, Sceptical Realism, Reform, Resolutions, Democracy, Power, Moral Legitimacy, Ethics, Mutual Aid, Equal Recognition, Sovereignty, International Law.

## LIST OF ABBREVIATIONS

|                   |   |
|-------------------|---|
| <b>AU</b>         | African Union   |
| <b>CIA</b>        | Central Intelligence Agency                                   |
| <b>DS</b>         | Double Standards  |
| <b>EHM</b>        | Economic Hit Man  |
| <b>ESAP</b>       | Economic Structural Adjustment Programme                      |
| <b>G-4</b>        | India, Germany, Brazil and Japan                              |
| <b>ICC</b>        | International Criminal Court                                  |
| <b>UNIKOM</b>     | United Nations, Iraq-Kuwait Observer Mission                  |
| <b>LDC</b>        | Less Developed Countries                                      |
| <b>LN</b>         | League of Nations   |
| <b>MSC</b>        | Military Staff Committee                                      |
| <b>NAM</b>        | Non Aligned Movement  |
| <b>NATO</b>       | North Atlantic Treaty Organisation                            |
| <b>NSS</b>        | National Security Strategy                                    |
| <b>OAU</b>        | Organisation of African Unity                                 |
| <b>OFF</b>        | Oil For Food  |
| <b>P5</b>         | Five Permanent members of the United Nations Security Council |
| <b>SADC</b>       | Southern African Development Community                        |
| <b>UDHR</b>       | Universal Declaration of Human Rights                         |
| <b>UDI</b>        | Unilateral Declaration of Independence                        |
| <b>UK</b>         | United Kingdom  |
| <b>UN Charter</b> | United Nations Charter  |
| <b>UN</b>         | United Nations  |
| <b>UNGA</b>       | United Nations General Assembly                               |

|                |   |
|----------------|---|
| <b>UNMOVIC</b> | United Nations Monitoring, Verification and Inspection Commission |
| <b>UNSC</b>    | United Nations Security Council                                   |
| <b>US</b>      | United States   |
| <b>USA</b>     | United States of America  |
| <b>USSR</b>    | Union of the Soviet Socialist Republics                           |
| <b>WMD</b>     | Weapons of Mass Destruction                                       |

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## **CHAPTER ONE: INTRODUCTION AND SCOPE OF THE STUDY**

### **1.1 Background to the Study**

There was a time when the League of Nations was understood as an organisation that was mainly an association of civilised nations who were there to take charge of the affairs of uncivilised or barbarous nations - Africa, Asia and Latin America. Philosophers and political thinkers such as Karl Marx, Fredrick Engels and John Stuart Mill discussed Indians, Africans and Asians mainly on the basis of Western civilisation. Most of these Western scholars saw it as part and parcel of the Western mission to export the goods and values of civilisation to the so called uncivilised nations. However, the Second World War turned this type of thinking upside down as these so called civilised nations embarked on an orgy of a senseless war that resulted in the loss of millions of innocent lives.

The formation of the United Nations in 1945 was motivated by the need to foster peace among all the nations, and not among the civilised nations only, and hence the membership to the United Nations was for “peace-loving nations” whose main objective was spelt out lucidly as “to save succeeding generations from the scourge of war” and “to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, and the equal rights of men and women, and of nations large and small” (cited in Mazrui 1990: 21; Adebajo 2010: 55). The formation of the United Nations was also followed by the establishment of the United Nations Security Council. It was the prerogative of this newly created United Nations Security Council to make sure that these objectives are not violated by member states. In cases where these objectives were violated the Security Council took some measures that included economic sanctions and sometimes military intervention against a sovereign state deemed offending. All these measures are understood as humanitarian efforts aimed at fostering peace and security in the world.

In recent years the United Nations Security Council has come under scathing criticism from many scholars and politicians alike. Their common criticism is that the United Nations Security Council is not democratic in the sense that its membership consists of five countries with permanent states to the exclusion of the majority of other countries of the world. Since each permanent member out of these five countries has a privilege of vetoing a decision that might have been agreed upon by the majority in the Security Council, the argument has been that there is a need to transform the Security Council by doing away with the veto, and increasing the number of permanent Security Council members. Whilst it is believed that the United Nations Security Council is there to promote democratic values, the paradox with such a belief is that the Security Council itself has remained undemocratic in its membership and modus operandi. Thomas Weiss (2003: 151) observed that, "Although arguably the United Kingdom and France as well as Russia are no longer considered major powers, their permanent status with vetoes gives them a substantial voice in international politics". Weiss went on to say that most of these countries with permanent membership are there to protect their own national interests, and not the interests of the whole world. The obsession with preserving one's national interest at the United Nations Security Council tends to defeat the original purpose of forming a world body that was to act as a guardian for world peace on the basis of the commonly shared world values (Adebajo 2010: 53-75).

The United Nations Security Council is mainly Eurocentric. For example, the current conceptualisation of human rights is an attempt to impose the United States of America and European socio-economic, political, religious and cultural order on the whole world. In this regard, Gerhard Beestermöller(2001: 35) observed that whenever the United Nations Security Council passes a resolution for military intervention, those who have the capacity to carry out such an intervention are mainly European countries and America. Thus he deduced that, "Any projection of military power under the name of a humanitarian intervention which could not be demonstrated

transculturally would have to be rejected as Eurocentric arrogance, indeed injustice". Such a deduction implies that a military intervention by the United Nations Security Council is only ethically justifiable when such a decision is transculturally representative, that is, when all peoples from the different nations of the world can assent to such an intervention. For example, the UNSC military intervention in Iraq against the Kuwait invasion in 1990 involved the participation of most of the countries from almost all the regions of the world. For this reason, such a United Nations Security Council military intervention is ethically justifiable on the basis of transcultural representation.

However, while the original decision for military intervention against Iraq invasion of Kuwait was morally justifiable, what later on became morally questionable was the overriding of Iraqi sovereignty by carving up a Kurds territory against the wishes of the Iraq government, as well as other intrusive measures. In this regard, one of the United Nations Security Council founding ideal of protecting the sovereignty of states against external aggression was ignored with impunity. What raised a lot of ethical questions in the Iraq's invasion of Kuwait episode is the role that was played by the United States of America when Iraq was driven out of Kuwait (Wheatley 2006: 531-551). The United States of America, because of its economic and military might, dominated the whole United Nations Military intervention exercise in a way that gave the impression that the whole UNSC military intervention was an exercise in giving moral legitimacy to American military world hegemony.

However, it remains a common fact that the moral grounds of the United Nations Security Council as a guardian of world peace have been strongly compromised by the United States of America's overriding economic and military capabilities. Many times the United States of America has declared that its participation in United Nations Security Council military interventions is premised on its own national interests. In other words, if United States national interests are not at stake, then the United States will

not support any military intervention under the auspice of United Nations Security Council. The United States of America will not allow the United Nations Security Council to deter it from acting when its interests are compromised. Such a situation implies that military interventions of the United Nations Security Council remain entangled in an ethic of double standards in the sense that one expects that no member state of the Security Council takes a unilateral decision of military intervention outside the mandate of the United Nations Security Council (see Weiss 2003: 147-161).

Unilateral actions of military intervention by any member of United Nations Security Council can only send a wrong message to the world - that violence and aggression are an acceptable order within our human existence once narrow national interests are at stake. Whilst the United Nations Security Council has been harsh towards those countries that are attempting to catch up with nuclear technology, its commitment to an ethic of double standards can be deduced from the fact that all of the five permanent member states of this Security Council have nuclear weapons. These permanent member states are extremely advanced in terms of manufacturing and selling weapons to areas that are riven by political conflicts in the various parts of the world. These areas of conflicts are not usually seen as undesirable areas of the world, but as lucrative markets for the weapons from the industry dominated by permanent members of the UNSC. The idea that these nations are at once the suppliers of weapons to many areas of conflicts, and also guardians of world peace, constitutes the predominance of an ethic of double standards in the United Nations Security Council.

A thorny issue that raises ethical questions relates to the historical composition of the five permanent members of the UNSC. Some of these members such as France and Britain were notorious colonial powers who for many decades have presided over the ruthless political suppression of the colonised peoples of the world, and economically looted the resources of the same colonised peoples without any grain of conscience. To most of the previously colonised peoples of the world, colonialism was not about

civilisation and economic development for the colonised peoples; rather it was about the political and economic brutalisation of the colonised. The French Colonial Secretary of State, Albert Sarraut put it pragmatically when he said that colonialism was about the expropriation of African resources. He wrote, "What is the use of painting the truth? At the start colonisation was not an act of civilisation, nor was it a desire to civilise. It was an act of force motivated by interests" (cited in Nkrumah 1970: 21). When reading such works, most of the previously colonised peoples of the world would feel strongly that one's former coloniser cannot be the guarantor of one's peace and security. Rather the perennial suspicion is that these former colonial powers will use organs of the UN such as the UNSC to pursue their economic and political interests in former colonies. The whole post-colonial discourse on neo-colonialism is related to this perennial suspicion. Because of the history of colonialism, the moral integrity of the UNSC is greatly questionable. The practice of double standards has been there since the inception of the UNSC. One would expect that, on the basis of justice and fairness, previous colonial powers should not be on a multilateral organ of the United Nations which is mandated with the protection of peace and security in the world.

In the light of the above observations, the research problem for this study is why is it that a multilateral organ of the UN such as the United Nations Security Council which is mandated to promote and protect peace in the world ends up acting in ways that undermine its founding objectives?

### **Hypothesis**

*The hypothesis of this study is that national-interests of the individual five permanent members of the United Nations Security Council perpetuate an ethic of double standards in the modus operandi of this multilateral organisation.*

## **1.2 Preliminary literature study and reasons for choosing the topic**

The role and function of the United Nations Security Council has been a controversial one from an array of scholarly perspectives. There are some scholars who advance a pessimistic view on the efficacy of the United Nations Security Council as a unilateral body for promoting and safeguarding peace and security for the whole world. These scholars' critique of the Security Council is usually two pronged. There are those who argue that such a Council has never managed to fulfil the mandate it was formed for from the word go. Within this school of thought one finds Thomas Weiss arguing in his article, "The illusion of the UN Security Council Reform" that from its very formation this institution has been a spectacle of a litany of failures whereby substantive and substantial reform has been virtually impossible (Weiss 2003: 147-158).

Weiss goes on to argue that the institution organisational nature of the UN Security Council has been formed in a way that does not reflect the United Nations General Assembly membership. The five permanent members of this organisation use their veto powers to restrict expansion of membership, thus perpetuating the unrepresentative status quo. Weiss said that, "Most governments rhetorically support the mindless call for equity, specifically by increasing membership and eliminating the veto. Yet, no progress has been made on the numerical or procedural changes because absolutely no consensus exists about the exact shape of the Security Council or the elimination of the veto". Thus Weiss identifies the veto and a restricted membership as the thorny issue that have remained a perennial problem since the inception of the United Nations Security Council. However, the gist of Weiss' argument is that the real controlling power in the United Nations Security Council is not in New York where the UN headquarters is, but in Washington, the seat of American national power. On the basis of this claim, Weiss submitted that the United States of America "will not participate in an institution whose purpose is to limit its power" (Weiss 2003: 154-155). The implication of Weiss' observation here is that the United Nations Security Council is an institution that is advancing America's national interests. Weiss'

claim can be corroborated by the utterances of the then President of United States of America, George W. Bush who had this to say about the United Nations Security Council and Iraq:

Today, no nation can possibly claim that Iraq has disarmed. Yet, some permanent members of the Security Council have publicly announced they will veto any resolution that compels the disarmament of Iraq. These governments share our assessment of the danger, but not our resolve to meet it. The Security Council has not lived up to its responsibilities, so we will rise to ours (Taubman 2005: 161).

In the light of the above quotation, it is evidently clear that the US sees itself as above the Security Council. This is obviously insinuated in his last sentence which says, 'The Security Council has not lived up to its responsibilities, so we will rise to ours'. It is partly in the light of such utterances that one is drawn into questioning the purpose of the veto in the Security Council, especially when the USA can easily take unilateral military action against its perceived enemy to its interests. An example to this is that the USA 2003 invasion of Iraq was not carried out with the mandate of the Security Council. The Bush administration's *National Security Strategy* (NSS) advocates "a US policy of unilateralism" whereby the invasion of Iraq has demonstrated that "states are no longer constrained by the Security Council in fact or law, and perhaps never were" (Taubman2005: 163). The actions of the USA defeated the purpose for the existence of the UN Security Council as a UN organ mandated with the protection of peace and security in the world.

With the demise of Soviet Union and the Cold war, other scholars who belong to the school of thought that calls for the reform of the UN Security Council are arguing that with the current world political trends that are calling for democracy or pluralism in governments and institutions as the ideal for governance, the UN Security council is found wanting when it comes to the practice of a democratic ethos. According to this school of thought, the UN Security Council is critiqued for perpetuating an ethic of double standards - demanding that world states should be democratic whilst itself fails to live up to the democratic ethos of acting according to the voice

of the majority. In this regard the veto culture of the Council is aimed at promoting the monopoly of political power by a few countries at the expense of the majority. Many countries would want to be members of the UN Security Council for the sake of attaining prestige, equality, legitimacy, and respect (Souza 2007:1).

The argument that the UN Security Council should expand its membership is also related to the idea that a situation where there is greater participation by many states in the Security Council will curtail a culture of unilateralism that has become the dominant feature of this Council's modus operandi. Put in a nutshell, reformists argue that to democratise the UN Security Council, membership to the Council must be expanded in such a way that the new members of this Council should also be endowed with a vetoing power. However, the undemocratic nature of the current Council makes the attainment of this democratic quest untenable because any decision that is taken by the UN General Assembly with the aim of expanding the UN Security Council has to be agreed to by the same countries who are resistant to the democratisation of this organ of the UN. For example, when the then G-4 countries (India, Germany, Brazil and Japan) advocated for a Council with a total of 25 members, their proposal was turned down by the UN Security Council, thus reinforcing the undemocratic practice that has been the dominant culture of this Council (Souza 2007: 2). In the light of this observation, the undemocratic nature of this Council is scandalous because one would have expected that in a democratic organisation, the majority (UN General Assembly) should decide what the composition of the Council should look like, and not the other way round.

Hans Köchler (2007: 1) argued that the organisational culture of the UN Security Council undermines the promotion of democracy all over the world. He observed that "the United Nations Organisation is faced with an *increasing lack of legitimacy*" because of (1) "virtually *non-existent separation of powers*", (2) "almost *systemic arbitrariness* of Security Council action particularly in its resolutions under Chapter VII of the Charter, the adoption

of which exclusively depends on the constellation of interests among the five permanent members in a given case” (3) “a factual *policy of double standards* resulting from the lack of (political) checks and balances as well as of legal restraint.” He went on to say that “Almost all the problems of United Nations legitimacy revolve around the Security Council”. These three points simply reinforce the predominance of an ethic of double standards in relationship to democratic practice within the UNSC as an organ of the UN. Thus the UNSC undermines the moral legitimacy of the UN.

Another school of thought is that most of the peace missions of the UN Security Council are based on selective justice. This selective justice is obviously a manifestation of an ethic of double standards inherent in the UN Security Council. A democratically elected third world leader who is perceived to be an enemy of Europe or America is most likely to be deposed from office than a ruthless dictator who is friendly to Europe and America. For example, when Saddam Hussein was considered to be a Western and American ally no one reprimanded him for invading Iran and for using poisonous gas against the Kurds. He was only condemned when he violated the American and European oil interests by invading Kuwait. Another example that comes to mind is the UN Security Council Resolution 1973 which authorised the enforcement of a No Fly Zone in Libya. Whilst this resolution restricted NATO operations to enforcing that Libya planes will not bomb civilians, this Resolution was completely violated by NATO countries as they went on a relentless bombardment of Libya. Whilst the destruction of Libya was going on, the United Nations Security Council did not object to NATO’s violation of Libya’s sovereignty the undermining of Resolution 1973 which had only stated that Libyan military planes should not be allowed to fly. The UNSC Resolution 1973 was applied by NATO in a way that served the interests of this regional block which were sharply in contrary to what was anticipated by the UN. Thus this issue of selective application of justice in peace keeping missions perpetuates the practice of double standards in the UNSC.

## **1.3 Research Objectives and Key questions to be asked**

### **1.3.1 Objectives**

- To investigate the Modus operandi of the United Nations Security Council with reference to the ethic of double standards
- To establish whether democratic reform is feasible in the UN Security Council in the light of its Veto practice
- To investigate the extent to which this veto practice violates democratic practices
- To find out the role of national interests in the decision making process among the members of the United Nations Security Council
- To establish whether it is ethically plausible from the point of view of the previously oppressed countries to have one's previous oppressor as the ultimate guardian for one's peace and security.
- To provide an ethical and practical solution commensurate with a democratised UN Security Council

### **1.3.2 Key Questions to be asked**

- Why is it that the modus operandi of the UNSC has been characterised by double standards?
- What is the rationale behind the UNSC practice of double standards?
- Why has the UNSC remained undemocratised through its membership?
- What is the likelihood of having the UNSC democratised in the near future?
- What are the effects of the veto system on the UNSC practice of double standards?
- With reference to some case studies where the veto has been practiced by members of the UNSC, how have these violated democratic practices in the UN?
- What challenges are likely to be encountered towards reform in the UNSC?

- What are the respective national interests of the P5 in relation to the promotion of peace and security in the world?
- What is the relationship between the veto practice in the UNSC and the practice of double standards
- What impact do the respective national interests of the P5 have in given areas of conflict in the world?
- Can the respective national interests of the P5 be transformed towards the promotion of peace and security in the world?
- Is it possible to reform the UNSC so that it becomes globally representative?
- What approach should developing countries adopt in order to make UNSC democratic reform possible?

#### **1.4 Principal theories upon which the research project will be constructed**

The founding aspirations of the United Nations Security Council were based on the desire to safeguard world peace and security through the participation of all the nations of the world towards the realisation of this goal. However, the tendency has been for members of the UN Security Council to act in ways that mainly show absolute commitment to their own national interests, and not the collective interests of the UN. This type of behaviour can best be understood when subjected to the theory of ethical sceptical realism. Thomas Hobbes in his treatise, *Leviathan*, spelt out this theory very well when he argued that there cannot be a common government in the world because all nations act in a way that show some commitment to distrusting the motives and intentions of each other. Hobbes' argument here was that nations always behave in a way that displays some pre-commitment to amorality in their relationship with each other (Hobbes 1954: 139). Hobbes' sceptical realism was premised on the idea that in the real world, international morality is impossible due to the fact that "the international relations are characterised by aggression, deceit, and the play of power politics. The national leader must, perforce, follow the rules of the game: he must meet his opponents on their own terms" (Maxwell 1990: 11-12; see

Murove 2005: 8). In a nutshell, the theory of ethical sceptical realism asserts that to wish the existence of a common moral outlook among nations is illusory.

Hans Morgenthau was an ardent believer in the theory of sceptical realism when he said that nations do not need to honour treaties towards each other because not honouring those treaties “is the way all nations are when their interests are at stake - so cruel, so faithless, and so cunning” (Morgenthau 1985: 64). Thus the implication of Morgenthau’s sceptical realism is that nations do not need to relate to each other morally because their primary objective is to pursue their national interests in international relations. Within this way of thinking, realists maintain that the moral way by which states should relate to each other is through respecting the reality of Nation-State sovereignty as something inviolable.

The theory of Nation-State Sovereignty sees a state as a basic unity for political organisation, and in this regard, the state is presumed to be an autonomous entity that can decide on its own laws and political systems without external interference. This theory regards non-interference into the domestic affairs of a nation-state and the ability to manage the affairs of one’s country without external interference as sacrosanct principles in the realisation of Nation-State sovereignty. The theory of Nation-State Sovereignty is also upheld by an appeal to cultural and moral diversity among nations. For example, Bertrand Russell (1992: 10-18) argued that “a global universal ethic in international relations is unattainable because the claim to universality which ‘inspires the moral code of one particular group is incompatible with the claim of another’”. Russell went on to say that all human beings are driven by fear and hate against that which is unfamiliar (see Murove 2005: 8).

Within this type of thinking, it can be deduced that it is intrinsic to our human nature to identify with those who live in the same country with us. The implication of this theory is that patriotic sentiments within a group do

ultimately help to safeguard national interest (Thompson 1985: 1-2; Bauman 1993: 24). This type of argument tends to cast doubt on the credibility of the United Nations Security Council as the guardian of peace and security in the world.

Besides the argument that the Nation-State Sovereignty casts doubt on the credibility of United Nations Security Council, some scholars have argued that ethical sceptical realism in international relations can be undermined if we come up with an argument that will succeed in debunking the theory of Nation-State Sovereignty. Stanley Hoffman provided three arguments against Nation-State Sovereignty. His first argument was that states do intervene in each other's affairs, hence the idea of "sovereign equality of states" is misleading. Interventions are caused by "the perennial dialectic of relations between the weak and the strong". Secondly, the doctrine of the state sovereignty is based on a false analogy between states and persons. As she put it, "It is far from obvious that because individual men have a natural right of self-preservation, states do as well...The death of a state does not require the loss of a single life. Thirdly, the doctrine of state sovereignty is derived from *laissez-faire* economics. In line with this analogy, "states are seen as analogous to individuals in the liberal manner, each being a free agent pursuing its own interest" (Maxwell 1990: 10).

Whilst the doctrine of Nation-State Sovereignty is supposed to safeguard the autonomy of weak states, the reality of economic dependency among states undermines the sovereignty of weaker states. This implies that during the pursuit of their national interests, the powerful states will always prey on the weaker ones. However, there are other scholars who insist that the sovereignty of nation states needs to be respected in our international relations. Sauer-Thompson maintained that national boundaries are ethically significant because we cannot achieve our identities outside national boundaries. His argument for nation-state sovereignty was that "it is the ethical life of the nation with its particular traditions which provides the ground for our moral reasoning" (Sauer-Thompson 1996: 11). This type of

reasoning regards nation-state sovereignty as indispensable for the flourishing and moral outlook of citizens. What is needed is not to debunk the importance of nation-state sovereignty; rather, an ethical theoretical framework which this study will adopt is that of mutual aid and mutual recognition.

From a micro perspective, the ethical concept of mutual aid asserts that the wellbeing of the individual is dependent on the wellbeing of the whole. From the Western intellectual tradition, the ethical theory of mutual aid derives from Charles Darwin's theory of evolution in which it is observed that mutual aid was the predominant reality in nature. Prince Kropotkin observed that,

Taken as a whole, Nature is by no means an illustration of the triumph of physical force, swiftness, cunning, or any other feature useful in warfare. It seems, on the contrary, that species decidedly weak having no protective armour, no strong beak or fang for self-defence, - and not at all warlike - nevertheless, succeed best in the struggle for life; owing to their sociality and mutual protection (Kropotkin 1924: 14-15).

Through the instinctual realisation that as species they depend on each other and co-evolve with each other, their wellbeing becomes inseparable from the well-being of others. Mutual aid arises from the realisation that the well-being of each state should be premised on the overriding need for mutual recognition among nations as the pre-requisite for world peace. Charles Taylor (1994) similarly expressed the same ethical assumptions enshrined in the ethic of mutual aid in his theory of "The Politics of Recognition" in a world characterised by the reality of multiculturalism. Taylor's theory of mutual recognition says that all peoples and nations thrive to be recognised on the basis of existential standing in the world. In the ethic of mutual aid and the resultant practice of equal recognition, each nation, rich or poor is deemed to have a contribution to make towards the maintenance of the world peace. Here the African political ethic of democracy by consensus which echoes the theories of mutual aid and mutual recognition will be more helpful.

In the African political ethic of democracy by consensus or *Dare*, decisions are arrived at after a long time of deliberation on the issue at hand. Such a political ethical theory is more accommodating in the sense that everybody's point of view will be taken into consideration (Murove 2011: 209; Wiredu 1997). Such an approach to democratic practice within the UN Security Council would enable us to see the need to widen the UN Security Council Membership for a greater participation in the execution of UN Security Council peace keeping missions. The idea of a UN Security Council, with five permanent members wielding vetoing powers that can overturn the decision of the United Nations General Assembly gets easily undermined by the ethical theory of mutual aid and the resultant political practice of equal recognition and the African political ethical theory of democracy by consensus that arises from it. From such a theoretical framework it becomes implausible for us to maintain that the P5 United Nations Security Council countries are there to uphold peace and security in the whole world.

### **1.5 Research Methodology**

Firstly, the research method that is adopted in this study is that of an insider's perspective. This is despite of the generally common limitations of "insidership" in all research endeavours. As someone who has spent almost the entire a high ranking soldier, issues of national and international security have been integral to my career. I have been privileged to contribute to peace and security within my country, the SADC region, African Union and to the world at large. In my military career I have been disappointed at how the United Nations Security Council has consistently applied an ethos of double standards in its modus operandi. Thus this study is premised on two assumptions. The first assumption is that the United Nations Security Council needs to be transformed if it is to achieve its founding objectives of promoting peace and security in the world. The second assumption of this study is that a few individual countries cannot address the security needs of the whole world without the participation of all the members of the United

Nations. It is for this reason that the method adopted in this study will be partly based on advocacy.

Secondly, this study has an historical dimension to it since attention will be paid to the world historical context that gave rise to the formation of the United Nations Security Council. In this historical analysis, special focus will be given to some of the actions that have been taken by the United Nations Security Council in pursuit of its multilateral peace objectives in the world. Here we aim to find out whether there has been ethical consistence in the application of decisions or whether the ethic of double standards has always prevailed. I will deliberately choose Iraq and Libya as examples. In particular, I should like to give special attention to the role that has been played by the veto in determining the decisions of the United Nations Security Council. For this reason, I will make recourse to the resolutions that have been passed over the years against other countries such as racist Rhodesia and apartheid South Africa in comparison to the resolutions on Iraq and Libya. Another aspect of historicism is that we will investigate on the ethical plausibility of having previous colonial powers as guarantors of peace and security for those nations that were previously colonised.

Thirdly, through a critical analysis of United Nations Security Council's military intervention actions and written documents by P5 members, it will be argued that the predominance of national interest among the P5 members each armed with a veto, makes it impossible for this multilateral body to act as a guarantor of peace and democratic values in the world. Using the ethical critical tools such as mutual aid and mutual recognition as pre-requisites for world peace, it will be shown that the current modus operandi of the United Nations Security Council violate these pre-requisites through the veto system and the practice of permanent membership. The mechanisms of a veto and permanent membership go against the idea of the democratisation of world politics that is currently characterised by the global reality of multiculturalism. Thus in this critical analysis it will be shown that the concept of a veto and permanent membership reserved to five nations

undermines the moral grounds for these countries to talk of rotation of political power as an expression of world democratic culture. Since the P5 have been in the United Nations Security Council for 65 years, it becomes questionable whether they are committed to democratic reform in the UNSC.

Fourthly, this study is constructive as the last two chapters will present us with an alternative ethic of mutual aid and equal recognition as an authentic ethical paradigm that can help to bring about genuine transformation in the United Nations Security Council. Thus it is argued that in order for us to create a genuinely transformed United Nations Security Council, there is a need to have all regions of the World represented at this organ of the UN. Lastly, the information that is used in this study will come from books, journal articles, periodicals and the internet. Another source will be from interviews with government figures such as ministers of foreign affairs from different countries, academics, individuals with some experience in security issues as well as those who have worked with the United Nations directly or indirectly.

## **1.6 Structure of the dissertation**

### **Chapter 1: Introduction and Scope of the Study**

This chapter consists of the proposal of the study. It provides the background to the study, hypothesis, literature review, research questions and objectives, the adopted theoretical framework and methodology.

### **Chapter 2: The History and Founding Principles of the UN Security Council**

The main aim of this chapter is to give a succinct historical background to the founding principles of the UNSC with the aim of giving the reader a conceptual background of the modus operandi of the UNSC.

### **Chapter 3: Membership of the UN Security Council and the Veto Controversy**

The chapter shall investigate some of the controversies that are related to the veto system as it is practised by members of the UNSC. The main aim in this chapter is to argue that the veto system is the stumbling block to UNSC reform and also that it contributes enormously to the practice of double standards among the members of the SC.

### **Chapter 4: A Critical Review of the UN Security Council Military Interventions in Iraq and Libya**

The chapter discusses the UNSC sanctioned military interventions in Iraq and Libya with the aim of showing that since these military interventions were entangled in double standards, they have caused more untold human suffering than before the intervention in these two countries. It is also argued that the pursuit of self-national interests is inseparable from double standards.

### **Chapter 5: The Contribution of National Interests to the Ethic of Double Standards in the UNSC Modus Operandi**

It is argued in this chapter that the pursuit of national interests dominates the modus operandi of the UNSC and that on closer analysis most of the decisions that are made by this organ of the UN are usually based on the pursuit of national interests instead of the common good. The gist of the argument which is made in this chapter is that the primacy that is given to national interests tends to eliminate morality in international relations.

### **Chapter 6: The UN Security Council Reform Debate with Specific Reference to the New World Order**

In this chapter I am providing a critical analysis of the debate on the UNSC with reference to the arguments that are given by the proponents of the new world order. It is argued that the failure of the UNSC to reform in accordance with democratic values provides another example on how the practice of double standards remains problematic to the realisation of a new world order.

### **Chapter 7:A Critique of UNSC's Double Standards Based on the Ethical Concept of Equal Recognition**

This chapter maintains that the quest for UNSC reform should be understood against the background of demand for equal recognition of states as equals who should participate in international affairs on equal footing. Thus it is argued in this chapter that the current organisational culture of the UNSC violates this principle.

### **Chapter 8:A Critique of UNSC Practice of Double Standards Based on the Ethical Concept Mutual Aid**

The argument that is advanced in this chapter is that the ethical concept of mutual aid shows that nations exist in a state of interconnectedness with each another. It has been demonstrated that the ideal of interconnectedness is the dominant principle within the generality of existence.

### **Chapter 9: General Conclusion**

This chapter has provided a conclusion to the whole study. The conclusion that is provided here was derived from the conclusions that were made in the various chapters.

### **Chapter 10: Recommendations for an Ethical Reform of the UNSC**

The main aim of this chapter was to provide some recommendations that will facilitate an ethical reform of the UNSC. These recommendations were made in the light of the observations that were made in the chapters of the study.

## CHAPTER TWO: THE HISTORICAL FOUNDING PRINCIPLES OF THE UN SECURITY COUNCIL

### 2.1 Introduction

Since the end of the Cold War era, many developments have taken place in the world. One of those developments which is critically important is related to the unipolar political power system which manifests itself in the dominance of Western democratic political system. The Western democratic political values are advocated by many multilateral organisations, and the most powerful Western governments such as the European Union and the United States of America as the only political value system which all governments of the world should follow, regardless of their cultural and religious commitments.

Currently we are also witnessing the rapid convergence of the world economy under the flagship of neo-liberal capitalism. Neo-liberal capitalism has become the only economic system which is dominating the whole world. Deeply embedded in this economic system are the Western democratic values of an individual as ontologically self-enclosed with an insatiable appetite for new things, always existing in a state of relentless competition with his or her neighbour for acquisitions and new accumulations. The Western individual ontology of atomic individualism has been translated into democratic political practices in international relations (Hume 1882; Macpherson 1970; Kymlicka 1989).

The end of the Cold War era has also ushered the world into a situation of unprecedented conflicts. Previously when the world was dominated by a bipolar balance of power, a situation that was characterised by ideological groupings of nations around capitalistic camp versus socialistic camp, the idea of interstate wars was something which the two powers of the world, United States of America and the Soviet Union had tried by all means to avoid. In a context that was chiefly characterised by the politics of balance of

power, poor countries were treated with utmost respect lest they end up aligning themselves with either of the ideological camps.

The history of the United Nations Security Council is tied up with the history of Western conflicts and wars. After the horrors of the Second World War in 1945, the idea of forming a world organisation that shares common values became an imperative one. In this regard, some scholars have argued that the United Nations is a reflection of Western moral and political values. On these grounds they argue that it has not yet embraced the cultural values of non-Western societies. The Universal Declaration of Human Rights as a political and legal document on how human beings should be treated or should be treated each other all over the world was inspired by the need to promote common values that can be shared and upheld all peoples of the world.

In this chapter I shall start by giving an historical account on the formation of the United Nations Security Council (UNSC). This is not a detailed historical investigation but just an overview that attempts to highlight the background to the founding principles of the UNSC. The second section will look into the main values that are enshrined in United Nations with reference to UNSC. Here my aim is to demonstrate whether those values assisted the UN towards the realisation of its mandate. In the third section I will discuss the factors that determined the formation of five permanent members (P5) of the UNSC. My main conviction is that we can only have an understanding of the UNSC practice of double standards if we know the history of the formation of this organ of the UN.

## **2.2 An Historical Account on the Formation of the UNSC**

The formation of the United Nations is usually considered as one of the world revolutions in the history of humanity. This claim is usually made for different reasons as we shall see in the course of the discussion in this section. However, one cannot give an historical account of the UNSC without

giving an account of the League of Nations. The UNSC was preceded by the League of Nations. The founding principle for the League of Nations was to establish a peaceful world order in the aftermath of World War One (Hassler 2013: 8-9). It appears that one of the main reasons for World War One was the practice of secret diplomacy among nations.<sup>1</sup> Charles Townsend gave three reasons that gave rise to the formation of Security Council as follows:

- (a) The secret diplomacy of the old order would be replaced by the open discussion and resolution of disputes; the military alliance blocs would be replaced by a system of collective guarantees of security; and agreed disarmament would prevent the recurrence of the kind of arms race that had racked up international tensions in the pre-war decade.
  - (b) Before this, the closest approach to an international political structure had been the Congress System, in which the European great powers held occasional summit meetings to discuss issues they found urgent.
  - (c) The spirit of the times, however, which was overbearingly personified in the president of the USA, Woodrow Wilson, pushed towards the creation of a more comprehensive global organisation, which would include all independent states, and in which even the smallest state would have a voice
- history [http://www.bbc.co.uk/history/worldwars/wwone/leaguenations\\_01.shtml](http://www.bbc.co.uk/history/worldwars/wwone/leaguenations_01.shtml)

Previously relationships among states were based on the pre-commitment to mistrust of each country's intentions. In other words, each state did not trust in the motives of other states. This is characterised by many scholars as the traditional practice of diplomacy. Karl Schmidt observed that another weakness inherent in this old diplomacy is that before the First World War governments "drew diplomats from the aristocratic elite, despite the rather dramatic lack of education". Some of those diplomats

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<sup>1</sup>Before World War I, the main western attitude towards issues of peace and security was based on the idea that each country had to protect itself against aggressors. As it shall be shown in this study, some western philosophers such as Thomas Hobbes maintained that the world could not be ruled under common rules because of the reality that there was no common authority, and in the absence of a common authority, it followed that each country or sovereign was to be concerned about its own wellbeing before that of the other. But other philosophers such as John Locke had already anticipated the importance of collective security when he premised the wellbeing of each state to that of the other. In his address to the first session of the United Nations Conference in San Francisco on 26 June 1945, the then President of the United States, Harry Truman had this to say, "...we all have to recognize – no matter how great our strength – that we must deny ourselves the license to do always as we please...". Thus the idea of collective security implied that states had to make sacrifices for the wellbeing of the whole (see Hassler 2013: 8-9).

were not well read as to conceptualise fully “the complexities of international economics or other global issues of a multifarious character”. Another weakness of the old diplomacy lied in the fact that it made “the pursuit of a country’s short-term national interests paramount over global interests, even when concern for the global community could be of demonstrable benefit for the individual nation, but perhaps only in the long-term. Relying on war as a way of settling political differences turned the world into a dangerous place”(Schmidt, <http://www.let.rug.nl/usa/E/league/leagueXX.htm>).

War was being used by the Western powers for their national interests. The First World War led to the evolution of a new consciousness that saw gains in cooperation instead of competitive pursuit of national interest. As Schmidt puts it,

The First World War became, in essence, the matrix of a ‘New Diplomacy. As a system, the New Diplomacy promoted arbitration and collective security as the surest means of avoiding future armed conflict. It emphasised open cooperation between nations to resolve global political, economic, social, humanitarian, and technical problems. Above all, the foundation of the New Diplomacy rested upon the need for greater international organisation, a need epitomised by the creation of the League of Nations (Schmidt, <http://www.let.rug.nl/usa/E/league/leagueXX.htm>).

In the light of the above quotation, it is evidently clear that the reality of war among nations led to the formation of an international body called the League of Nations. Through cooperation, nations were able to resolve international conflicts, and this characterised what scholars came to regard as the New Diplomacy. However, from the onset the League of Nations was dominated by powerful countries and smaller countries had no capacity to persuade these powerful countries. The League of Nations came together in the form of conferences. Of most significant were those which were held in 1899 and 1907 at The Hague. These conferences were mainly dominated by the anti-war sentiments as reflected in the Covenant peace treaty. When the First European war broke out in August 1914 between Germany and other

European countries, “it turned out to be a monstrous horror, people considered that, to build a League of Nations capable of preventing another, the elements of international organisation which existed before 1914 must be looked at again” (Northedge 1986: 3-4). It is important to note here that the so-called First World War, which in actual fact was a European War contributed to the rethinking of the effectiveness of the League of Nations towards the prevention of international chaos. The European leaders who have been immersed in this bloody letting war decided to strengthen the League of Nations through a Covenant as we shall be shown shortly.

### **2.3 The League of Nations and the Covenant**

The formation of the Covenant among the League of Nations was aimed at fostering the maintenance of peace. According to F. S. Northedge (1986: 25), the desire to maintain peace and tranquillity was reflected through three dominant ideas: Firstly, it was believed that “the system of arbitration would have to be made more effective...by the provision of some kind of penalty or sanction against states which resorted to force without submitting their disputes with other states to arbitration or without complying with an arbitral award which had been given”. Secondly, “the intermittent conference system of the nineteenth century would have to take on a more formal and on-going character”. Thirdly, “these two systems must be exploited for bringing a pause or delay in the development of a dispute, so as to prevent that kind of helpless slithering into war which many believed occurred in August 1914”(<http://www.let.rug.nl/usa/E/league/leaguexx.htm>). As early as June 18, the French government submitted a draft proposal on the formation of the League of Nations. As Schmidtputs it,

The French advocated the establishment of an ‘international Council’ consisting of representatives from member states. The Council was to meet annually and settle non-justifiable disputes, aided in its task by a permanent administrative committee. Justiciable disputes were to be heard by an ‘International Tribunal’. [2] Enforcement of settlements, if

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<sup>2</sup>A distinction has been made by other scholars between justiciable and non-justiciable disputes. Justiciable disputes were to be brought before a new international legal tribunal whilst the latter was to be brought before a Council of Conciliation. However, the USA was of the opinion that “the new

required, was to be the responsibility of an international army directed by the League (Schmidt, <http://www.let.rug.nl/usa/E/league/leaguexx.htm>).

The French proposal was more powerful than what was previously anticipated in the British proposal. But here it is important to note as it shall be shown in the third chapter, the formation of the League of Nations was already anticipating the United Nations Security Council as we have come to know it today. The United States of America did not join the League of Nations and the main members of this League were Great Britain, France, Italy and Japan. Some members of the League of Nations embraced the idea of its formation as an arena for pursuing national interests. Suffice to say that in the course of its brief history, national interests among member states led to the destruction of the League of Nations. For example, literature is replete with the idea that the issue of equality of nations in the League of Nations Covenant was not well received by those states that owned colonies. The League's Council was more interested in settling disputes among small states. In this regard, it can be inferred that the pursuit of national interests by member states of the League of Nations provided the genesis of an ethic of double standards. In other words we can say that in those instances where one of these member states of the League of Nations felt that their national interests in their colonies were at stake they could enter into pacts among themselves. For example, the League of Nations failed to resolve the Japanese and Chinese conflict in the Chinese town of Manchuria. Instead, the League suggested that the Japanese and the Chinese were supposed to resolve it on their own, thus refusing to implement Article 11 of the Covenant which reads as follows,

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world organization should use force, though how that was to be organized and applied was left undefined, to compel a disputant state to go to court, though, strangely, not to enforce the courts' award" (Northedge 1986: 26). It is important to observe here that the use of force against those states that violate the sovereignty of other states tends to defeat the purpose on which the League of Nations was founded on, namely; to foster world peace through conciliation and arbitration. The use of force has remained a morally questionable practice within the United Nations Security Council to this day because it is often the economically and militarily powerful countries that have used force against weaker states. The question of when the UNSC should use force in maintaining world peace and security remains elusive. Some scholars such as Sabine Hassler have observed that while the UN Charter remains the guide on the UNCS competences, "The scope of what affects international peace and security, however, fluctuates and is not easily defined. Council action thus cannot be predetermined or, indeed, predicted. This uncertainty alone makes the Council a target, raising issues of selectivity and double standards and allegations of protectionism" (Hassler 2013: 11).

Any war or threat of war, whether immediately affecting any of the Members of the League or not, is hereby declared a matter of concern to the whole League, and the League shall take any action that may be deemed wise and effectual to safeguard the peace of nations. In case any such emergency should arise the Secretary General shall on the request of any Member of the League forthwith summon a meeting of the Council. It is also declared to be the friendly right of each Member of the League to bring to the attention of the Assembly or of the Council any circumstance whatever affecting international relations which threaten to disturb international peace or the good understanding between nations upon which peace depends (<http://www.let.rug.nl/usa/E/league/leaguexx.htm>).

The Japanese and Chinese conflict at Manchuria and the League's refusal to settle such a bloody dispute greatly betrayed the spirit of Article 11 as stated in the Covenant. Failure to act against Japanese aggression was something that conveyed the message to the Chinese that the League of Nations supported Japan's acts of aggression. In the context of Africa, Benito Mussolini of Italy created an Abyssinian crisis in Ethiopia with the aim of annexing it as part of Italy's colonies. It is on record that France and Britain sided with a fellow European member of the League of Nations against Ethiopia. As Amos Yoder observed,

Ethiopia brought the matter before the League Council in December 1934 and January 1935. The Council and the Secretariat looked to London and Paris to take the lead. Although the two powers were bound by a 1906 treaty to maintain the independence of Ethiopia, the natural tendency of the foreign offices was to settle the dispute at the expense of the weak and relatively defenceless Ethiopia (Yoder 1993: 20).

The fact that other members of the League of Nations remained silent in the face of a deliberate act of aggression raised the question of whether the League of Nations genuinely believed in the values it espoused in the Covenant. From the language that was used in writing the Covenant it can be deduced that the League of Nations was not necessarily about the Collective Security<sup>3</sup> for all nations, but that it was a European League aimed at

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<sup>3</sup>The *Encyclopaedia of the United Nations* states that, Collective Security was a term that originated "from the preamble of the Covenant of the League of Nations, which obligated all nations to solidarity for their peace and security". In 1927 the League of Nations convened a Security Commission whose

protecting European countries' national interests. It is thus important to note that the idea of strong countries siding with another strong country against the weak country has influenced the United Nations Security Council today as it shall be shown in following section. From a moral point of view, one would have expected that Britain and France should have come to the defence of Ethiopia whose sovereignty was being violated by Italy, but their response displayed an utter lack of such moral consideration. Here the plausible explanation can only be that the national interests of these European countries was in getting military assistance against any act of external aggression within their respective countries and colonies. Here it should not come as a surprise to observe that African, Latin America as well as Asiatic colonised countries were not seen as members of the League of Nations. The main understanding was that these colonies were properties of their colonisers. The father of utilitarianism, John Stuart Mill is thus on record for saying that, colonised people were not supposed to be understood as nations because the term nation was a preserve of the colonisers. He writes,

But the conquerors and the conquered cannot in this case [of being colonised] live together under the same free institutions. The absorption of the conquerors in the less advanced people would be an evil: these must be governed as subjects, and the state of things either a benefit or a misfortune, according as the subjected people have or have not reached the state which it is an injury not to be under a free government (Pappe 1960: 364).

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aim was to prepare an international convention for strengthening collective security". This term was used in the aftermath of the League of Nations with the aim that peace of the world should be seen as the concern or responsibility for everybody. This Encyclopedia went on to say that, "The International Conference on War and Peace in Mexico City in its final Declaration, Mar. 3, 1945, proposed a „general system of world security" which should contain regional international security systems. The Principles of the Covenant of the Arab League, signed in Cairo, Mar. 22, 1945, were formulated in a similar spirit. The United Nations Charter signed on June 26, 1945, in San Francisco created the framework for world and regional systems of collective security (Osmańczyk 1990: 175-176). However, Hassler observed that, "the term „collective security" is not found in the UN Charter. Rather, the Preamble speaks of the maintenance of international peace and security" which is based on the effort "...to unite our strength to maintain peace and security, and to ensure, by the acceptance of principles and the institution of methods, that armed force shall not be used, *save in the common interest* [author's italics] (Hassler 2013: 9). However, it remains puzzling why such a crucial concept was not included in the UN Charter. Probably the aim was to emphasise the idea that the UNSC was solely responsible for the maintenance of peace and security in the world. In this regard, the role of those countries that were not members of the UNSC was downplayed.

According to Mill, it was dangerous to claim political equality with the colonised or the conquered. This implies that the humanity of the conquerors or colonisers was more important as compared to that of the colonised. Thus the exclusion of colonised people from the League of Nations as an idealised community of states finds its implicit explanation in this type of thinking. As we shall see in the coming chapter, this type of thinking has played a great influence in the nurturing of the United Nations Security Council's ethic of double standards. In this type of thinking it becomes evidently clear that the humanity of those who do not share the same colour, political and economic territory with one's own country does not count as morally worthy. What mostly dominated the thinking of the League of Nations was not international Law, but power. However, Amos Yoder argues in defence of the League of Nations when he said, "The League institutions were actually taking a stronger stand against Mussolini and the Japanese aggressors than the power brokers in control of foreign policy, who were acting outside the League framework to muddle through and to appease Mussolini and the Japanese" (Yoder 1993: 23).

However, Yoder's apologetic position cannot be sustained especially when one takes into account the idea that the League of Nations' inaction in the face of Japanese and Italian aggression made it an impotent multinational organisation for collective security. Other scholars maintain that the League of Nations' commitment to the old diplomacy was also a contributory factor to its own demise. Alfred Zimmern captured the League of Nations' commitment to the old diplomacy as follows,

Thus we see that, despite the establishment of the League of Nations, the old diplomatic system has not only survived but has passed through a period of rapid development and expansion. This is not due, be it repeated, to abnormal and temporary conditions resulting from the war and the peace treaties. It is due to the general conditions of twentieth-century life which, so far as can be predicted, are likely to be permanent even when the particular problems of a 'post-war' character have found their solution (Zimmern 1936: 492).

As shown in the preceding discussion, the old diplomacy was based on secrecy. The one who has been posted to another country as a diplomat was supposed to constantly report back to his or her home country about the political and economic situation of his host country. The word diplomat itself derives from Greek antiquity word which means someone who brings a “diploma that is, a folded or ‘double’ paper containing a confidential message” (Zimmern 1936: 13). Obviously the aetiology of this word suggests a relationship that is based on secrecy. In other words there was always some mistrust on the motives and intentions of another country, hence the main purpose of diplomatic missions was to report to one’s home country whether the host country poses a threat to the national interest of one’s country. One can even say that this type of cooperation was something that was necessitated by suspicion and mistrust of one another, and not on the pursuit of the common good for the whole world.

#### **2.4 The United Nations Security Council’s Founding Values**

In the light of the preceding discussion the issue here is to establish whether the United Nations Security Council (UNSC) has transcended the values that shaped the League of Nations. The formation of the League of Nations was the result of the threat of war in Europe. Similarly, the formation of the UNSC was based on the same fear, especially in the aftermath the Second World War. The period when the United Nations was formed in 1945.<sup>4</sup>The founders of the United Nations wanted a peaceful international order with the victors of World War II as its guarantors. Many scholars have a habit of calling these victors of the Second World War Superpowers, a term that was

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<sup>4</sup>Some scholars such as Yoder and Osmańczyk maintain that the idea of United Nations came from a meeting that was held by United States President Franklin Delano Roosevelt and British Prime Minister, Winston Churchill when they met in the Atlantic Ocean before the bombing of Pearl Harbor. At this meeting it was agreed that the United States of America would provide material support to Britain against Nazi Germany. In return Churchill was expected “to pledge the right of people to choose the form of government under which they live, which foreshadowed the end of the colonial system”. At this meeting the idea of setting up an international organization was discussed. After the Pearl Harbor bombing the Atlantic Charter became “the United Nations Declaration that was subscribed by 26 United Nations fighting the Axis. Later the name „United Nations Organisation” or „United Nations” was adopted for the new world organization. The name United Nations was suggested in Dec. 1941 as to denote a common name for all states that were at war with the Axis Powers. The new term was first used in the Declaration by the United Nations in 1942. It was unanimously adopted at the San Francisco Conference of April 25, 1945 as the name of the postwar world organization in tribute to the late President of the United States (Yoder 1993: 26-27; Osmańczyk 1990: 946).

also used to describe members of the League of Nations. Whilst there are problems related to the term Superpower, I shall reserve the discussion of the problems related to his term in the third chapter. For now our main focus in this section is on the founding values of the UNSC. Most of the literature on the formation of the United Nations shows that the UNSC was a subsidiary structure of the United Nations whose main purpose was to manage crises and to foster collective security. Rosemary Righter writes,

In the UN Security Council [Britain and America] had created a highly structured containing device both for crisis management and a breath-taking ambition - for operating collective security machinery to ensure that force would be used only in the general interest. Here the five 'veto powers', President Franklin Delano Roosevelt's 'global policemen' were given special status. The smaller powers were compensated by equal participation in building 'a working peace' through economic and social cooperation (Righter 1995: 25).

In the light of Righter's observation in the above quotation we can deduce that the UNSC was formed for the purpose of ensuring collective security whereby the use of force could be applied when the general interest of the world was at stake. Five countries that came to be known as the five permanent members of the Security Council were United States, Britain, Russia, France, and China. (Chapter V, Article 23). Here it is important to observe that no one elected these five permanent members nor is it clear as to who decided on who should be a permanent member and who should be left out. However, as we shall see in the quote below, it seems consideration for membership in the Security Council was based on a particular country's capability to contribute to the security of the world materially. In relationship to the election of six non-permanent members of the Security Council from the General Assembly it is thus stated,

The General Assembly shall elect six other Members of the United Nations to be non-permanent members of the Security Council, due regard being especially paid, in the first instance to the contribution of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organisation, and also to equitable geographical distribution (Chapter V, Article 23).

Other small countries that were left out were to be incorporated into other subsidiary organs of the United Nations that deal with Economic and Social Council, a Trusteeship Council, an International Court of Justice and a Secretariat (Chapter III, Article 7). Obviously it appears that the guiding principle in the setting of the UNSC was based on those who emerged as victors in the Second World War. The main thrust for the formation of the UN as well as the UNSC was to enhance world co-operation among states as well as for the maintenance of world peace and security. The UN Charter was drafted thereafter as an expanded version of the Covenant of the League of Nations. After learning from the weaknesses of the League's Covenant and its historical failures in terms of the implementation of resolutions of the Covenant, the UN Charter "rested on the precise delineation of explicit legal obligations, a body capable of enforcing their observance, and carefully developed procedures for determining what constituted a threat to the peace" (Richter 1995: 27). Thus the concept of Collective Security was insinuated with the above ideal in the background. One finds it stated in Article 2 paragraph 1 and 7 of the Charter that, "The Organisation is based on the principle of the sovereign<sup>5</sup> equality of all its Members" (Article 2, 1). This article goes on to say that,

Nothing contained in the present Charter shall authorise the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII (Article 2, 7).

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<sup>5</sup>According to *The Shorter Oxford English Dictionary*, the word sovereign is derived from the Latin word, *superamus*, meaning „above“ or „one who has supremacy or rank above, nor authority over others; a superior; a ruler, governor, lord, or master. The word was also used with reference to the Deity in relationship to the created things. The recognized supreme ruler of a people or country under monarchical government was referred to as the sovereign. According to the meaning given in this dictionary it is clear that the word sovereign was related to power over something. Someone who had power over something was regarded as the sovereign. By virtue of having power over something or people, such an entity was deemed to have sovereign authority. We can infer from this dictionary etiological meaning of sovereignty that in the light of Article 2 that the United Nations Charter was founded on the conviction that all members of the United Nations had power over themselves as member states, and that power conferred upon each member the idea of equal status. This indeed implies that the United Nations no nation should dominate another nation or fathom the idea of supremacy over other member states (1973: 2058).

The presumption of the above article is that no member should dominate another member because all members should be seen as equals. This article seems to be an antithesis of a political outlook that glorified war as a way of asserting one's supremacy. Such a political outlook was the contributory factor to World War I and II.

By recognising the sovereignty of each member state, the Charter strongly imparted the impression that each state was a sovereign unto itself and hence their relations were to be regulated by the law of equality of states. However, some scholars are sceptical about the authenticity of this claim, especially when one takes into account the fact that the formation of the UNSC was based on the principle of exclusion of weaker states. Righter is more poignant when she stated that, "The United Nations was founded on the principle of the sovereign equality of unequal sovereignties, and its various assemblies foster an illusion of shared global management operating through parliamentary processes" (Righter 1995: 67). Obviously such criticisms emanate from the observation that an organisation that is composed of powerful and weak states cannot sustain the idea of equal sovereignty of its member states because those states that are powerful will always impose their will on those that are weak.

However, there are some scholars who maintain that in the UN Charter itself the idea of sovereignty was not an absolute because the UNSC's interpretation of Chapter VII of the UN Charter authorises intervention on the grounds of maintaining international peace and security (Etzioni 2006: 75). However, this UNSC interpretation of Chapter VII is problematic because some of those interventions are usually done in a way that shows ulterior motives. The intervening countries usually do not have legal authority over the targeted country. For this reason, some scholars have maintained that it is the nation-state which can maintain the sovereignty of its own territory and has the sole right "to take decisions affecting its citizens" (Robertson 1993: 440). The rationale behind this mode of thought is that the nation-

state has the power to make rules that should govern its territory. This implies that states are particulars and not universals (Vincent 2002: 17-24). To say that states are particulars and not universals implies that their existence and authenticity is primarily territorial. Laws and mores that bring about order to the lives of the citizens are territorial; hence outside this designated territory those laws and mores are unintelligible. It is partly for this reason that the principle of nation-state sovereignty is pivotal to the UN Charter.

#### **2.4.1 Nation State Sovereignty and the UN Charter**

The principle of nation-state sovereignty is pivotal to the UN Charter because most of the articles of this Charter are based on it. The underlying moral and political presumption behind this principle is that, it presumes equality and dignity as principles that should constitute moral relations among nations. But before I come to this underlying moral and political presumption behind the principle of nation-state sovereignty, I think it's critical that I should give a brief discussion on the origins of the nation-state sovereignty with the aim of showing how this principle has gained moral respectability in international relations, and more specifically in the UN Charter.

In the ancient Greek world, rulers were understood as deputies of the gods. For example, Alexander the Great died 323 B.C.E. as "a god on earth, the son of Zeus as well as ruler of Macedon, Greece, Asia and Egypt". This understanding of a ruler was followed by the "territorialisation of imperial rule and the beginnings of an association between the government and the community" (Hinsley 1986: 31-32). Within the Roman Empire the idea of sovereignty rose with the understanding that the empire as "The Roman People's Empire' (*imperium populi Romani*)" (Hinsley 1986: 37). In this conceptualisation of sovereignty, it was the people within the Roman Empire who were sovereign. With the deification of emperor Constantine, the idea of sovereignty as implying a rule of the people was substituted by an understanding that the ruler was ruling on behalf of God. This idea came about as a result of emperor Constantine's conversion to Christianity.

What evolved in Constantinople's conversion to Christianity was the belief that the King represented God to the people in as much as he represented people before God.

However, it is also crucial for us to observe that the origins of the principle of Sovereignty cannot be restricted to Western societies only. In African societies the idea that a ruler was sacrosanct was integral to African political theory from time immemorial. For example, a king was installed by the spirit medium of a particular kingdom. Through this divine installation the king became sovereign over his subjects and the land. Michael Gelfand said that,

The chief is looked upon as the representative of the clan. He is expected to maintain the peace, look after his people, judge their disputes and protect them from hostile clans. He holds the land in the name of the people and allocates fields to those requiring them. He must uphold religion and his liaison office between the medium (*svikiro*) of the clan spirit and the people themselves (Gelfand 1981: 11).

In the light of the above quotation it can be deduced that to be a chief carried with it some responsibilities to the people, whereby one acted as a focal point for the people and the ancestors. Here the presumption was that the chief or king was appointed by the ancestors to look after the wellbeing of the people together with the land. The chief or king had the responsibility to protect the land and the people. Thus we can infer that the principle of Sovereignty from an African political theory was indispensable from vouchsafing for the well-being of the people and the land. Within such a political outlook, Sovereignty was only intelligible among one's own people and land. This conceptualisation of Sovereignty is well captured in a Shona proverb which says, *Mwanawashemurandakumwe* (A chief or king's son is a subject in other lands). A variant to this proverb is, *Chafambachasvava* (One who has travelled has faded).

The above proverbs impart the lesson that among one's own people one can be highly respected but one should not expect the same respect in a foreign land. To a certain extent we can say that African political theory understood sovereignty as something that is conferred, acquired and preserved

territorially. It is partly for this reason that the Shona people of Zimbabwe believe that the spirit of a chief or kind come back to its land as *mhondoro* – a spirit that protects the land against all sorts of calamities. Whilst the Western classical modern notion of Sovereignty was based on the idea that human beings were evil by nature, hence they needed a powerful figure that will keep them in check, the African understanding of Sovereignty was based on the notion of our human belongingness to each other in society as well as in the land of the living-timeless or the ancestors. The Western classical conceptualisation of sovereignty was well articulated by Thomas Hobbes in his book, *Leviathan*.

Hobbes postulated the theory that human beings need an all-controlling power that can deter them from entering into a state of universal war. To avoid such a war, Hobbes maintained that human relations have to be based on contracts. However, such contracts were only relevant within the realm of a nation-state under the tutelage of the sovereign. Without a sovereign, “The notions of Right and Wrong, Justice and Injustice, have no place. Where there is no common Power, there is no Law: where there is no Law no injustice. Force and Fraud, are in War, the two Cardinal virtues” (Hobbes 1958: 139). Hobbes went on to argue that since there was no common power, relationships among nations were only anarchical. This element of anarchy among nations followed that all nations must always be on guard against their neighbours (Murove 2005: 7; Maxwell 1990: 11). This philosophical position is popularly known as sceptical realism. In the same vein, Bertrand Russell argued in a way that suggests that sovereignty is territorial because as human beings we naturally fear and hate that which is unfamiliar. This follows that what a particular people might value as moral can easily be the opposite of other human beings in a particular territory. Russell writes, “within one herd, all are friends...Other herds are potential or actual enemies; a single member of one of them who strays by accident will be killed...It is this primitive mechanism which still controls our instinctive reaction to foreign nations” (Russell 1992: 168). Within this type of thinking, the idea of nation-state sovereignty is maintained on grounds that peace and

harmony can only be fostered within a particular territory where the inhabitants of that territory share the same values.

The primacy of the political doctrine of nation-state sovereignty finds its support in the anthropological argument known as ethnological evidence. Here it is claimed that patriotic sentiments that are integral to nation-state sovereignty help to safeguard national interest (see Cook 1999: 32-55). Ethnological evidence of group behaviour advances the theory that groups develop ties of loyalty among group members, and hostility towards outside groups, thus accounting for immorality of the group in its international relations. In this type of reasoning, national interest is thus safeguarded within the political existential domain of nation-state sovereignty. As a sovereign, the state has the power to enforce rules and regulations that are intelligible and mandatory within its territory. This logically follows that what counts as good in one particular society cannot count in the same way in another. This implies that there is no way one can have universal norms (see Stace 1937; Murove 2005: 8-9). Bertrand Russell refuted the idea of the universalization of human values more emphatically when he said,

In view of this diversity of moral codes, we cannot say that acts of one kind are right or acts of another wrong, unless we have first found a way of deciding that some codes are better than others. The natural impulse of every untraveled person is to settle this question very simply: the code of his own community is the right one, and other codes, where they differ from his, are to be condemned (Russell 1992: 39).

The above quotation is another way of affirming that what is right and wrong is territorial and relative, not universal. This type of thinking tends to undermine the idea of universality of values as espoused by the United Nations in its Charter. The Preamble of the UN Charter reads as follows,

***We The Peoples of The United Nations  
Determined***

to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and  
to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and

to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and to promote social progress and better standards of life in larger freedom,

***And For These Ends***

to practice tolerance and live together in peace with one another as good neighbours, and  
to unite our strength to maintain international peace and security, and  
to ensure, by the acceptance of principles and the institution of methods, that armed force shall not be used, save in the common interest, and  
to employ international machinery for the promotion of the economic and social advancement of all peoples,

It is evidently clear in the above UN preamble to Charter that the reality of war and human suffering was the main reason for this international political ecumenism. The need to promote peace and security became the main objective for this multinational organisation. But this political international ecumenism was not necessarily an association of equals. As stated in the preceding discussion, it comprised weak and strong states. The main reason for the formation of the UN arose from the European experience of World Wars I and II. Ali Mazrui put his finger on the right spot when he observed,

One of the major functions of the UN was to help keep the peace according to the principles of international law. The Law of Nations was itself a child of European diplomatic history and statecraft. It used to be the Law of Christian Nations; and it then became the Law of Civilised Nations before becoming the Law of Developed Nations (Mazrui 2009: 53).

The implication of Mazrui's observation is that the United Nations was a Eurocentric organisation that evolved from European history and European conceptualisation of Law. In the same vein, Mary Maxwell contended that the doctrine of nation-state sovereignty derived from the European individual ontology of atomic individualism.<sup>6</sup> According to Maxwell, the doctrine of

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<sup>6</sup>The doctrine of atomic individualism is based on the idea that the individual is endowed with existential properties that are inviolable or impenetrable. This doctrine upholds the belief in individual absoluteness, meaning that the individual exists in such a way that s/he does not depend on other members of the community for his or her own wellbeing. Individuals, according to this doctrine, are presumed to exist independently from others. According to C. B. Macpherson, the Western democratic political theory "puts a high value on individual freedom of choice, not only as between

state sovereignty is derived from *laissez-faire* economics whereby “states are seen as analogous to individuals in the liberal manner, each being a free agent pursuing his own self-interest” (Maxwell 1990: 20). For Maxwell the doctrine of nation-state sovereignty is to a larger extent a transmutation of the European doctrine of the individualism of neutrality. She goes on to argue that the doctrine of nation-state sovereignty does not shield the weak states against the might of the strong states. In pursuit of their economic interests the strong states will always undermine the sovereignty of the weak states. If an entity has been accorded autonomous existence as a sovereign, it logically follows that there is no need to argue for international policies that promote economic and political equality. While nation-states might deliberate on issues of peace and security and a just world economic order under the banner of United Nations, such deliberations do not necessarily lead to binding policies (Murove 2005: 10). The problem of inequality among the sovereign states is very evident in the UN Charter which shows a strong bias towards powerful countries with reference to powers that have been accorded the P5.

#### **2.4.2 The UN Charter and the Power of UNSC**

As we shall see in the following discussion, the spirit of the UN Charter shows that the UNSC was accorded more powers than the General Assembly and the Secretary General. Article 12 of the UN Charter stipulates that,

1. While the Security Council is exercising in respect of any dispute or situation the functions assigned to it in the present Charter, the General Assembly shall not make any recommendation with regard to that dispute or situation unless the Security Council so requests
2. The Secretary General, with the consent of the Security Council, shall notify the General Assembly at each session of any matters relative to the maintenance of international peace and security which are being dealt with by the Security Council and shall similarly notify the General Assembly, or the Members of the United Nations if the General Assembly is not in session, immediately the Security Council ceases to deal with such matters.

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political parties but also as between different uses of one’s income, of one’s capital, and of one’s skill and energy. Western democracy is a market society, through and through; or, if one prefers to confine the term democracy to a system of government rather than a kind of society, Western democracy is for market society” (Macpherson 1973: 25).

In the light of the above article, it can be deduced that the Security Council was the most powerful organ of the United Nations in the sense that the General Assembly does not have any authority to make suggestions to the Security Council without the consent or permission of the Security Council. Since the General Assembly is composed of the majority of the UN membership, one would expect that the Security Council should request permission from the General Assembly for its maintenance of peace and security in the world and not the other way round. This article lays a basis for arbitrary actions and double standards because the Council is on record for imposing economic sanctions against minority regimes.<sup>7</sup>

However, needless to say that this practice vitiated the liberal democratic ethos based on the idea that political decisions can only be legitimate when they are mandated by the majority. An organisation composed of sovereign states of the world professing equal sovereignty and at the same time having the majority of these sovereigns reporting to five sovereigns does not augur well with the ideals of democracy and the concept of equal sovereignty. Such a practice undermines the ideal of equality of nations within the UN. To profess the concept of equality of states and at the same time undermining the very same concept of equality of states is a practice that has left the door open to the practice of double standards in the UNSC. The powers that have been accorded the SC in the light of article 12 as quoted above and in Chapters VI, VII, VIII and XII can best be regarded as extraordinary.<sup>8</sup>

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<sup>7</sup>According to L M Fisher, there is expectation of consistency in the operations of the UNSC. However, what causes doubt is that there have not been many consistencies in the performances of the UNSC. At times there are instances where the world body has performed well and there are also those instances where it has performed badly (Interview with author, Harare, 20 July 2012).

<sup>8</sup>A close scrutiny of the UN Charter shows that the SC was given powers beyond limits – this implies that it has powers that cannot be subjected to binding legal scrutiny when it comes to sanctions and declaration of war under the pretext of promoting world peace and security. Extraordinary powers are powers that cannot be censored from without. The powers of the UNSC are analogous to the powers that were given to the Pope of the Catholic Church by the Ultramontanists. J.M.R. Tillard defined Ultramontanism as “the tendency to concentrate all church authority in the centre of the Church. ...Everything should come from the head, that is to say the pope”. Tillard found this Ultramontanism in a letter of J. de Maistre to M. Blacas which read as follows, “No public morals or national character without religion, no European religion without Christianity, no Christianity without Catholicism, no Catholicism without the pope, no pope without the supremacy which belongs to him” (Tillard 1983: 20-21). With the rise of Ultramontanism in the Catholic Church, all matters of dispute in the Church were

Chapter V states that, “The non-permanent members of the Security Council shall be elected for a term of two years. In the first election of the non-permanent members, however, three shall be chosen for a term of one year” (Article 23, 2). Here it is not clear why there should be non-permanent members and the criteria to be used in electing those non-permanent members and why the membership of these non-permanent members should be restricted to two years. Probably the rationale for restricting the membership of non-permanent members to two years is meant to ensure regional representation. But without the power of the veto, the role of non-permanent members in the UNSC remains trivial and useless in the sense that when decisions are to be taken their participation is completely ineffective. The status of non-permanent in the UNSC can best be described as that of spectators.

Whilst it was previously stated in Article 12 that the General Assembly was not supposed to comment on issues of security without the mandate of the Security Council, in Article 24 we read 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 (Article 24, 1).

The impression that arises from this article is that the Security Council acts only after receiving the mandate from the United Nations General Assembly,

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referred to Rome for judgment and the judgment of the Pope was final. Whether the decision of the Pope was wrong, it remained an issue that was not subject to formal discussion or revision. The current powers of the UNSC are analogous to those that were given to the Pope by Ultramontanists within the Catholic Church. For example, Chapter VII, Article 103 attributes all powers to the UNSC in a way that leaves the door open to abuse and misuse of power by UNSC members. Hassler observed that all UN members are subordinated to the UNSC. Thus he writes, “Article 103 completes the system by declaring that obligations under the UN Charter prevail over obligations contained in other international agreements. The requirement that all member states comply with Council decisions, notwithstanding any contrary obligations under treaties, means that the Council has the authority to make legally binding decisions with which states must comply in all circumstances. This *extraordinary power*, unique among executive bodies of any international organization, gives the Council the ability to alter the international legal landscape instantaneously...” [my italics] (Hassler 2013: 12). The monopoly of the UNSC’s competence to declare what constitutes a threat to world peace and security is in itself an expression of extraordinary power because the UN General Assembly has been deemed not to have any competence in this sphere.

thus meaning that the Security Council subsists under the United Nations General Assembly. There are some scholars who argue that the UNSC acts in ways that show that it does not subsist under the United Nations General Assembly. For example, M.J. Peterson observed that the General Assembly had its own values that differed sharply with those of the Security Council. He writes,

It is the only one of the six [organs of the UN] that includes representatives of all member states, simultaneously respecting and confirming their sovereign equality by giving each of them one vote, regardless of military power, wealth, population, size of territory, or any other characteristics. Historically, it is successor to the Assembly of the League of Nations. ...Its egalitarian treatment of member states and worldwide composition make the General Assembly the pre-eminent global deliberative body. ...Yet its deliberations are currently overshadowed by the Security Council... (Peterson 2006: 1).

The implication of Peterson's observation is that the Security Council acts in ways that show that it does not subsist under the General Assembly; neither does it share in the ideals of the General Assembly. Peterson's observation is corroborated by Article 25 that says that, "The Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter". This article clearly overshadows the General Assembly because the impression that is given is that the General Assembly is there to comply with the decisions of the Security Council instead of the Security Council complying with the decisions of the General Assembly. If the Security Council is the organ of the United Nations, with the General Assembly as the main body, one would expect, on logical grounds that the activities of the Security Council should be carried out after getting the mandate from the General Assembly. An impression has been created in the Charter itself to the effect that the Security Council was parallel to the General Assembly. Here I should like to illustrate this claim by resorting to Article 30 which states that, "The Security Council shall adopt its own rules or procedure, including the method of selecting its President". This article implies that the Security Council was an autonomous organisation which is not subject to the rules of the General Assembly. Thus the article rules out

any form of censure that can arise from the General Assembly against the Security Council.

The question that arises is whether the Security Council is serving the interests of the United Nations or those of its own members? John Hadwen and Johan Kaufmann observed that the United Nations gatherings provide platforms for countries “to represent their own country’s self-interest which can be furthered or hindered by U.N. discussion” (Hadwen and Kaufmann 1960: 60; also see Righter 1995: 28-30). The idea of using a multilateral organisation as a platform for the pursuit of one’s national self-interest makes a mockery of the UN founding ideal of an international body founded on the principle of promoting peace and security for the whole world. I shall come back to this issue in the coming chapters. What is easily observable in the UN Charter is that it undermines the values of participatory democracy as it wholly confers autonomy to the UNSC. As such, one finds that both Articles 31 and 32 saying that, “Any Member of the United Nations which is not a member of the Security Council may participate, without a vote, in the discussion of any question brought before the Security Council whenever the latter considers that the interests of that Member are especially affected” (Article 31). The same principle is also applied to any country that is not a member of the UN (Article 32).

The above two articles demonstrate that voting in the SC processes was completely restricted to members of the Security Council only. If the security of the world is a concern for every country of the world, why restricting active participation in the UNSC processes to a few? Whilst the UN Charter does not address this question, I think the only logical explanation rests in the fact that the permanent members of the UNSC were mostly instrumental in the writing of all the articles on the UNSC as reflected in the UN Charter. There are some scholars who maintain that the UNSC is one of the organs of the UN, hence it is accountable to the UN for its decisions and actions thereof. Antonios Tzanakopoulos argued from a legal perspective that,

The international responsibility of the UN can be engaged by its own conduct, meaning the conduct of its organs or agents. ...The basic principle that international organisations are responsible for the acts of their organs or agents finds support in practice, in the jurisprudence of international courts, and in the relevant literature (Tzanakopoulous 2011: 19-20).

Within this mode of thinking, the presumption is that the UNSC is accountable to the UN or that its actions can be attributed to the UN. However, the powers that have been given to the UNSC in Article 12 of the UN Charter renders Tzanakopoulous legal perspective implausible because the General Assembly is only expected to give its input on a matter before the SC when requested by the SC to do so. The UNSC is at liberty to reject such input if the interests of its member states are at stake. With such extraordinary powers in the UNSC, it can be stated that the UNSC is above the UN General Assembly when it comes to issues of world peace and security. Tzanakopoulous went on to say that, "It is not only the conduct of its organs - in particular the SC - that are attributable to the UN. By virtue of Article 5(1), which must be seen as reflecting both customary law and the predominant view in literature, it is also the conduct of agents that is attributable to the Organization" (Tzanakopoulous 2011: 33). The fact that the General Assembly has no contribution to make in the decisions of the SC makes Tzanakopoulous' assertions of attributability preposterous because an action or decision can only be attributed to an agent or organisation when consent has been given with reference to the undertaking of such an action or decision.

Tzanakopoulous' legal position leaves the door open for double standards because decisions can only be collectively owned when they are made by the collective. In recent times the use of private forces or mercenaries in situations of conflict has raised the thorny issue of who is ultimately responsible for the deployment of mercenaries in contexts of international conflicts. The Charter itself does not state that the UNSC can delegate other organisations that are not members of the UN. Mercenaries are not states nor are they members of the UN, hence their participation in international

peace and security matters is a blatant violation of the UN Charter and nation-state sovereignty and yet the UNSC has taken a passive role on this matter. Sarah Percy observed that the UN General Assembly has taken a much active role in the condemnation of the use of mercenaries in peace-keeping missions whilst the UNSC has given minimal attention to this phenomenon (Percy 2008: 635-636). In this instance we have an example whereby the United Nations General Assembly (UNGA) has its own point of view which is not necessarily endorsed by the SC. Here it can be deduced that the UNSC does not always comply with what is recommended by the UNGA.

The same type of legal argument to that of Tzanakopoulos was made by Danesh Sarooshi when he said that the powers of the SC were conferred on it by the UN. He writes,

In many cases the conferment of a power on a particular organ is due to its peculiar institutional characteristics. Thus the argument runs that when States initially delegate powers to an international organisation, an implicit part of this initial delegation of power is the assumption that powers are to be exercised only by the organ which was specified as having the competence to do so by the constituent treaty. Accordingly, to reiterate, the presumption is that the exercise of these powers should not be delegated to another entity. This is of particular importance to the Security Council due to the peculiar institutional characteristics of its decision-making process, especially the existence of the veto – the price of agreement on Chapter VII. Suffice to note here, however, that these characteristics do not in general prevent the Council from delegating Chapter VII powers, but rather operate, as explained below, as a limitation on the Council's competence to delegate its Chapter VII powers. The final reason why the *delegates nonpotest delegare* maxim is relevant to the delegation of powers by the Council is the notion of accountability which is also applicable to the work of the Council (Sarooshi 1999: 24-25).

Sarooshi's argument from a legal angle is problematic in the sense that whilst he attributes all the powers of maintaining peace and security in the world to the SC, the idea that these powers were delegated to the SC by the UN implies that the UN remains the sole custodian of those powers. If the UN is the custodian of the SC powers of Chapter VII, it also implies that the

SC has no authority or competence to delegate those powers to another organ without the authorisation of the UN General Assembly. If the UN had delegated powers to the SC, one would argue on logical grounds that the SC cannot use a veto system which tends to paralyse the UN itself as the custodian of the Chapter VII powers which it supposedly delegated to the SC. But to delegate more powers to an organ such as the SC to the extent of rendering the UN as the main body paralysed is surely something that defies any rules of logic. As seen previously, the General Assembly is actually prohibited from discussing peace and security issues brought before the SC without getting authorisation from the SC. This issue raises the question of who is ultimately responsible for the decisions of the SC. As a way of addressing this question, Sarooshi went on to say that,

However, it is the view of this writer that States did possess an international police power prior to the UN Charter and thus that Article 24(1) represents a delegation of this type of power by States to the Council. ...Accordingly, accountability for the way in which Chapter VII powers are exercised by the Security Council can only be to the collective of Member States (Sarooshi 1999: 30-31).

Prior to the formation of the UN in 1945, peace and security within the international arena was very fragile. It was in the aftermath of the Second World War that those who saw themselves as victors of the war assumed the role of an international police force. The UN Charter does not tell us as to who actually voted for the P5, rather it only tells us the procedure to be followed for voting of two non-permanent members. In the absence of a clear democratic process for the election of the SC, the question of accountability and the legitimacy of SC actions remain problematic. To attribute actions of the SC to the UN whilst at the same time prohibiting the majority of the UN membership from participating in the decisions making processes of the SC amounts to practising double standards.

Chapter VI of the Charter is about Pacific Settlements of Disputes.<sup>9</sup>It is basically this Chapter which many scholars have relied on to argue for the idea that the SC was committed to the idea of Collective Security rather than the monopolisation of world peace and security. Article 33 states that,

The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice. The Security Council shall, when it deems necessary, call upon the parties to settle their dispute by such means (Article 33, 1-2).

In the event of disputes among states, the Security Council would prefer that the disputants resolve the dispute among themselves. Chapter VII is devoted to issues of threats to peace and acts of aggression. On cases of threats to peace and aggression it is said that the Security Council will resort to other measures that might involve the interruption of economic relations (Article 41). It is further stated that,

All Members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance, and facilities, including right of passage, necessary for the purpose of maintaining international peace and security(Article 43, 1).

The use of force by the Security Council is thus seen as a last resort towards the settlement of disputes. Other scholars have argued that, “The existence of these powers [of the Security Council] was intended to have a strong deterrent effect and, by giving it the means to mobilise an international

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<sup>9</sup>The Pacific Settlement Act is an act that was signed on 26 September 1928 in Geneva. This act said that disputes should be submitted to the procedure of conciliation constituted by the parties to the dispute. Article 3 of this act says that, “On a request to that effect being made by one the Contracting Parties to another Party, a permanent Conciliation Commission shall be consulted within a period of six months. Unless the parties concerned agree otherwise, the Conciliation Commission shall be constituted as follows: (1) The Commission shall be composed of five members. ...The commission shall be appointed for three years. They shall be re-eligible” (cited in Osmańczyk 1990: 666-667). The Pacific Settlement Act was more for peaceful resolutions of disputes and it appears that the same type of spirit was also adopted in the United Nations Charter.

military or policing contingent, to give states the strongest possible incentive not to test the Security Council's authority" (Righter 1995: 28). However, in the light of the above article, the rationale is that peace and security of the world should be seen as a collective effort of all member states. Thus the SC has the capability to delegate some of its Chapter VII powers to members of the UN. Sometimes when it comes to issues of peacekeeping operations, the SC has delegated the UN Secretary General to undertake such a task (White 1993: 215). Such a delegation of its powers to the SG is regarded as the SC's exercise of its Chapter VII powers. Whilst the SC has monopolised the political powers of the UN with reference to maintenance of peace and security in the world, the idea of Collective Security is implied with regards to the practicalities of maintaining international peace and security. However, one would expect that the idea of Collective Security should be practised in the day to day formal deliberations and modus operandi of the SC. Again here we have a door open for the practice of double standards in the sense that the SC shares its Chapter VII powers with the generality of the UN membership and at the same time withholds sharing these Chapter VII powers when the national interests of members of the SC are at stake as a result of peacekeeping efforts.

However, in Article 46 it is stated that the Security Council shall be assisted by the Military Staff Committee (MSC) when carrying out its mandate of using military force. The MSC is thus responsible for the practical arrangements of the military requirements needed by the Security Council in its operations. The MSC comprises of members from P5. Hence it is stated in the UN Charter that, "The Military Staff Committee shall consist of the Chiefs of Staff of the permanent members of the Security Council or their representatives" (Article 47, 2). The idea of having a MSC was mainly based on the presumption that maintenance of world peace requires the use of military force or arms against the aggressor(s). It is important to note that the MSC is composed of members from UNSC members, thus somehow implying the monopolisation of the practical operational security matters of

the world by these P5 members. The monopolisation of the powers on security of the world is further reinforced by Article 49 in which states that, “The Members of the United Nations shall join in affording mutual assistance in carrying out the measures decided upon by the Security Council”. In other words, Members of the United Nations can only participate in what has been decided by the UNSC, and they cannot decide on the course of action to be taken. One can caricature this type of thinking by saying that the majority of the members of the United Nations can only rubber stamp what has already been decided upon by the UNSC. The marginalisation of other members of the UN in the planning and enforcement of world peace and security has been one of the contentious issues that is usually raised by scholars with regards to the credibility of the UNSC, especially with specific reference to the legitimacy of its military interventions that have been undertaken thus far. As we shall see in Chapter 3, the idea that a few or five countries are wholly responsible for the peace and security of the world contradicts the implied principle of Collective Security in the UN Charter.

In Article 51, the principle of Collective Security is tempered with the idea that states have the right to defend themselves in case Collective Security has failed. Thus the article reads,

Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken the measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defence shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security (Article 51).

In case that the UNSC fails to respond promptly to an act of aggression committed against a member of the UN, the offended member is at liberty to

act in self-defence<sup>10</sup> against such acts of aggression. Whilst the UNSC was there to foster Collective Security, this article leaves the door open for individual states to pursue their own security. However, the doctrine of self-defence has been manipulated by many states in order to pursue their own national self-interests. Sometimes states have carried out acts of aggression against other states on the pretext of self-defence against some imagined threat from another state. The Cold War and the nuclear race premised its rationale on the doctrine of self-defence. Ironically, most of those countries who amassed nuclear weapons for ‘self-defence’ purposes were members of the UNSC. Most of UNSC members have not been good in providing the world with examples of maintaining world peace and security. For example the USA developed an atomic bomb which it used to destroy Hiroshima and Nagasaki. Though this happened during the Second World War, as Ward Wilson observed,

In 1952 a new type of nuclear weapon was tested by the United States. The H-bomb used hydrogen along with uranium and was, it was said, and ‘thousands of times’ bigger than the bomb that had devastated Hiroshima. It was not hard to imagine that such a bomb represented a quantum leap in the power of nuclear weapons (Wilson 1999: 54).

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<sup>10</sup>A Swiss Lawyer by the name of E. de Vattel coined the doctrine of self-defense in 1758. According to de Vattel, “One’s own defense against unlawful assault is not only rightful, but the obligation of a nation, and one of the most sacred”. During our contemporary times this doctrine has been assigned two meanings to it. The first is based on the premise that the state or an institution has a right to individual or collective self-defense. Secondly, this doctrine is expressed in civil defense – the idea that a group of people or an organization(s) can apply non-military measures to protect themselves against a natural disaster or any disaster that can be caused by war. In most of the conflicts in post-colonial Africa, the military and the civil meaning of self-defense have been blurred due to the fact that the civil self-defense systems have always ended up using military methods as a way of defending themselves. For example, in Sierra Leone “Civil Defense Forces served as an umbrella term for disparate militias previously referred to by ethnically coded titles...”. After the end of the Sierra Leone conflict some of the members of the Civil Defense Forces ended being tried for war crimes against humanity. The same example can be found in apartheid South Africa after the unbanning of the African National Congress. When the apartheid security machinery unleashed state sponsored violence in black townships, the leadership of African National Congress decided to establish Self-Defense Units that were aimed at protecting black people in townships. Obviously these Self-Defense Units were militarily trained. During the League of Nations, the Covenant stipulated that members had an obligation to assist a member state which had taken steps to defend itself against aggression. The presumption was “aggression on one member of the League of Nations constituted an aggression against other members”. One finds that the same rationale was operative during World War II. This understanding of self-defense was integral to the formulation of Article 51 (Osmańczyk 1990: 838; Hoffman 2007: 640-643).

The fact that Japan surrendered from the Second World War gave rise to the belief that a nuclear weapon had some deterrence effect on the would-be aggressor(s). Taking into account the mass destruction which the USA inflicted on Japan with the nuclear bombing of Hiroshima and Nagasaki, the belief in nuclear deterrence gained momentum among the rank and file of the members of the UNSC during the Cold War era. Members of the UNSC such as the USA and the former USSR were at constant loggerheads concerning nuclear weapons. In 1962 the Soviet Union attempted to arm Cuba with nuclear missiles to which the USA reacted in a way which some scholars have characterised as an episode that almost brought about a world nuclear war. As Wilson puts it, "A very tense week followed, during which fear of nuclear war gripped the United States, Russia and Cuba, and the rest of the world. Eventually, the Soviet Union agreed to remove the missiles from Cuba in exchange for a public pledge by the United States that it would not invade Cuba" (Wilson 1999: 70).

In the light of the above episode, to what extent can we say the USA and the USSR were actually there to promote peace and security in the world? But the practice of double standards in this regard came in the form of the USA refusing Cuba from owning a weapon which it owned itself. It is this practice of double standards which has been used by other countries who are aspirants of nuclear weapons development in their countries as vindicating their right to own nuclear weapons. The current agitation by some members of the SC against Iran's owning of nuclear weapons brings to the fore the practice of double standards in the SC, especially when one takes into account the fact that all the P5 members of the SC are owners of nuclear weapons. As it shall be demonstrated in the course of this study, the practice of double standards has three major effects to the maintenance of peace and security in the world.

Firstly, double standards undermine the moral authority of those members of the SC council guilty of the same offence. Secondly it undermines the legitimacy of the organisation when it comes to enforcing peace and security

in the world. Thirdly the practice of double standards causes disagreements among members of the SC when it comes to passing resolutions aimed at promoting the maintenance of peace and security in the world. For example, the recent political unrest that gripped the Ukraine left the UNSC ineffective in finding a solution to the crisis. In this episode, the Crimea region which is dominated by the Russian-speaking Crimeans decided to hold a referendum on whether to remain a part of Ukraine or to be reincorporated into Russia. The overwhelming majority of the Crimeans voted in favour of reincorporation into Russia. The USA and her European Union allies refused to recognise this referendum and instead decided to impose economic sanctions against Russia. Russia responded to the USA and her European allies by alleging that they were practising double standards because less than a decade ago, a similar referendum was held in Kosovo<sup>11</sup> which was part of the former Yugoslavia, with the result that Kosovo emerged as a sovereign entity recognised by the same Western powers who would not recognise the Crimean outcome

A practice of double standards is also related to the world system of patronage as practiced by the powerful countries. When the USA and NATO militarily intervened in Kosovo, such an intervention was welcomed favourably by the Kosovo Albanians. However, Aidan Hehir said that, "NATO personnel were greeted as liberators in Pristina and many other streets were renamed in honour of President Clinton and Prime Minister Blair. In the

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<sup>11</sup>Kosovo which was a province of Serbia was under the UN administration when it declared its independence from Serbia on 17<sup>th</sup> February 2008. After this declaration of Independence, Kosovo was recognised by the USA, Turkey, Albania, Austria, Germany, Italy, France, the UK and Taiwan. This recognition of Kosovo as an independent state was taken as a precedent by many separatist movements in the world. Equally, the Republic of Crimea proclaimed its independence from Ukraine on 11 March 2014. In this declaration of independence, Kosovo was cited as the precedent. The USA has maintained that Kosovo should not be taken as a precedent because Milosevic forces were too aggressive towards Kosovars in the aftermath of the disintegration of Yugoslavia. The same USA position was reiterated by the Secretary General of the United Nations, Ban Ki-Moon in an interview with an Interfax news agency when he said, "Each situation needs to be examined based on its unique circumstances...". Separatists have persistently maintained that Kosovo provided a valuable precedent for their aspirations. Russia's position in this regard has been that it will also recognise "the so-called unrecognised republics of Abkhazia, South Ossetia and Pridnestrovie [Transnistria]" ([http://en.wikipedia.org/wiki/Kosovo\\_independence\\_precedent](http://en.wikipedia.org/wiki/Kosovo_independence_precedent). also see [http://carnegieendowment.org/files/Kosovo\\_and\\_Serbia.pdf](http://carnegieendowment.org/files/Kosovo_and_Serbia.pdf)).

immediate aftermath of the intervention a round of counter-ethnic cleansing forced over half the population of Serbs to leave Kosovo despite the presence of over 40 000 foreign troops”(http://ojs.ubvu.vu.nl/alf/article/view/65/121).Hehir went on to say that,

In terms of Kosovo as a precedent, it is clear that the key factor in the achievement of Kosovo’s ‘independence’ was its relationship with the West. There are numerous minority groups across the global [sic] that demand independence; the vast majority are ignored not because their claims are invalid but rather because it is politically expedient to overlook these claims. ...Recognition is therefore a highly problematic aspect of international law. In many respects international law is consciously blind to the actual conditions within states focusing only on the legal status as determined by the community of states. A state is a state so long as it is deemed to be a state by the community of states. Despite over a decade of lawlessness and the internal fragmentation of authority Somalia continues to be recognised as a state when it has clearly lost any internal cohesion (http://ojs.ubvu.vu.nl/alf/article/view/65/121).

The issue of double standards has led the UNSC to adopt an ambivalent position with regards to the universally acceptable principles on the criteria to be used when recognising a particular entity as an independent state. Double standards make it impossible for the existence of internationally acceptable standards.<sup>12</sup> In the light of this study, it is imperative to state that what makes the world most insecure is the fact that those who are

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<sup>12</sup> As alluded to by Jonathan Moyo, during an interview with author, Harare, 02 January 2013, there is overwhelming evidence to suggest that the UNSC is about double standards in terms of its operations, resolutions and conduct of international affairs. Moyo further highlighted that there is almost built in imprint about double standards especially if one looks at how the UN was set up. Double standards are a necessary component of the UN because it was set up to create a balance of power in international relations. When the UN was set up, there were competing interests. When the word “We” was used at the formation of the UN, it did not refer to the unitedness of the whole world (sic). Many countries were not free by then. In that case the operational logic of the use of the word “We” was to say that there were two types of powers. It is instructive that actually the largest group among the five came from Europe and Europe was the colonial mother. To a large extent if you were to unpack the operations of the UN, the double standards are a direct consequence of its formation. In Moyo’s view, democratisation of the UN is wrong because it was never intended to be a democratic institution. What may be talked of therefore is not its democratisation but instead restructuring arguably with the aim of maintaining international peace and security. Double standards are in keeping in raison de “tat of the UN. They are a 20<sup>th</sup> century reality.

custodians of the maintenance of peace and security in the world<sup>13</sup> are actually in the forefront of undermining world peace and security through the practice of double standards.

## **2.5 Conclusion**

This chapter has shown that the UNSC was actually preceded by the League of Nations. The founding principle of the UNSC was to establish a peaceful world after the devastating experience of World War I. Previously too much trust was put in war as a way of settling political differences. It was also shown that from the onset the League of Nations was dominated by powerful countries. However, the League of Nations was not powerful enough because conflicts continued. An example that was given in this regard was that of the Japanese and Chinese conflict in the Chinese town of Manchuria and Abyssinian crisis in Ethiopia. This crisis showed that the League of Nations was not about Collective Security for all the nations. The League of Nations was aimed at protecting European countries' national interests. I have shown that this practice has influenced the founding values of the UNSC.

Since the formation of the League of Nations was the consequent result of the threat of war, I have also shown that the formation of the United Nations was based on the same fear. The main thrust for the formation of the UN as well as the UNSC was for the maintenance of world peace. Thus the UN Charter was an extended version of the Covenant of the League of Nations. In the UN Charter the concepts such as the powers of the SC, the implied principle of Collective Security and Nation-State Sovereignty dominated the discourse enshrined in the UN Charter. It was also shown that according to Chapter VII the UNSC was accorded more powers than the General Assembly and the Secretary General. The SC was composed mainly of those countries

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<sup>13</sup> In preparation for the San Francisco conference the President of the United States, Harry Truman made a plea to the United Nations to the effect that "Machinery for the just settlement of international differences must be found...Without such machinery, the entire world will have to remain an armed camp. The great powers have the special responsibility to enforce the peace". It is important here to note that Africans (who were still under colonialism) and the majority of the Asiatic countries were not considered as part of the UNSC. Those who had deemed themselves as victors of the Second World War felt that they were in the position to be custodians of peace and security in the world (Bosco 2009: 32-33).

that were deemed to have been victors of World War II. Within the UN Charter, the idea of Collective Security is implied a lot whilst the monopolisation of power is entrenched through Chapter VII and the veto. I have argued that the doctrine of self-defence compromises the implied principle of Collective Security, especially in the light of the fact that some countries - those in Security Council have amassed nuclear weapons under the pretext of self-defence. However, as we shall see in chapter 3, one of the controversial ethical issues about the UNSC and double standards has revolved around the idea of the veto which is exercised by the P5 members of the SC as well as how the membership to UNSC has been formally structured within this organ of the UN.

## CHAPTER THREE: MEMBERSHIP OF THE UN SECURITY COUNCIL AND THE VETO CONTROVERSY

### 3.1 Introduction

One of the controversial issues that has been integral to the discussion on the reforms in the United Nations is related to the UN Security Council membership and the Veto system. No multilateral organisation has been critiqued by people of the world as much as the UNSC. At the same time, amidst all these criticisms, to date there has not been any significant transformation within the UNSC. As already shown in chapter 2, the UNSC consisted of five permanent members who are ultimately responsible for peace and security in the world. The general scholarly opinion on this matter was that the decision for P5 membership was based on the idea that these countries were the victors of the Second World War, thus implying that they have the capacity to maintain world peace, hence the term that is used by scholars to describe the P5 is, the Great Powers.

Whilst the term 'Great Powers' remains a controversial one, a criticism that is levelled by scholars against the idea of having P5 in the UNSC is usually based on the observation that the world situation that gave rise to World War II has changed drastically, hence to run a multilateral organisation on the basis of the world context of six decades ago amounts to refusing to recognise the importance of change in organisations. A call for reform in the membership of the UNSC council is based on the realisation that whilst there have been a lot of socio-economic and political transformations in the world since the end of the Second World War, the UNSC has failed to reflect these world realities in its membership.

In chapter 2 we have seen that the UN Charter accorded lots of power to the P5 to such an extent that the UN General Assembly is not expected to deal with issues of peace and security without authorisation from the UNSC. The membership to the UNSC excludes the participation of the majority of the UN members, an issue that goes against the implied principle of Collective

Security as espoused in the UN Charter. A call to transformation in the UNSC is thus related to the observation that P5 members cannot adequately promote and protect world peace. Other scholars have gone as far as saying that being a member of P5 is usually associated with national prestige. In other words, the P5 members enjoy being P5 members of the UNSC because it gives them the satisfaction of being among the five countries entrusted with the maintenance of peace and security in the world. But the prestige that is associated with the P5 membership is related to the idea of being respected by those countries that are not in the UNSC. Those countries that are not in the UNSC rely mostly on the protection of some of the P5 members lest they get militarily attacked by some of the P5 members. Some scholars, as shall be seen in this chapter would argue that being among the P5 serves a country's national self-interest. The P5 members are not there for altruistic purposes, but to safeguard and protect their own national self-interests politically and economically. The more powerful a country is, the more it is able to realise its socio-economic and political national interests. This follows that the ability for one country to veto a decision agreed upon by the majority is in itself a momentous expression of its power over the whole world.

The current scholarly critique of the veto system in the UNSC P5 members is also related to the idea that it undermines the contemporary political democratic values that put primacy on political pluralism through the consent of the majority in the exercise of power. Within the democratic political ethical paradigm, it is believed that an ethically justifiable political decision must be that decision that is affirmed by the majority of the membership of the organisation or institution. This implies that a minority should not be allowed to deter the decision of the majority. In the context of Africa and other Asiatic countries' struggle against colonialism, this democratic ethos was the guiding principle. Political situations where 95% of the colonised population was ruled by 5% were thus constantly characterised as inhumane and in dire need of political democratic transformation. The veto is related to the preservation of national self-interest by the P5

members in the sense that a country that is usually regarded as an important trading partner or an important strategic political partner to the national interest of one P5 of the UNSC in a particular region is most likely to commit all sorts of crimes against humanity without being affected by UNSC resolutions. Here what comes to mind is the case of Israel which is constantly protected by the USA from any reprimand from the UNSC. In this regard, it can be deduced that a culture of patronage which logically leads to an ethic of double standards up morally undermining the legitimacy of the decisions of the UNSC. Some observations that have been made in this regard is that the United States of America is most likely to veto UNSC decisions or resolutions against regimes that violate human rights than UNSC resolutions against those countries that are not supportive of United States of America's national self-interest. Scholars have argued that this has been a predominant behaviour of all the UNSC P5 members when taking decisions on peace and security in the world. For this reason, scholars such as Thomas Weiss have argued that the whole idea of the UNSC was based on an illusion.

Against the background provided in this introduction, this chapter is structured as follows: The first section provides a critical analysis of the UNSC membership and how this membership has been a stumbling block to the UNSC reform. In the second section I shall focus on the issue of power in the UNSC and how it undermines the ideal of Collective Security as enunciated in the UN Charter. Section three will expand the power discourse with reference to the veto system in the UNSC after which it will be shown that the veto system of the UNSC is a traverse to a global democratic ethos. It will be argued in section four that the idea of monopolising multilateral organs of the UN such as UNSC is primarily related to the pursuit of national self-interest by the P5 members.

### **3.2 UNSC P5 Membership and the Reform of the UNSC Debate**

Chapter 2 showed that the UN Charter saw the duty of the UNSC mainly as that of promoting peace and security of the world. The UNSC was established as an organ of the United Nations. Thomas Weiss, David Forsythe and Roger Coate (2001:29-30) observed that the formation of the P5 was related to the belief that these P5 members were the most powerful nations in the world who had “the military capability to act quickly and decisively”. These authors went on to say that “The permanent members are accorded special responsibilities and privileges in the collective-security schema. They pay more of the bills, and no decision can be made on nonprocedural questions unless they agree. ...Enforcement actions can be undertaken only with great-power cooperation”. As we shall be seen in chapter, the UNSC has never acted quickly and decisively. P5 members have disagreed more than they have agreed on issues of peace and security. The argument of efficiency and decisiveness as a justification for the existence of the P5 is empirically unsustainable.

However, the quest for SC reform has been partly based on the idea that its membership does not reflect the realities of the 21<sup>st</sup> century. It is partly in relationship to this insight that Hassler observed that, “Increasing dissatisfaction with the status quo calls for an inquiry into whether the issues of composition and membership, voting powers and procedures constitute fundamental weaknesses that necessitate reform through UN Charter amendment or whether adjustment in practice would be more constructive” (Hassler 2011: 3). The issue of the UNSC reform is inseparable from the composition of its membership. The main source of agitation among reformists is the fact that those members who were the original founding members of the UNSC have remained as permanent members for six decades even though there is a worldwide outcry that the SC has remained unreformed with reference to its membership. It is mainly on the grounds of the above reason that Hassler deduced that,

The main hypothesis of the reform process is that only a Council that is adequately representative of the UN membership can claim to legitimately act on the members' behalf. To attract the committed political will of the members to adhere to Council decisions, it needs to be credible. Thus, if the Council's composition was reformed and its membership made more representative, it would become once more credible and thus effective (Hassler 2011: 3).

In the light of Hassler's hypothesis, the SC was not representative of the UN membership; hence its credibility has remained questionable among the members of the UN. Thus according to this hypothesis, the SC has no credibility because it lacks genuine representation of the UN membership. In the preceding discussion it was abundantly clear that the current P5 members of the SC imposed themselves on the UN for the reasons that have become irrelevant in the 21<sup>st</sup> century, and that these members of the SC do not represent the UN membership. The common argument of the advocates of the UNSC reformists is that this organ of the UN does not represent anyone and in this regard, it does not have any credibility to act on the behalf of the UN. For example, President Robert Mugabe of Zimbabwe gave a speech in the United Nation General Assembly in which he had this to say,

We reiterate our long held view that the Security Council as presently constituted is undemocratic. The present configuration renders it subject to manipulation by the powerful countries that use the Council as a readily available legitimizing forum for their political machinations. Thus it is imperative that the Security Council be democratized by ensuring equitable geographical representation through increasing its membership. ...In its present configuration, the Council has shown that it is not in a position to protect the weaker states who find themselves at loggerheads with a marauding super-power. Most importantly, justice demands that any Security Council reform redresses the fact that Africa is the only continent without a permanent seat and veto power in the Security Council (Mugabe 2008).

In the light of the above quotation, the main concern for President Mugabe is that the UNSC was undemocratic and that its configuration was not based on geographical representation. The quest for a more representative membership came from two fronts. The first one sprang from the observation that most of the issues of conflicts in the world were based on

economic disparities between the rich north and the poor south. During the Cold War era, countries in the South formed an association called the Non-Aligned Movement (NAM) which was mainly comprised of African and Asiatic countries. The NAM was said to be more aligned to the then Soviet bloc. The NAM attributed world insecurities to “forces of imperialism, colonialism, neo-colonialism, Zionism, racism and other forces of alien domination” (Bosco 2009: 113). As David Bosco puts it,

In the early 1970's, the nonaligned states elaborated the concept of a 'new international economic order' to redress the injustices of colonial exploitation and took up the cause of national liberation movements in Africa, Asia, and the Middle East. The nonaligned had no hesitation about laying the world's economic and social disparities on the Council table. What greater threat was there to the world's security, after all, than the chasm between the world's affluent 'North' and its impoverished 'South'. The critique was an incisive one. Since it began meeting, the council had focused on the most extreme manifestation of discontent - violent conflict, usually between states. It darted from crisis to crisis but paid little attention to what many poor nations saw as the root cause of much conflict: disparities in economic development (Bosco 2009: 113-114).

The call for the UNSC reform was integral to the increase in UN membership. It appears the new members were more agitated by the values that were upheld by some of the members of the SC. According to NAM, colonialism and neo-colonialism were some of the practices that were done by some members of the SC council such as Britain and France. Ownership of colonies was in itself a threat to world peace and security. Thus UNSC reform carried with it the idea of dismantling the practice of colonialism. Membership reform of the UNSC was thus related to the observation that some of the members of the UNSC had questionable moral credentials arising from their role in colonialism and economic malpractices.

The issue of the reform of the UNSC membership was not simply about numerical preponderance according to UN membership. Reformists wanted to ensure that their socio-cultural and political values should inform the reform of the UNSC. Some of the Council members were also on record for using the UNSC platform as an arena for protecting their own

national interests. For example, Britain and the USA refused to support a resolution that was supposed to authorise Britain to use military force against the rebel government of Ian Smith's Rhodesia. Lord Caradon of Britain stated it clearly that Britain was not going to support a resolution that called upon it to invade Rhodesia. These were the words of Caradon, "It is a question of an invasion - an invasion in the middle of a continent. We know that once force is used escalation can quickly ensue. We know that the results of violent action can be incalculable" (cited in Bosco 2009: 117-118). The British and the Americans actively vetoed against the Rhodesian resolution from NAM and Africa. Some Council members adopted double standards, especially when it came to resolutions that were against their allies as opposed to those who were not seen as their allies, especially the USA and Britain with reference to the resolutions on Rhodesia, apartheid South Africa and Israel.

### **3.2.1 Double Standards in UNSC Peace-Keeping Operations**

The issue of the UNSC military interventions have been shrouded in controversy in the sense that when conflicts occur in non-western countries, UNSC has taken its time to respond. In this regard, the adage 'African solutions to African problems' is partly based on the realisation that western countries who dominate the UNSC have never been proactive in solving conflicts in the African continent. Jane Boulden noted that there has been a lot of "resource commitment on the part of developed states to operations such as those in Bosnia and Kosovo" when "compared to their commitment in areas such as the Democratic Republic of the Congo or Burundi" (Boulden 2006: 416). She went on to say that the UNSC leaves peace keeping missions to blue-helmets in a way that shows glaring double standards. As she puts it,

Taken together, these developments speak to a clear division of labour in which Western states contribute to coalition operations in their own regions when their own vital interests are involved, while leaving conflicts in the developing world primarily to developing states participating in blue-helmet peace operations. The nature of the operations also means that they do so at a greater distance from Security Council overview than occurs in blue-helmeted operations. These trends work to confirm the

existing sense of a UN double standard on international peace and security issues: a double standard in which Western states are unwilling to risk the lives of their troops for non-Western lives. This perception is reinforced by the fact that Western-led coalition operations have involved a significantly higher level of financial, military and political resources than Western countries have given to operations in other regions, such as Africa (Boulden 2006: 416-417).

The above observation reinforces the idea that an unreformed UNSC remains ineffectual in the maintenance of world peace and security. This situation is also exacerbated by the fact that the UNSC is mostly dominated by western countries that are mainly Eurocentric in their understanding of promoting peace and security in the world. Bolden's main argument is that national interests of the UNSC dominate the decisions for peace and security operation missions.<sup>14</sup> Sometimes these peace keeping operations are done on superficial basis when the interests of the SC are not at stake. It is the pursuit of national interests that fuel the practice of double standards. Most of the SC operations are usually done after the parties to the conflict have agreed to some ceasefire. She writes,

For those conflict situations falling below the Security Council radar, the Council is a distant and disengaged entity whose decision making is based on a double standard that is contrary to the universality of the Charter's expressed ideals. There is a certain unhappy irony in the fact that the danger inherent in the permanent members' veto is not only that they will engineer the system to avoid dealing with conflicts in which they have an interest, but that they will also engineer it to avoid dealing with conflicts in which they do not have an interest (Boulden 2006: 419-420).

A dominant factor that filters through the above observation is that the SC does not have a sense of concern for those situations where the national interests of its P5 members are not at compromised. The practice of national interests in an organisation that is entrusted with keeping peace and security for the whole world does inevitably leads to double standards. For parts of

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<sup>14</sup>The situation is further made worse by the fact that the UN General Assembly does not have the muscle to effectively confront the Security Council. Legally, any international action must have the blessing of the Security Council. Whilst the General Assembly is the parliament of the world, it does not have the power to summon the Security Council and say it's your responsibility to democratise (Gurirab, Windhoek, 18 September 2012).

Africa who had to wage protracted armed struggles against the inhumane system of colonialism there is a bitter awareness of no active support from the UNSC. The salient assumption of the UNSC is that colonialism and conflicts in non-western countries do not constitute a danger to peace and security in the world. The issue of representativeness within the SC is integral to the call for reform of this UN organ. Thus those who argue for greater representativeness maintain that this organ of the UN does not have legitimacy to undertake some of the actions which it takes under the banner of the UN.

### **3.2.2 UNSC Reform as a Leverage Mechanism against the Western Hegemony**

Some scholars, especially those from the underdeveloped world have argued that the whole UN organisation system was an expression of Western hegemony in the World; hence the national self-interests of the Western world will always be given precedence over those of the non-Western world. Ali Mazrui puts it pragmatically as follows,

The UN was formed primarily by those who won the Second World War of 1939-1945. These victors belonged to one-and-a-half civilisations: Britain, the US, France and the Soviet Union. They made themselves veto-wielding permanent members of the UN's powerful Security Council. They made one concession to another civilisation - by also making pre-Communist China a permanent member. Of the five original languages of the UN, four were European in origin: English, French, Spanish and Russian. However, the official form of Chinese (standard Mandarin) was also adopted. A kind of bicameral legislature began to emerge: an upper house, which was more powerful but less representative, called the Security Council - and a lower, less powerful but more representative, house called the General Assembly (Mazrui 2009: 52).

What is implied by Mazrui in the above quotation is that the UN and the UNSC was primarily anchored on Western values by virtue of the fact that this organ is dominated by Western countries. However, this domination is not just a purely objective political domination; rather it's a domination that carries with it the idea that that which is right and wrong has to be based on what the Western world has valued as ethically normative or not. For example, one of the founding values of the UNSC was to protect human

rights all over the world. Many governments have been scrutinised by the UNSC on the basis of how they have fared on human rights record. However, some scholars have critiqued the concept of human rights on the grounds that it was an entirely Euro-centric concept that did not have cultural universalizability. In this vein, African scholars argued that the *UN Universal Declaration of Human Rights* was a declaration of atomic individualism, a philosophy of life that usually prizes the individual over the community. The post-colonial African resentment against the Western understanding of human rights as enshrined in the UN Universal Declaration of Human rights was clearly articulated in the *Organisation of African Unity (OAU) Charter on Human Rights*. Within this charter, instead of focusing on the individual as the object of rights, focus is put on the family and community as objects of these rights. Article 18 of the *OAU Charter on Human Rights* states it as follows,

The family shall be the natural unity and basis of society. It shall be protected by the State which shall take care of its physical health and morals. 2. The State shall have the duty to assist the family which is the custodian of morals and traditional values recognised by the community

It is partly in the light of the above African conceptualisation of human rights as originally communal that post-colonial African scholars have critiqued the UN Universal Declaration of Human Rights as purely Euro-centric and contrary to the African conceptualisation of human rights. Legal scholars such as Edison Zvobgo argued that the UN Declaration of Human Rights of 1948 was purely a declaration of atomic individualism, hence it was something intelligible to the Western ontology of an individual whereby an individual is seen as “separate, isolated, autonomous and self-determining individual, who apart from any social context, is a bearer of human rights” (Zvobgo 1978: 90). Within this kind of reasoning, Zvobgo was advancing the argument that the concept of human rights was context specific and cannot be universalised or that it cannot mean the same thing to all people regardless of their cultural and religious contexts. In the same vein, one finds Okere maintaining that the OAU Charter on Human Rights was communal. He writes,

The realisation of individual rights can find their fullest expression and fulfilment only within the concept of community. The conception of an individual who is utterly free, such as to be irresponsible and opposed to society is not consonant with African philosophy; accordingly, the African Charter specifies the duties of the individual toward the community in which s/he live (Okere 1985: 145).

In light of the above quotation, it is evidently clear that one of the cardinal virtue of the UNSC - the protection of human rights is being questioned on the basis that it was basically based on the Eurocentric ontology of a person which was sharply different to an African ontology of a person as originally communal. Some Western scholars have argued that Western society was a prototype of all societies. In other words, all societies that are not Western are seen as evolving towards becoming like Western societies.

Rhoda Howard argued that contemporary violation of human rights in Africa should be understood as an evolutionary phase which Western countries went through during their times of nation-building. Since the violation of human rights was a necessary stage in social evolution, she averred that it was unfair to impose moral censure on African states who are struggling with human rights problems that were equally experienced by Western societies during medieval times. As she puts it, "The...problem which African governments face is that they are obliged to implement, as soon as possible, a whole range of 'new' rights which were unknown in Europe until the early twentieth century" (Howard 1986: 169). The implication of Rhoda's argument is that Western societies are highly evolved whilst African societies are still catching up with the process of evolution which Western societies went through some centuries ago. According to this reasoning, "since the question of human rights has been predetermined by the process of evolution, those [Africans] in the lower stages of evolution will remain lower whilst those who have attained the higher stage of evolution will continue to move up" (Murove 2011: 56). It is this type of thinking that has saliently dominated the thinking in the UNSC's understanding of the socio-economic and political values which they presume should characterise a peaceful

world. When one talks about the UNSC reform, the whole discourse becomes an exercise in futility because the dominant mind-set within the UNSC, by virtue of it being dominated by Western socio-economic and political values is that all countries that are not Western countries will contribute to peace and security only after they have embraced Western socio-economic and political values.<sup>15</sup>

Theodore von Laue advanced a more pragmatic version of Eurocentricism when he said that, “the United Nations” was “an additional engine of the world revolution of Westernisation in its final phase”. He went on to allege that “The inspiration behind the United Nations unquestionably came from the depths of Western tradition” such as pacifism and idealism. Von Laue argued that the UN and the UNSC were overtaken by the reality of power politics. Whilst the UN Charter had espoused the idea of the sovereignty of states and the need for states to respect each other by refraining from interfering in each other’s domestic affairs, “[t]he arena of power politics lay beyond the competence of the United Nations, although its wrangles constantly spilled over into its work. In fact, the United Nations was a microcosm of the global state system, fiercely engaged in the power politics

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<sup>15</sup>Some scholars such as Macpherson and Eze have argued that one of the most contributory factors to human conflicts and warfare is the fact that the Western world wants to impose its political, economic, social and religious ideals to the whole world. For example George W. Bush understood the whole world as evolving towards the adoption of American Washington Consensus economic system and the political democratic values that are presumed in this economic system. His popular political dogma „You are either with us or against us“ was a propagation of hegemonic view of America in relationship with the other countries of the world. It was a political dogma that also expressed a worldview that is based on intolerance towards those who held different economic, political and religious views. To espouse democracy as implying embracing diversity in human existence whilst espousing a totalitarian view of democracy amounts to committing a categorical contradiction. Scholars such as Crawford Macpherson argued that the Western democratic ontology was primarily had an individualistic foundation in its understanding of persons. He writes, “Western [democratic] theory puts a high value on individual freedom of choice, not only as between political parties but also as between different uses of one’s income, of one’s capital, and of one’s skill and energy. Western democracy is a market society, through and through; or, if one prefers to confine the term democracy to a system of government rather than to a kind of society, Western democracy is *for* [his emphasis] market society”. The same observation was made by Jurgen Habermas when he said that, “Modern constitutions owe their existence to a conception found in modern natural law according to which citizens come together voluntarily to form a legal community of free and equal consociates”. This is a superb articulation of the Western legal democratic presumption. However, the problem comes when this Western individualistic view of democracy is subjected to other democratic ontologies that puts emphasis on individual belongingness to the community (Macpherson 1975: 25; Habermas 1994: 107; Eze 1997; Sindima 1995).

of moral indignation” (Von Laue 1987: 317-319). Through the UN, von Laue maintained that the United States of America managed to achieve its political ambition of universal global presence aimed at reshaping the world “after its own image”. Thus USA has also managed to have the UN headquarters in New York, thus enabling the radiation of “American goods and styles of living”. The USA funding of UN activities and especially those of UNSC has positioned itself as the most influential member in this multilateral organisation. As he puts it, “Western organisational procedures and formalities, incidentally, also prevailed in the Security Council, the UN Court of Justice, as well as in the Secretariat, absorbing endless time and energy” (Von Laue 1987: 320). The Westernisation of the UNSC gave rise to a culture of paying special attention to issues of peace and security to Western countries to the exclusion of African and Asian countries that were under colonialism.

The Western values were further entrenched in the 1948 *Universal Declaration of Human Rights*. In the preamble of this declaration it is stated, “Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world”. Article 1 goes on to stipulate that, “All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood” [sic]. Such an article completely outlaws any form of oppression. It was also going against colonial oppression. Article 7 expresses an anti-colonial spirit more succinctly when it states that, “All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination”. The existence of many countries in Africa and Asia who were subjected to colonialism contradicted the spirit of this article in the *Universal Declaration of Human Rights*. When Russia requested in the UN General Assembly that there be a Declaration on Independence for Colonial countries and Peoples, the Declaration was approved by a vote of 89-0.

However, some countries abstained from voting for what they considered a one-sided document. These countries were France, Belgium, Portugal, Spain, South Africa, Great Britain, and the United States – the traditional representatives of the West” (Laue 1987: 321).

Whether Russia genuinely wanted to promote the end of colonialism remains a contentious debate, especially when one takes into account the ideological competition for the world political and economic dominance that was already going on between the West and the East. It is of great significance to note that those countries that abstained from voting on colonialism were the ones that did not have any moral qualms about colonialism, regardless of the blatant and gross violation of human rights under this system. It is common history that the colonised peoples had to wage protracted armed struggles to free themselves from the yoke of colonialism without any assistance from the UNSC. Some of the members of the founding five members of the UNSC such as Britain and France were notorious colonialists who employed ruthless conquest to subdue and plunder the natural resources of the colonised. A moral issue that arises has to do with the moral credibility of these previous colonisers as security providers for the very same people they had dehumanised over a span of decades. This is a serious moral issue in the sense that a people who were humiliated and brutalised under colonialism cannot be expected to believe that their previous colonial master can offer them peace and security in times of need.

Some scholars have argued that the colonisers did not believe in granting independence to their colonies. AdekeyeAdebajo observed that the *1960 DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (GAR 1514)* was not well received by colonial powers because it laid the foundations for decolonisation. As he puts it, “Much to the horror of the UN’s largely Western founders, African members and their allies sought to transform an organisation fashioned for peace into one that supported ‘just wars’ of liberation from colonial oppression” (Adebajo 2009: 7). The declaration reads that the UN;

Declares that:

1. The subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations and is an impediment to the promotion of world peace and co-operation.
2. All peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.
3. Inadequacy of political, economic, social or educational preparedness should never serve as a pretext for delaying independence.
4. All armed action or repressive measures of all kinds directed against dependent peoples shall cease in order to enable them to exercise peacefully and freely their right to complete independence and the integrity of their national territory shall be respected.
5. Immediate steps shall be taken, in Trust and Non-Self-Governing Territories or all other territories which have not yet attained independence, to transfer all powers to the peoples of those territories, without any conditions or reservations, in accordance with their freely expressed will and desire, without any distinction as to race, creed or colour, in order to enable them to enjoy complete independence and freedom.
6. Any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations.
7. All States shall observe faithfully and strictly the provisions of the Charter of the United Nations, the Universal Declaration of Human Rights and the present Declaration on the basis of equality, non-interference in the internal affairs of all States, and respect for the sovereign rights of all peoples and their territorial integrity (<http://www2.ohchr.org/english/law/independence.htm>).

Since this UN declaration against colonialism, many African countries gained their independence from their colonial masters in rapid succession. Such a development led to the gigantic change in the General Assembly of the UN. Today Africa has 53 out of 192 members of the UN.<sup>16</sup> Whilst post-colonial

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<sup>16</sup>It is a well-known fact that during the formation of the United Nations Africa was poorly represented. The main reason was that most of the continent was under colonial control, hence it was assumed that their colonial masters were there to represent their own countries as well as their colonies. At the formation of the United Nations in San Francisco in 1945, independent Africa consisted of only four countries, Ethiopia, Liberia, Egypt and South Africa. All these countries were considered to be sovereign states by virtue of having some domestic political and economic arrangements that were

Africa has a huge numerical representation in the UN General Assembly, this huge numerical representation remains insignificant when it comes to the formation and functioning of the UNSC. The same can also be said about the previously oppressed countries in Asia and Latin America. Since the UNSC is mostly seen in terms of being more of a multilateral weapon of war in the world, this might provide an explanatory reason as to why most of the newly independent countries are excluded from a meaningful participation in the duties of the UNSC. It is no wonder that the main voice for decolonisation came from the UN itself. Mazrui made an observation to the effect that,

On colonialism itself, the United Nations' record must already be pronounced successful. The world body became the main forum of censure against colonial policies. The colonial powers first resisted these challenges from world critics. In 1954, a United Nations' visiting mission to Tanganyika (now mainland Tanzania) recommended that a timetable should be drawn up for Tanganyika's independence within twenty to twenty-five years. These suggested dates were rejected by the administering authority, the United Kingdom. It was regarded as unrealistic as well as presumptuous for the world organisation to attempt to hurry up an administering authority in its responsibilities for a trusteeship (Mazrui 1977: 200-201).

An interesting point to take note of is that the colonising power, in this case Britain, was reluctant to give up her colonies. This reluctance demonstrates that she was not willing to correct her colonial behaviour by demonstrating some commitment to international morality as embodied in the United Nations' decolonisation efforts. The above quotation actually shows that Britain was not committed to international morality when she regarded decolonisation 'within twenty to twenty-five years as 'unrealistic and presumptuous for the world organisation'. Such behaviour shows some commitment to an ethic of double standards, especially when one takes into consideration the fact that Britain was a permanent member of the

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not wholly determined by external powers. However, countries like South Africa with a severely institutionalized racism had a political scenario which showed that freedom and sovereignty was enjoyed by the minority white population to the exclusion of the black majority who did not have freedom. Mazrui observed that, "At the momentous meeting in San Francisco to form the United Nations Organisation, South Africa was clearly the most influential African state present. It might almost be said that the influence of the African continent at San Francisco was disproportionately exerted by Jan Smuts" Union of South Africa" (Mazrui 1977: 195).

guardians(UNSC) of peace and security in the world. If Britain was committed to an ethic of international morality as espoused in the declaration against colonialism, one would expect that as a member of the UNSC she should have led that decolonisation process herself instead of being forced to do so by the UN. It is arguable whether Britain embarked on decolonisation willingly. At this point I should like to agree with Ali Mazrui's observation where he said that the reason why the British government of Harold Wilson suggested the application of sanctions against the then Rhodesia was because, "[t]here was a genuine fear in the United Kingdom that unless Britain acted firmly against Ian Smith, the initiative for action against Rhodesia would pass to the world body" (Mazrui 1977: 202). The implication here is that the UK's rebuke of Ian Smith's Unilateral Declaration of Independence (UDI) was not necessary motivated by some commitment to international morality, but from fear of political embarrassment from peers' opinions in the UN.

However, when it came to imposing sanctions against Iraq in the aftermath of its invasion of Kuwait, the USA and UK were more than swifter. Even though economic sanctions were imposed against Iraq for its invasion of Kuwait, within a short space period of time the USA complained that those sanctions were not working effectively. In his response to America's impatience with sanctions against Iraq, the Yemen envoy to the UN is on record for saying, "It is a little surprising that those who used to lecture us on the need to be patient for sanctions to work when they had to do with Rhodesia or South Africa are today in such a hurry to declare that those comprehensive and enforceable sanctions imposed on Iraq are simply not working" (cited in Bosco 2009: 161). Here again we have a situation where double standards are applied in the campaign for military action on the grounds that economic sanctions were ineffectual. This type of response was not the same that was given to the racist Rhodesia and apartheid regime of South Africa.

One of the moral dilemmas that are confronted by African countries that were previously oppressed is that they do not trust the motives of their yester year colonisers who sit at the UNSC as veto wielding members. For example, the history of Zimbabwe bears testimony to this prevalence of historical mistrust between Zimbabwe and Britain. Whilst Britain as a colonial power had reserved to itself the authority to veto decisions that were taken by the colonial administration, especially those decisions that were aimed at impeding African socio-economic advancement, there is nothing in the history of Rhodesia which demonstrated its commitment to racial equality. For example, the then Rhodesian Prime Minister, Sir Edgar Whitehead introduced a series of repressive acts that were aimed at crushing any nationalist advancement. As Martin Meredith puts it,

Whitehead proceeded to construct a legal apparatus to control any future African opposition. Two useful laws were already on the statute books. The Subversive Activities Act, passed in 1950 as a result of the strike two years before, authorised the government to ban meetings and literature considered to undermine constitutional government. The Public Order Act, introduced in 1955 after the emergence of the Youth League, gave the government power to detain and restrict anyone without charge or trial. Whitehead added five new laws – the Unlawful Organisation Act, the Native Affairs Amendment Act, the Preventive Detention Act, and the Law and Order Maintenance Act and the Emergency Powers Act (Meredith 1979: 27).

Obviously one would have anticipated that Britain would have vetoed such subversive acts that undermined the very moral fibre of a democratic society which she herself has always boasted of upholding. There is no doubt that Britain was aware of the socio-political consequences that were entailed in the above repressive legislations. Whilst the late Zimbabwean nationalist, Joshua Nkomo had banked “on international opinion to force Britain to intervene and implement majority rule. ...the support he gained abroad had little bearing on the conflict in Rhodesia, Nkomo underestimated the amount of sympathy there was in Britain for the white cause and the strength of the industrial lobby there” (Meredith 1979: 33).The mess that was created in

Rhodesia was a British mess which she was not willing to attend to. David Martin and Phyllis Johnson remarked that,

At no point, as the settlers evolved a society founded on discrimination against the African population, did Britain use its veto before the November 1965 illegal Unilateral Declaration of Independence. One of the earliest nationalists, Abraham Twala, a Zulu Anglican teacher wrote in 1922...'experience has taught us that our salvation does not lie in Downing Street...The following year Twala formed the Rhodesian Bantu Voters' Association, urging Africans to depend on themselves for their salvation and not on the British government" (Martin and Johnson 1981: 64).

This is evidently clear that the early African nationalists were already aware that the British had no concern with the welfare of those Africans who were suffering from colonial oppression. However, there are some scholars who argued that after the UDI, Britain was no longer responsible for Rhodesia, hence the UNSC declarations against UDI were misguided. John Hopkins argued that "Southern Rhodesia satisfies at least the obvious requirements of statehood (territory, people and a government which has perhaps capacity and certainly wish to enter into relations with other states. But no other state will enter into relations with Southern Rhodesia nor will the Security Council give a hearing to representatives of the present regime" (Hopkins 1967: 7).

Here Hopkins' argument should be understood against the background that all the UNSC resolutions were made under the presumption that Britain was the colonial power responsible for Rhodesia. For example, when the Portuguese fuel tanker *Joanna V* was heading for Beira to offload oil destined for Rhodesia through the pipeline from Beira, the Security Council urged the British government "to prevent by the use of force if necessary the arrival at Beira of vessels reasonably believed to be carrying oil for Rhodesia" (Article 39). Whilst sanctions were called upon against Smith's illegal regime, it was expected that the British government should enforce those sanctions by force. Here again the presumption was that Rhodesia was part of Britain which had rebelled against the British rule. This idea was echoed by Hopkins

when he said, “Perhaps, then, Southern Rhodesia [was] not a state: in that case it [was] a colony of the United Kingdom. Can the affairs of a colony, a part of the territory of the United Kingdom, constitute a threat to the maintenance of *international* peace and security” (Hopkins 1967: 4-5). This type of thinking is very erroneous in the sense that it presupposes that the suffering of the majority of African people under Smith’s illegal government did not constitute a threat to international peace.

### **3.2.3 Questionable Moral Credibility of UNSC in the Light of Colonialism**

The idea that the British government was the first to raise the issue of Unilateral Declaration of Independence (UDI) at UNSC and at the same time doing nothing to put an end to the white rebellion smacks of hypocrisy because in some ethical situations doing nothing amounts to doing something. In this example, double standards undermined the moral credibility of the UNSC. Within the situation of the then Rhodesia the British had the power to stop the Unilateral Declaration of Independence rebellion in less than a week without any casualties but they decided to do nothing whilst the population of about 4 million blacks were subjected to the draconian rules that were crafted to favour 220 000 whites. Obviously the question that arises is whether Zimbabweans can whole heartedly believe in the moral authority of Britain in its role as a permanent member of the UNSC? Among the majority of the Zimbabwean black people, the whole UDI represented another phase in the colonial systematic oppression, expropriation of resources, arbitrary arrests and equally, the beginning of the two decades of a bitter and protracted armed struggle.

However, the same can be said about France. Within the history of colonialism, France was also known for her insatiable appetite for colonies. Africans in the French territories were either taken to France with the understanding that they were black French people. Early colonial writings in French colonies as in British colonies were more convinced that they did not share the same humanity with the French or the British. For example,

Alphonse de Saintonge 1544 published a book titled *Cosmographie* in which he had the following to say about the Africans which the French met in the interior of Africa, “And inland there are people who have no heads and whose heads are in their chests while the rest is formed like a man. And further east, there are those who have only one eye in the forehead. And south of the Mountains of the Moon there are others who have feet like goats, and still others with the face of a dog” (cited in Cohen 1980:5). Colonisation carried with it cultural imperialism as it was deemed that the colonised did not to have a culture of their own besides that which was imparted to them by colonialists. The French colonial predatory habits were actually based on the salient assumption that “north Africa was in a sense an extension of southern Europe” (Mazrui 1986: 99-100).

Colonialism saw African colonies as personal asserts which were to be protected from other colonial intruders with much zeal and zest. This mentality carried with it the idea that all that is supposed to be known as constitutive of true knowledge should have originated from France. Among all of the former French colonies in Africa, to be regarded as an educated person required that you should have been educated in France and speak French as it is spoken in France. The same mentality was also prevalent in former British colonies. To be regarded as a highly educated person it also required that you are educated at universities such Oxford and Cambridge. Here there is no doubt that the idea was to create colonial citizens who would continue to disseminate the language and culture of the colonial metropolis. The underlying presumption was that (and is still that), those colonies will achieve a good life if only they are led by their colonisers in all spheres of their lives.

During the times of political turmoil in former colonies it has been the habit of the former colonial power to want to intervene with military force in their former colonies. For example, when there was political unrest in Ivory Coast, a former French colony, the French participated more vigorously in the UN peace keeping mission in that part of Africa. Their military personnel were

more visible than the West African peace keeping forces. The actual capturing of Laurent Gbagbo from his banger was done with the aid of France. Prior to this development it is on record that “France acknowledges that its troops in Ivory Coast killed about 20 people during anti-French protests. Former colonial power France has some 5,000 troops in Ivory Coast, along with 6,000 United Nations peacekeepers, monitoring a buffer zone between the rebel-held north and the loyalist south”(<http://news.bbc.co.uk/2/hi/africa/4057769.stm>).

The question that is more interesting for us to ask is, how did the Ivorians feel to see themselves being killed by their former colonial power under the pretext of peace keeping? In the light of this question the appropriate ethical intervention which UNSC should have done was not to allow France, a former colonial power of Ivory Coast to participate in the peacekeeping exercise in her former colony. This episode is analogous to having a young woman reporting an incident of rape to the same policeman who raped her some time ago. When it comes to issues of peacekeeping in Africa after the Cold War, the UNSC is known to have adopted a double standards approach. When ethnic clashes rendered Ethiopia ungovernable, it took the SC several months before it could even respond to assisting military protection to aid workers for the protection as compared to the response that was given to ethnic conflicts in the Balkans. Botswana’s ambassador to the UN had this to say, “It is clear that the only crisis that matters to the powers-that-be in the Security Council is the crisis in the Eastern Europe. ...People are dying by the thousands in Africa, but no one here is convening urgent consultations, Our crises don’t spark that kind of response” (cited in Bosco 2009: 172-173).

In this regard, European matters of peace and security demand prompt response from the UNSC as compared to African ones. This is only a brief example that shows that UNSC must also take into account the ethical implications to the world of the previously colonised seeing their former colonial powers participating in UNSC peacekeeping operations in their previous colonies. These previous colonisers are swifter in responding to

issues of security problems in their previous colonies in a way that undermines the independence of these formally colonised African countries from colonialism. When Boutros-Ghali was elected as the first African General Secretary for the UN, his authority was undermined by the UNSC as “the European Community attempted to assign the United Nations responsibility for monitoring...a temporary ceasefire in Bosnia without consulting him”. Boutros-Ghali is on record for challenging the SC for such an action in a way that was never done before by any of his predecessors (Bosco 2009: 172-173). However, one of the main reasons for the call of the UNSC reform is the veto system.

### **3.3 UNSC Reform and the Veto Controversy**

Here the ethos of double standards is maintained in the form of an old perennial idea that those who are P5 members of the SC will always have their way as compared to those who are not.<sup>17</sup> There are those scholars who argue that the veto helps to restrain the power of the strong over the weak. For example, within this school of thought it is argued that whilst a powerful country within the Security Council might suggest a resolution that calls upon for a military intervention within the affairs of a poor country, but such a resolution might be vetoed by another member of the SC, thus curtailing the arbitrary use of power by the SC.<sup>18</sup> Richard Falk argued from a

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<sup>17</sup>In the view of Salim Ahmed Salim, the veto system has excessively been abused overtime by mostly western countries. This abuse of power using the veto has been due to the quest to advance the respective national interests of the P5. The abolishment of the veto will make the P5 powerless. In this regard, even the Chinese and the Americans will not want to be powerless (sic) (Interview with the author, Dar es Salaam, 21 August 2012).

<sup>18</sup> Within a western dominated SC, the Soviets found themselves in a minority and it is maintained that it was the veto system which helped the Soviets to sway western domination within the SC. From the very beginning the USSR found itself isolated by the majority of the P5 on ideological grounds. It was mainly this reason that the soviets are said to have used the veto many times than any other member of the SC. It is the Soviets who are said to have suggested that there should be a veto system within the SC. This suggestion was prompted by the fear that they were going to find themselves in a minority within a western dominated SC. An issue of ethical concern is that the veto was often used to protect national interests of a member of the SC, and not the interests of the UN. The frequent use of the veto annoyed many people and other organisations to the extent that “a few months into the council’s life some were already calling for a renegotiation of the charter ad a radical restructuring of the council”. Hence, “The president of the United World Federalist, an advocacy group, proposed that the council be stripped of the veto and placed under the ultimate authority of the General Assembly”. The veto had actually paralysed the SC and the United Nations (Bosco 2009: 45-47). Peter Wallenstein and Patrik Johansson observed that, “the permanent members have cast 294 vetoes in the period 1946-2002. Forty-four of these have concerned the election of a new Secretary-

jurisprudence perspective that the UNSC comes heavily on those countries that are weak as opposed to those that are powerful. He writes,

The existence of double standards is part of the deep structure of world politics. It was even given constitutional status by being written into the Charter of the United Nations that permits the five permanent members of the UN Security Council, that is the winners in 1945, to exercise a veto over any decision affecting the peace and security of the world, thereby exempting the world's most dangerous states, being the most militarily powerful and expansionist, from any obligation to uphold international law. Such a veto power, while sounding the death knell for the UN in its core role of war prevention based on law rather than geopolitics, is probably responsible for keeping the Organisation together through times of intense geopolitical conflict. Without the veto, undoubtedly the West would have managed to push the Soviet Union and China out the door during the Cold War years, and the UN would be disintegrated in the manner of the League of Nations...the anachronistic character of the West-centric Security Council is a remnant of the colonial era. 2011 is not 1945 (<http://richardfalk.wordpress.com/tag/united-nations-security-council/>).

What is ironic about creating five veto wielding permanent members as guardians of world peace is that these UNSC permanent members were already a threat to world peace and security from the word go. These P5 members of the UNSC are a law unto themselves and in practice they do not necessarily follow international law in the sense that the veto implies that the P5 are not accountable to the General Assembly except to their own national interests. It is usually leaders of the vast poverty stricken membership of the UN which is required to abide by international law.<sup>19</sup> The P5 members do not necessarily believe in a world that is guided by a

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General and thus did not directly deal with conflict management. The remaining 250 vetoes are distributed as follows: the Soviet Union and Russia 119, the United States seventy-six, the United Kingdom thirty-two, France eighteen, and China five. ...While until 1970 the Soviet Union was the most frequent user of the veto, since 1970 it has been the United States. However, the veto has not been in frequent use since the end of the Cold War". From their statistical analysis of the veto these two scholars went on to say that, "...a new Security Council emerged since the end of the Cold War. It is more cooperative, it is making serious decisions, and it is more deeply involved in the issues on its agenda" (Wallensteen and Johansson 2004: 20-21).

<sup>19</sup>This viewpoint is supported by Salim when he said that the veto is always used against or for a given regime or country which always fall out of line or fall in line in respect of the interests of the P5 or one or some of them (sic). A notable example is Iran. Russia and China have stood against the ground but for how long nobody knows (sic). The UN is based on a very sound principle but inside the structure of the UNSC leave a lot to be desired for- it's a scenario where we have the ideal world versus the real world (sic) (Interview with the author, Dar es Salaam, 21 August 2012).

commonly shared democratic ethos.<sup>20</sup> For example, these P5 members have been in power in UNSC since 1945 until now – something which roughly gives them 67 years in power, and without any prospect of them giving up that power. In this regard, double standards overwhelm the world democracy discourse. Whenever they tell nations to observe democracy by periodically relinquishing power to the opposition that smacks of political hypocrisy because they (P5) have failed to do that within the arena of the multilateral world body such as the UN. The argument that they are P5 members because of a victory they gained over Germany in 1945 has been debunked by many scholars as completely unintelligible because the world security situation of 1945 cannot be compared to that of today.

The idea of having 5 countries seeing themselves primarily as guardians of world peace and security is a relic of a colonial mentality. As shall be demonstrated by this study, the security of the whole world can only be guaranteed through the active participation of all the countries of the world. Some scholars argue that some countries within UNSC are no longer super powers. For example Japan and Germany have become economically more powerful than say, Britain, France and Russia, hence these two countries will have enormous contribution to make in maintaining peace and security in the world (see Weiss, Forsythe and Coate 2001: 28). The Japanese Foreign Ministry made a case on why Japan should be a permanent member under the title, “Reform of the UN Security Council”. Among its many arguments Japan stated that,

Since the UN’s establishment in 1945, the international community has undergone dramatic changes including the Cold War and its end, decolonisation, regional integration and globalisation. The number of UN Member States has increased from 51 to 191. During this 60 year period, the institutional framework of the Security Council remained basically

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<sup>20</sup> In other words, as pointed out by Jonathan Moyo, to talk of democratisation of the UNSC is wrong (sic). This is so because it was intended to be democratic institution. What may be talked of is restructuring with the intention to keep or maintain peace. It is not a political organisation. The issue of double standards in the UNSC is not an unusual thing because they are a 20<sup>th</sup> century reality. The non-democratisation of the UNSC is related to the issue of the P5’s national interests (Interview with the author, Harare, 02 January 2013).

unchanged. The Security Council should reflect the reality of the 21<sup>st</sup> century, not that of 1945, in the composition of its membership. Developing countries in Asia, Africa, and Latin America must be represented in permanent seats (Ministry of Foreign Affairs, Japan 2005: 2).

Japan's argument as stated above is that the justification of the existence of the P5 on the basis of what transpired in 1945 is no longer acceptable because since 1945 many changes have taken place in the world. The argument for UNSC reform according to Japan's case for permanent membership is premised on the idea that change should be that which is reflected in organisations. The ability of change within these organisations does ultimately justify their existence. Japan went on to argue for permanent membership on the basis that she has contributed enormously to world security by "dispatching Self-Defence Forces to the Indian Ocean to assist the global fight against terrorism and to Iraq to support its reconstruction". Apart from being a regular participant to UN peace keeping missions one of the reason why she should be admitted in UNSC as a permanent member, she also argued that she "is the second largest contributor to the UN regular budgets", and that she "voluntarily contributed approximately US\$2.1 billion (2001-03) to the UN, its funds and programs, and specialised agencies, making it the second largest contributor" (Ministry of Foreign Affairs, Japan 2005: 5).

Obviously if this financial consideration was the main determining factor for UNSC permanent membership there is no doubt that Japan qualifies. However, it appears that the issue of UNSC permanent membership is closely related to the quest to acquire national power and the prestigious recognition that goes hand-in-glove with it. The tendency to reduce a supposedly multilateral organisation such as the UN to the pursuit of national power and prestigious recognition is easily deduced in Japan's motivation for inclusion as a permanent member of the UNSC. Japan started by appealing to the fact that the UNSC was unreformed and does not reflect the changes that have engulfed the world since the end of the World War II

and thereafter went on to demonstrate the enormous contributions she is making to the organisation that is not recognising her as a power to reckon with in the world financially. What has been very much attractive in being a member of the UNSC is the practice of the Veto which the P5 enjoy and exercise at will according to their national self-interests. It is usually maintained by scholars that the UN gatherings are usually overwhelmed by the motive of each country to use such a multilateral organisation as a vehicle to pursue national self-interest. Hadwen and Kaufman maintained that,

National delegations are created to represent their own country's self-interest which can be furthered or hindered by UN discussion. A country's national self-interest may be aided by public discussion on one subject but not on another. The national self-interest of a member state may involve the use of the UN in the hope of securing political advantage. The UN is one of the most important avenues of the world in which a nation's international prestige in relation to other governments is raised or lowered. A country can build up influence in the UN to be used in pursuit of its own objectives in the future (Hadwen and Kaufman 1960: 60-61)

Since the power of the UN resides heavily in the UNSC, which, through the use of the Veto among its members seems to behave semi autonomously from the UN, it is only logical that access to permanent membership is the most envied achievement in the sense that it helps a Veto member to pursue its national self-interest. If national self-interest is the motivating factor among states at UN gatherings, it is equally inevitable that double standards will always persist within this organ of the UN.<sup>21</sup> The rationale of self-interest requires that an action is supported or not supported on the basis of its ability to advance one's country's national self-interest.<sup>22</sup> It is partly on these

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<sup>21</sup> Whilst there may be a likelihood of having the UNSC being restructured, that will not address or change the modus operandi of the UNSC. Nations would continue to address their national interests. (Interview with Moyo, Harare, 02 January 2013).

<sup>22</sup> As pointed by Salim Ahmed Salim, the P5 is a marriage of convenience. The member countries have different national interests. When the US intervened in Somalia, they said they were doing so as part of humanitarian intervention, though it turned out later to be a colossal problem for Washington. Whilst the Economic Community of West African States (ECOWAS) wants something to be done on Mali, decision for action at the UN seems to be taking long (Interview with author, Dar es Salaam, 21 August 2012).

grounds that the idea of the Veto power of UNSC P5 members has been central to the worldwide call for UNSC reform. Some scholars have maintained that, “Since the establishment of the Security Council, permanent members have used the power of veto in accordance with their national interests. The use of that power rapidly distanced from the initial reason for which it was included in the UN Charter, namely preventing the UN from taking direct action against any of its principal founding members”(Okhovat 2011: 3). The power of the Veto undermines democracy in the UN as well as in the efficient and effective functioning of the UNSC. The veto power undermines democracy in the sense that those countries in the General Assembly that do not have the veto power are not in the position to influence decisions of the UNSC. In this regard, the significance of the majority of countries in the UN without the veto power is not recognisable. Some countries who have called for the UNSC reform have called it for national self-interest purposes rather than for the good of democracy in the UN as a world multilateral body. Some countries who called themselves the Group of Four, consisting of Germany, Japan, India, and Brazil have presented their own resolution “on the reform of the Council to the General Assembly with the aim of securing permanent seats for each of them” (Okhovat 2011: 4). Obviously these countries want access to the veto power in the Security Council themselves, not for the whole of the General Assembly of the UN. Within this call for UNSC reform, national self-interests are the main motivating factor.

However, as we have seen in Chapter V, Article 27 of the UN Charter, gives the P5 members the veto power over substantive issues. Hans Köchler observed that,

The temptation to use the veto as a tool of power politics occurs only when the interests of a permanent member are at stake. To make matters worse, the permanent members can veto the determination of an issue as either a ‘dispute’ or a mere ‘situation’. Thus, the permanent members have a so-called ‘double’ veto power on the meta-level that decides the preliminary question of whether or not a certain matter is subject to the veto. They can therefore fully protect their interests, and the abstention

clause contained in Art. 27, which looks good on paper is worthless (Köchler 2007: 5).

In the light of Köchler's observation we can deduce that the P5 members use their veto doubly. Firstly, in determining whether the issue was serious to merit a vote on the course of action to be taken. Secondly, to veto the decision itself. All these double instances of a veto are mostly determined by national self-interests of each P5 member. These P5 members see their national self-interests as indispensable to the maintenance of peace and security in the world. Those countries that fail to comply with the national interests of these P5 members are usually seen as threats to world peace and security. Köchler argued against this presumption when he said, "In fact, the permanent members' privileged position enables them to maintain the fiction of superpower status even today, although most of them cannot live up to this claim economically, politically or militarily" (Köchler 2007: 6). Here Köchler's argument can be corroborated with my previous observation that some of the countries among the P5 members are no longer superpowers. For example, I should like to support this claim by making reference to the financial crisis that engulfed Europe. Germany was in the forefront in trying to solving the European Union financial crisis more vigorously whilst Britain and France who are supposedly super powers could not afford to do that.

The above example shows that whilst Germany is not a permanent member of UNSC, she is in actual fact the real superpower within the European zone. This example also shows that the idea of labelling Britain and France 'superpowers' is just fallacious. The former USSR was more powerful than the current Russia. The decision that Russia should replace the USSR in the SC was undemocratic because within a proper democratic institution such a decision should have been made by the UN General Assembly. The country that was a member of the UNSC was USSR and not Russia. From a legal perspective, the disintegration of USSR created a vacancy to be filled in the UNSC. But since the UNSC has been endowed with the powers to make

unilateral decisions, it decided that Russia should replace the USSR as a member of the SC. Thus the call for UNSC reform is made equally on the grounds that the current P5 membership in the UNSC does not necessarily correspond with the idea of a superpower in the sense when the term was coined as the reason for the composition of UNSC P5. It is common knowledge that after the Second World War the concept of super power implied that the P5 members owned nuclear weapons, and that they were manufacturers of the most lethal weapons in the world's armaments industry. Thus the concept of super power became synonymous with efficiency in applying violence to situations of conflict. To what extent could these super powers be regarded as guardians of world peace?

With reference to the above question Ali Mazrui (1990: 111-112) argued that during the cold war era these superpowers have wantonly indulged themselves in an ethic of double standards, especially the former USSR and the United States of America because these superpowers regarded Third World countries "as fair markets for the sale of conventional armaments - subject to wider political allegiances. These superpowers were "particularly hypocritical in the field of militarism and the ethic of political violence. [W]ithin this military domain two areas [which were] particularly subject to double moral standards [were] terrorism and nuclear weapons". With regards to terrorism, Mazrui said that it was just another form of warfare which was not different from conventional warfare - both types of warfare leave civilians vulnerable. Most of these superpowers were in the forefront in the support of terrorism for reasons that sometimes served their own national self-interests. On the issue of nuclear weapons, Mazrui had this to say,

Even more fundamental is the duplicity of nuclear ethics. The whole ethos of the Nuclear Weapons Non-Proliferation Treaty (NPT) was based on a principle of *nuclear monopoly*. Those who had the weapons were insufficiently motivated to give them up; those who did not have them were to be decidedly discouraged from acquiring them. A nuclear caste-system was sanctioned - a division of the world between nuclear Brahmins and nuclear untouchables. A kind of technological imperialism was in the

making. Military nuclear technology is still regarded as something not for Africans, Asians, and children under sixteen (Mazrui 1990: 112).

Whilst most of the members of the UNSC owned nuclear weapons and were actually competing among themselves in developing more and sophisticated weapons, they refused countries in Third World countries to develop nuclear weapons. Here the presumption was that Third World countries were irresponsible by virtue of their poor economic and political status. Here Mazrui cannot be bettered when he regarded such an attitude as 'technological imperialism'. This technological imperialism has remained entrenched in the UNSC, especially when one takes into account its deliberations and resolutions on Iran, North Korea and Libya. These countries have been placed on sanctions on the grounds that they were not responsible enough to acquire and own nuclear weapons. However, as we have seen previously, the hypocritical part of it is that the most powerful member of the UNSC, the USA is the one that dropped atomic bombs on Hiroshima and Nagasaki and killed millions of Japanese civilians indiscriminately. The use of nuclear energy at the Chernobyl resulted into a disaster that killed civilians in Russia. Through the power of the veto, members of the UNSC decide on who should own a nuclear weapon and who should not, especially among the Third World countries. Whilst some of the members of the UNSC argue viciously that Third World countries should not own nuclear technology, historical evidence shows that it is some of the members of the UNSC who are irresponsible with nuclear technology in the sense that they would not hesitate to use this nuclear technology destructively whenever an opportunity avails itself. The whole idea of who should own nuclear weapons and who should not own them is based on the interplay of national self-interests among members of the UNSC. If that is the case, is it not possible that the UNSC itself is a security risk to world peace?

Some scholars are sceptical about the possibility of the UNSC reform. Boutros Boutros-Ghali,<sup>23</sup> the former Secretary-General of the United Nations observed that,

Since January 1994, UN Security Council reform has been discussed in the General Assembly – without any concrete results to date. While the expansion of the Council’s membership points in the right direction, the power of veto – which is widely considered to be anachronistic in an increasingly democratic age –remains unchanged (Ghali 2009: xxv).

What creates frustration for those who call for the UNSC reform comes from the realisation that the world has changed considerably as compared to the times when the UNSC was formed. We have seen previously that the members of P5 members of the UNSC were chosen on the grounds that they were the victors of the Second World War. This rationale becomes antiquated when we take into consideration the fact that we are no longer living under the socio-economic and political realities of the world prior to Second World War. Whilst reform efforts are made in the form of increasing membership of the UNSC, Ghali is arguing that the existence of the veto makes such reform efforts redundant. Ghali’s observation here is critical because to widen up membership of the UNSC without vetoing power implies that those members who do not have vetoing power will remain as spectators on issues they are supposed to participate fully. On these grounds, Ghali went on to admonish that,

The fixation of the Permanent Five members of the Security Council (the United States, Russia, China, Britain and France) on the veto may divert attention from other important underlying issues: those of representation

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<sup>23</sup>Boutros Boutros-Ghali held office of the UN Secretary General from 1992 until 1996. He was not a favourite candidate for the United States of America even though he did put up a stellar performance whereby he cut bureaucratic UN staff from 12 000 to 9 000; froze the UN budget, saving \$100 million a year; and slashed departments by a third. In November 1996, the USA vetoed Boutros-Ghali’s re-election, the only one out of fifteen countries to vote against his re-election. Whilst in office, Boutros-Ghali showed independence of mind when he rebuked his political masters in the Security Council for reducing the UN into an instrument of their perennial national interests over Iraq and Libya, and boldly condemning the double standards of the UN’s Western powers in selectively sanctioning UN interventions in Europe’s Balkans, while ignoring Africa’s „orphan“ conflicts (Adebajo 2009: 15).

and influence in the Council. An expanded Security Council would have a greater claim to representativeness (Ghali 2009: xxvi).<sup>24</sup>

Thus the call for UNSC representation is made on the grounds that there should be genuine representation that reflects the membership of the United Nations.<sup>25</sup> As we have seen in the preceding discussion, the call for UNSC reform is usually made from different motives. Some countries such as Germany and Japan are calling for a reform that will make them members of the UNSC with vetoing powers on the grounds that economically they are contributing enormously to UN peace keeping and humanitarian missions than some of the members who are veto wielding in the UNSC. In this regard, economic capability should be the determining factor to permanent membership in UNSC. On the other hand we have seen African scholars arguing for UNSC reform on the grounds that it should not remain a Eurocentric organ of the UN, and that African developmental and security challenges should be made integral to UNSC reform. An African call for UN reforms which was expressed in a document called “Ezulwini Consensus”,

Made the case for poverty and underdevelopment constituting threats to security; it put the human security issue on the agenda, and pleaded with Western powers and the five veto-wielding permanent members of the Security Council (the United States, Russia, China, Britain and France) to respond to the challenges of underdevelopment with the same urgency

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<sup>24</sup>Ghali further makes reference to famous work “An Agenda for Peace” where he states that Non state actors are very important than the states. He points out that the UN was created in San Francisco in 1945 based only on the concept of the state, thus the UN is an association of states. During the last 50 to 70 years, the situation has changed. There are new actors, i.e. non-state actors playing a more important role in international affairs than the states. There are more than 40 000 non-state actors in Brazil and these play a very important role but the question one would ask is why are they not represented at the UNSC? (sic). Another question one would also ask is why regional organisations such as the AU, the Arab League and even the EU are not participating in the decision making process of the UNSC. More than 20 000 NGOs can be represented through regional representation based on continental or geographical representation or even specialisation representation based on aspects such as human rights, protection of women etc. (sic). (Interview with author, Paris, 5 September 2012).

<sup>25</sup> However the unfortunate part for the call for reform is that even if this reform was to be effected, it cannot be ruled out that some or even all members of the P5 will take counter initiatives of making sure that democratisation of such an institution is neutralised through the creation of parallel structures. Such structures will be meant to make the status quo remain. Democratisation may take long to come by (sic). (YerodiaNdombasi, interview with author, Kinshasa, 08 June 2013).

that they would employ when confronted with issues of terrorism and Weapons of Mass Destruction (Landsberg 2009: 170-171).

In the light of the above quotation, a discourse of UNSC reform from an Afro-centric perspective includes issues such as poverty and underdevelopment as security threats which should be addressed in the same manner in which UNSC responds to terrorism. The approach by Africa and other developing countries on UNSC reform is that it should be more representative through the expansion of its membership according to the recommendations of the UN General Assembly.<sup>26</sup> Landsberg writes, “The global South felt that the UN General Assembly should not be undermined by the United States, other members of the Security Council, and the Security Council in general” (Landsberg 2009: 172). The feeling of the South arises from the conviction that within a genuinely democratic institution, a minority should not dictate to the majority. There is also a strong conviction among African scholars and politicians that the practice of double standards prevails within the UNSC whendealing with African conflicts. SimbarasheMumbengegwi observed that,

A marked reluctance on the part of the UNSC to support peacekeeping missions on the continent since the 1992-95 mission in Somalia shifted greater responsibility to African states and the AU, ECOWAS and SADC. The AU deployed in Darfur and Somalia before the UNSC mandated peacekeeping missions in those countries. But the UNSC in particular the USA, UK and France were not eager to provide commensurate financial, logistical and diplomatic resources. The contrast is with the rapid and massive international interventions to restore peace in Kosovo and East

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<sup>26</sup>Salim Ahmed Salim supports this viewpoint by noting that in pursuit of UNSC reform, new methods should be employed i.e. strategies that represent the people. We must have a UNSC that is representative of today and not the one that is representative of 1945. This is so because the nature of conflict is different. The UNSC should not represent the victorious powers. The third world countries need to get their act together. Untapped strategic resources must be utilised to the benefit of these third world countries. Take for instance the DRC which has the potential of growing everything except a human being (sic). Persistence and consistence must be key principles. The UN is our organisation. It cannot be an institution where the powerful have the most powerful voices. Democratisation of the UNSC means changing the rules. Third world countries should be united and not act differently in the political, economic and security fields. There must be solidarity and unity among developing countries not to impose but persist on change (sic). The developing countries must desist from the culture of pleasing one day the Americans, another day the British and another day the Chinese (sic) (Interview with author, Dar es Salaam, 01 August 2012).

Timor and recently in Libya and Cote d'Ivoire (Written response, Harare, 20 February 2013).

Mumbengegwi's observation that the UNSC responds to African issues of conflict differently than they do to other parts of the world finds its explanation on dominance that is given to national self-interests by the members of the SC in their humanitarian interventions. What this implies is that before undertaking any humanitarian military intervention the members of the SC do make a cost and benefit analysis to their respective countries' interests. The same observation was made by Carlos di Cerisano when he retorted that, "The interests of the P5 are related to regional interests" (Written Response, March 2013). In other words, in a region where interests of the P5 members are few, the motivation for humanitarian military intervention becomes minimal. A call towards UNSC reform by Africa and other members from the South is made on the basis that there should be equal treatment of all countries regardless of their economic or political status.<sup>27</sup> Some scholars have argued that the ideal of UNSC reform will always remain an ideal, and not an issue of practicality.

Some scholars argue that a cursory survey of the history of the UNSC shows that there has been a systematic failure of reform. Thomas Weiss advanced the argument that since the formation of the UN Charter "only three amendments have been made to the UN Charter in almost 60 years - and all dealing only with seat numbers in two of the six principal organs, once for the Security Council and twice for the United Nations Economic and Social Council" (Weiss 2003: 147). According to Weiss, those who founded the UN had deliberately structured it in terms of a General Assembly with general functions "and a restricted Security Council" wielding eternal seats. Weiss went on to argue that what has become the routine call for change in the UNSC was futile. As he puts it,

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<sup>27</sup> However, Yerodia Ndombasi maintained that such endeavours for reform by developing countries is not an overnight exercise or process but a tiresome and very demanding process. In African for instance, people should start asking questions about how this reform should take place and when. It should be a thought process whereby the political leadership should start articulating on what to do (Interview with author, Kinshasa, 08 June 2013).

Most governments rhetorically support the mindless call for equity, specifically by increasing membership and eliminating the veto. Yet, no progress has been made on the numerical or procedural changes because absolutely no consensus exists about the exact shape of the Security Council or the elimination of the veto (Weiss 2003: 149).

In other words, to call for equity implies that all nations have the capacity to contribute equally to the UNSC operations. However the case of Germany and Japan undermines this type of reasoning because Britain, France and Russia cannot match up with Germany and Japan's economic capabilities. Those who call for reform are not unanimous on the type of change which should take place in the UNSC. As we have seen previously, there are those who want this reform to be based on economic capabilities whilst others put emphasis on equity. The most UNSC functional mechanism which is jealously guarded by the P5 is the veto. Whilst the P5 members have a tendency to disagree on many matters, they are unanimous when it comes to the idea of preserving their vetoing powers. The argument that is proffered in favour of the preservation of the veto is that it helps the UNSC "to avoid conditions that led to the downfall of the League of Nations" (Weiss 2003: 151).

Apart from the veto, Weiss maintained that the idea of effecting reform through increasing membership<sup>28</sup> in the SC has faced numerous obstacles; among these obstacles is the whole question on what should be the criteria for the new membership? Another question is whether the new members should be given a veto, taking into account the global discontent against the veto? (Weiss 2003: 151-153). In the light of the questions that are raised by

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<sup>28</sup>Ten of the fifteen seats of the UNSC belong to temporary members whilst five belong to permanent members. Each year five temporary members are elected for a two year term. These temporary members are nominated by their regions and are supposed to be approved by two thirds of the votes in the UN General Assembly. Since 1966, the composition of the 10 temporary members has been 3 from Africa, 2 from Asia, 2 from Latin America and the Caribbean, 1 from Eastern Europe, and 2 from advanced industrial countries. Each member of the UNSC has one vote. Decisions on substantive matters require a majority of the nine votes. It is the permanent members who have veto powers. For any given matter, the votes of four out of the ten temporary members are required in addition to all five votes of the permanent members (Dreher, Sturm and Vreeland 2009: 2).

Weiss, the issue of membership remains a thorny issue that remains integral to the debate on UNSC reform. In the preceding discussion we have seen that the membership to the UNSC confers some sense of prestige to the member states. Those who become members of UNSC, either permanently or on rotational basis do end up feeling that they are an important nation as compared to those that are not members of the UNSC. In other words, membership to UNSC confers some sense of prestige and power.<sup>29</sup> Other scholars such as Axel Dreher, Jan-Egbert Sturm and James Raymond Vreeland (2009: 2-3) argued that those countries that are P5 members of the UNSC do use new members whereby foreign aid increases when countries serve on the UNSC. These temporary UNSC members “are more likely to receive IMF assistance than other countries” because “temporary members can trade their Security Council votes for cash”. These scholars went on to say that “temporary Security Council membership does increase the number of World Bank projects a country receives”. What this observation implies is that temporary UNSC members do end up serving the national interests of powerful P5 members. The most crucial benefit that accrues from serving as a temporary member in the UNSC is “the likelihood of receiving greater support from the IMF”. Whilst these temporary members are not substantially significant when it comes to crucial issues, their decisions on issues does render legitimacy to actions that are to be taken and seen to be in favour of the P5 members of the SC. Lobbying some of the non-permanent members with aid packages is usually done in order to win a simple majority in the Council.

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<sup>29</sup>The Germany sociologist, Marx Weber made a sociological analysis of prestige and power after which he argued that power confers prestige on the powerful. In this regard he writes, “The prestige of power, as such, means in practice the glory of power over other communities; it means the expansion of power, though not always by way of incorporation or subjection. The big political communities are the natural exponents of such pretensions to prestige”. Weber went on to say that each political structure prefers to have a weak instead of a strong neighbour. In other words, all political communities are always propelled by the desire to monopolise power instead of sharing it. The concept of „the Great Powers” as to refer to P5 of the UNSC originates from the belief that they are the bearers of power prestige. This conceptualisation of power and prestige was found among the Greek antiquities whereby the Persian King was the most recognised Great Power. Later on, the status of Great power was assumed by the Roman emperor. Weber made a critical observation that is even relevant to our 21<sup>st</sup> century global politics when he said, “For general reasons of „power dynamics” *per se*, the Great Powers are very often expansive powers; that is, they are associations aiming at expanding the territories of their respective political communities by the use or the threat of force or by both” (Weber 2009: 160-161).

Dreher, Sturm and Vreeland's argument is that since the P5 members of the SC exercise some control over the World Bank and IMF, they use that control for political purposes. As they put,

We suggest that both the major shareholders and the temporary UNSC members understand the importance of votes on the UNSC. For their part, most developing countries are in routine negotiations with the World Bank to receive new loans or continued disbursements from existing projects. Decisions over such requests first go through the staff and then are decided by the Executive Board. The staff may recognise the importance of a temporary UNSC member and expedite the request so that it reaches the Executive Board faster. We suspect that the major shareholder representatives on the Executive Board of the World Bank are made well aware of the potential importance of the ten current elected members of the UNSC by their home governments. The home governments instruct them to facilitate projects for such countries (Dreher, Sturm and Vreeland 2009: 4).

If votes at the UNSC can help to advance one's national interest, the argument that is being proffered by the above authors cannot be trivialised. The fact that most of the P5 are the greatest shareholders in these financial multilateral institutions, one cannot entertain a doubt on their ability to exert some influence on who should be given money and who should not be given by these world financial institutions.<sup>30</sup> Temporary members of the UNSC always receive more of the World Bank projects during their tenure as UNSC temporary members than when they are not.

The following are the examples that were given by Dreher, Sturm and Vreeland (2009: 5), "In Latin America Argentina had no new World Bank projects in 1970 but two new projects were initiated in 1971 when Argentina

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<sup>30</sup> In other words, any manoeuvres and efforts at reforming the UNSC should take cognisance of the need to have convergence of the P5 and then capitalise on that convergence. Firstly is to begin with bread and butter issues. Global institutions should be made truly international i.e. the World Bank (WB) and the International Monetary Fund (IMF). These institutions need to be reformed also (sic). The world cannot go on the basis of Pax-Americana. There is need to actually pursue genuine peace. This is not to say America must be like Tanzania or China should be like Rwanda etc. but there must be genuine search for international equality in terms of the quest to promote global peace and stability (Salim Ahmed Salim, interview with author, Dar es Salaam, 01 August 2012).

joined the UNSC". Another example is that Ghana had an average of 1.5 new World Bank projects per year from 1964-1984 but when Ghana "was elected to serve again on the UNSC in 1986-1987, the number of new projects jumped to its highest level ever: eight in 1987". It was also observed that, "From 1960 to 1981, Zaire received between zero and three new projects each year, with an average of 1.2 per year. In 1982 and 1983 the country served on the UNSC, and the number of new projects went up to six and four respectively". What these few examples imply is that those economically powerful countries in the UNSC, by virtue of being the main shareholders of the world financial multilateral institutions use these institutions to buy support from the UNSC temporal members. In this regard, national interests of the P5 are thus prioritised above the promotion of peace and security in the world.

### **3.4 Conclusion**

In this chapter I looked into the whole debate on UNSC reform with specific reference to membership and the veto. It was demonstrated that the membership of the UNSC is primarily based on its founding ideal of those who became victors in the Second World War. Other scholars have expressed discontent on UNSC membership on the basis that since it was originally Eurocentric, the UNSC is most likely to be more sensitised to Western interests than to non-Western ones. I have supported the scholarly observation that the UNSC was Eurocentric by making cursory view on some of the values such as the support for human rights which it purports to uphold with specific reference to the African traditional understanding of Human rights as espoused in the African Charter (Mazrui 2009: 52; Okere 1985: 145; Zvobgo 1978: 90-105).

It was argued that by virtue of its Eurocentricity, the UNSC is prone to practice the ethic of double standards when confronted by issues that are not European. Scholars such as Von Laue have argued pragmatically that issues that are brought before the UNSC are procedurally treated in a Western manner. I argued that this Eurocentric outlook of the UNSC

contributes to the ethic of double standards in attending to issues of World peace and security. As an example I have shown that the UNSC's approach to issues of decolonisation in Africa was imbued in an ethic of double standards. Some countries in Southern Africa had to undergo protracted armed struggles in order to achieve their independence whilst the UNSC did not take military action against those colonial regimes that committed acts of genocides against the oppressed African people. Here I also raised the issue of whether it was ethically acceptable to have one previous colonial oppressor as the guardian of world peace (Von Laue 1987: 317-321; Adebajo 2009: 7; United Nations Security Council, Distri. General s/8545, 16 April 1968; Martin and Johnson 1981: 64; Hopkins 1967: 4-7).

I argued that the main obstacle to UNSC reform is related to the veto system which is integral to the decision making in this organ of the UN. Through the use of the veto powerful members of the UNSC pursue their own national. In their decision making process, members and most likely to veto decisions that do not promote their national self-interests. The pursuit of national self-interest in the UNSC shows that this organ of the UN does not believe in a world of shared democratic values. What this has implied is that reform is only accepted in so far as it helps to advance the national interests of the P5 members of the UNSC. Failure to reform in a way that will expand the UNSC membership with vetoing powers has demonstrated that this organ of the UNSC remains the most undemocratic institution in the world. The ethic of double standards is thus nurtured and perpetuated when the same undemocratic organisation demands democratic reforms from governments of the world. It was also shown that reform in terms of rotating temporary membership has resulted in vote trading between P5 members and temporary members through the use of the World Bank and IMF loans(Weiss, Forsythe and Coate 2001: 28;Hadwen and Kaufman 1960: 60-61;Okhovat 2011: 3-4;Köchler 1991: 6; Landsberg 2009: 172; Weiss 2003: 149-153; (Dreher, Sturm and Vreeland 2009: 1-4). The following chapter will investigate the UNSC interventions in Iraq and Libya with the aim of showing

how these interventions have been marred by double standards from the very beginning.

## CHAPTER FOUR: A CRITICAL REVIEW OF THE UN SECURITY COUNCIL MILITARY INTERVENTIONS IN IRAQ AND LIBYA

### 4.1 Introduction

In the previous chapter it was argued that the UNSC is not necessarily a neutral world peace-keeping organisation. This organ of the UN acts in ways that favours the Western world and its socio-economic and political values. For example, the idea of protecting human rights in the world as part of the mission of the UNSC is related to the western world's understanding of human rights. By way of example, we saw that the concept of human rights is understood differently in the African context where emphasis is put on individual communal belonging instead of the individual being seen as an atomic entity who is solely the bearer of human rights.

The debate that ensued in UNSC with regards to military intervention against colonialism in Africa was whether such situations of armed conflicts constituted a threat to world peace and security. The implication of this way of thinking is that a situation of conflict is understood as posing a threat to world peace and security when it affects European and American interests. The fact that some of the members of the UNSC were colonisers raised the issue of the political moral standing of the UNSC. Since double standards are accepted by the UNSC as the norm in executing its responsibilities, the response of inaction against colonialism that was displayed by the UNSC does not come as a surprise.

In this chapter, the UNSC military interventions in Iraq and Libya are instances where double standards unfolded in the modus operandi of this organ of the UN. There is an almost unanimous scholarly opinion that converges on the idea that the invasion of Iraq by the USA and Britain without the authorisation of the UNSC was illegal. Currently the same argument is being made against the UNSC's NATO authorised invasion of Libya and the subsequent toppling of Gadhafi's government. In these examples it will be argued that while the UNSC has been mandated

with protecting world peace and security, in the light of the cases of Iraq and Libya it failed to live up to this mandate because of its prior commitment to double standards.

This chapter is organised as follows: The first section will be an overview of the UNSC military action against Iraq after its invasion of Kuwait. This section aims at demonstrating whether the UNSC acted justifiably in its actions after the repulsion of Iraq from Kuwait. The second section will provide a discussion on post-Gulf War UNSC's behaviour towards Iraq. Thirdly, attention will be given to the UNSC mandated military intervention against the Libyan government of Gaddafi. It will be shown whether such military intervention was justifiable taking into account the current socio-political unrest which is still ongoing in Libya since NATO's military intervention to the present day.

#### **4.2 An Overview of the UNSC and Iraq**

The Iraq crisis started when Saddam Hussein invaded Kuwait in 1990 on the grounds that it was part of Iraq's territory which was misappropriated by colonialism. All accounts of UNSC sanctioned war over Kuwait start with the historical fact that the West supported Saddam Hussein government in such a way that they supplied him with the technology of biological and chemical weapons. This material support to Saddam Hussein was justified by the USA and her NATO allies on the basis that the USSR was actively supporting the Iranian government which had overthrown their favourite Iranian government of the Sha. Some scholars such as Kenneth Vaux have argued that the war over Kuwait was not necessarily based on humanitarian grounds, but on the need for USA and her Western allies to secure cheap oil. The issue of oil complicated the debate on whether the war over Kuwait was morally justifiable or not. Thus Vaux writes,

Another element that complicated the etiology of the war was oil. On August 15, 1990, a high-placed adviser to President Bush said, 'In terms of directional clarity [moral legitimacy], this has all been an easy call. Even a dolt understands the principle. We need the oil. It's nice to talk about standing up for freedom, but Kuwait and Saudi Arabia are not exactly

democracies...there's nothing to waiver about here...If Kuwait's export was oranges...there would be no issue (Vaux 1992: 9).

That which led to the war over Kuwait was oil, not necessarily the protection of world peace and security. The idea that the war over Kuwait was aimed at restoring the sovereignty of the Kuwait people was used to give some moral justification for the war over Kuwait. Vaux went on to say that, "When Iraq invaded Kuwait, 20 percent [sic] of the world's known oil reserves were in Iraq hands and by annexing Kuwait and Saudi Arabia, Iraq would increase that to 40 percent. That prospect was intolerable to the West" (Vaux 1992: 9). It is Vaux's argument that there was no moral justification for war over Kuwait because it was a war that was mainly motivated by the USA and the West's insatiable appetite for oil. For this reason, this war lacked the virtues of sincerity and good faith because neither of the warring parties divulged the real reasons for going into war over Kuwait.

On the contrary, the USA and its allies in this war went on unrelenting media propaganda<sup>31</sup> against Saddam Hussein whereby he was portrayed as an extremely violent man on the basis of his behaviour during the Iran and Iraq war. His killing of the Kurds and his tendency to execute his own generals "were all woven into the caricature of a grotesque, Hitler-like dictator who needed to be liquidated before anyone in the world could sleep peacefully" (Vaux 1992: 12). During the Iran-Iraq war the USA and her allies actually supplied Saddam Hussein with sophisticated weapons as well as the nerve gas technology. Here it can be deduced that some members of the P5 were

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<sup>31</sup>In 8 November 1947 the UN General Assembly adopted Resolution 110(II) which condemned all forms of war propaganda. Part of this resolution reads that, The General Assembly (I) Condemns all forms of propaganda, in whatsoever country conducted, which is either designed or likely to provoke or encourage any threat to the peace, breach of the peace, or act of aggression. This resolution was later on violated during the Cold War era when the USA and its NATO allies were held bend at spreading ideological propaganda against the Communist countries (Warsaw) and viz-a-viz. Later on the 1966 Article 20 of the International Covenant on Civil and Political Rights state that, "(1) Any propaganda of war shall be prohibited by law. (2) Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law". On 15 December 1978 the General Assembly came up with another resolution (Res. 33/73) in which it states that, "In accordance with the purpose and principles of the United Nations, States have the duty to refrain from propaganda for wars of aggression" (Osmańczyk 2003: 2670). However, cursory analysis of most of the post-cold war international conflicts shows that these ideals of UN have never been adhered to.

on the side of Iraq because they were hesitant to condemn Iraq's invasion of Iran. When Iran had gained an upper hand in this war, "the open ambition of Ayatollah Khomeini and his government to bring about a radical change of regime in Baghdad stiffened the opposition of the US and its allies on the Security Council which then regarded such an objective as illegitimate" (Tripp 2008: 368-375). Whilst in the whole conflict Iraq was on the wrong for violating international law that prohibits the invasion of a sovereign state and the use of chemical weapons in a war, the "US, no less than the other Permanent Members, was unwilling to act against Iraq" (Tripp 2008: 374).

The failure of the UNSC to act against Saddam Hussein when he used chemical weapons against innocent civilians raises the issue of the moral authority of the UNSC. In this context the UNSC became an arena where the USSR and USA played their political power games. National self-interests of the UNSC members contributed to the prolongation of the Iran-Iraq war in the sense that they were responsible for the supplying of war materials to the two belligerents. The escalation of the Iran-Iraq war was seen by some of the members of the UNSC mainly in terms of lucrative business to their armory industry. Some members of the UNSC such as the USA were actively supplying Iraq with weapons, thus nurturing into Saddam Hussein's psyche the idea that it was permissible under international law for him to invade any country militarily. Here Tripp puts his finger on the right spot when he said,

Of equal importance for the future, the Security Council's behaviour during the war coloured Iranian perceptions of its reliability and worth. Their understandable mistrust of it as a body concerned with collective security inevitably encouraged those in Iran who had long insisted that the country should rely on its own resources for deterrence and for defence, free of international supervision or restraint (Tripp 2008: 383).

Within such a scholarly observation it is crucial to note that the UNSC's response to Iran-Iraq war was biased because the majority of the SC sided with the aggressor, Iraq, thus a precedent was already set that it's not

necessarily true that the UNSC was there to protect international peace and security. The response of the UNSC to the Iran-Iraq war might have indirectly encouraged Saddam Hussein to invade Kuwait later on. If an unprovoked attack on a sovereign country is considered a violation of international law in the form of an invasion of a sovereign country is condemned as a blatant violation of international law, one would have expected that the UNSC should have condemned Iraq's invasion of Iran. By failing to condemn Iraq's invasion of Iran whilst condemning it for invading Kuwait it becomes evidently clear that the UNSC acted in a way that showed some precommitment to double standards.

#### **4.2.1 UNSC's Response to Iraq's Invasion of Kuwait**

After the end of Iran-Iraq war, Saddam Hussein invaded Kuwait.<sup>32</sup> Reasons abound on what prompted him to invade Kuwait. For our purposes, Saddam Hussein's invasion of Kuwait originated from the fact that the USA and some of the members the UNSC supported him politically and materially when he initiated the Iran-Iraq war. He probably believed that the USA and the West were going to continue supporting him after his invasion of Kuwait. James Cockayne and David Malone observed that,

He [Saddam Hussein] did not foresee the unified response this provoked from the Council, itself a product of prestroika in the Soviet Union and an increasingly cooperative relationship amongst the five Permanent (P5). Nor did he anticipate the assembly of a somewhat improbable diplomatic coalition in opposition to the invasion, bringing together Western countries, Arabs, Israel, both superpowers, and a wide array of members of the Non-Aligned Movement (Nam). ... Mobilised by the US and the UK,

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<sup>32</sup>But the Iraq-Kuwait conflict had a history in the UN. As far as 1961 the UN was presented with a claim from Iraq to the effect that "Kuwait was part of its territory" but the SC did not act or make a determination on this claim because all proposals were vetoed. When Kuwait secured an admission to the Arab League, it also applied for membership in the UN which the USSR vetoed on the basis of Iraq's claim. It was only in May 1963 that Kuwait managed to secure the SC approval of its application to UN membership. Saddam Hussein's invasion of Kuwait brought with it dramatic changes in the history of the Arab states world "in which outright inter-Arab political and military confrontation replaced the traditional structure of relations based on 'Arab brotherhood' and solidarity". In other words, Hussein's act of aggression against Kuwait demonstrated that he did not share fellow feelings with the Arab world on the basis of Arab nationalism being that which is characterised by being "anti-colonial and anti-Israel". These sentiments were the ideological pillars of "pan-Arabism, an ideology intended to initiate, in the post-colonial era, a genuine history of the Arab as a unified nation" (Abdullah 1994: 53; Osmańczyk 2003: 1163).

the Council acted within hours of the invasion, adopting resolution 660<sup>[33]</sup> on 2 August 1990, demanding Iraq's unconditional withdrawal (Cockayne and Malone 2010: 385)

A question that arises from the above quotation is: When Iraq invaded Iran why is it that the UNSC did not act in the same way as it did when Iraq invaded Kuwait? It seems as if Iraq's invasion of Kuwait was interpreted by the UNSC as a global crisis – or real threat to world peace and security whilst the invasion of Iran was not a threat to world peace and security. The UNSC's response to these two invasions demonstrates some prior commitment to double standards in the sense that the UNSC discharged its multilateral responsibility more rapidly and in unison when Kuwait was invaded and yet when Iran was invaded and bombarded with chemical bombs the same council actually helped to fuel the conflict by actively providing Iraq with weapons.

Iraq's invasion of Kuwait was the consequent result of "Iraq's bloody but inconclusive war with Iran" (Cockayne and Malone 2010: 385). Saddam Hussein also wanted to have control over the oil in the Gulf since Kuwait was the prominent oil supplier. President H.W. Bush appealed to UNSC resolutions on Iraq before declaring war against Iraq. Bush's aim was to give international legitimacy to military action against Hussein. However, it was Hussein's political obstinacy that the UNSC resolved that force should be applied as a way of expelling Iraq forces from Kuwait. As Cockayne and Malone put it,

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<sup>33</sup>Deriving from Chapter VII of the UN Charter which deals with enforcement action regarding threats to peace, breaches of peace, and acts of aggression, the Security council adopted Resolution 660(1990) of 2 August "condemning the invasion, demanding the immediate and unconditional withdrawal of the Iraq forces, and calling for intensive negotiations between the parties" It needs to be mentioned here that it is unintelligible to request that the invaded country should negotiate with the invader because on the first instance the invaded country did not provoke invader in any way. The resolution could have retained its intelligibility if it ended by simply demanding that Iraq should withdraw its troop from Kuwait. However, "when Iraq ignored Resolution 660 (1990), the UNSC adopted Resolution 661 (1990) that recommended comprehensive and mandatory sanctions against Iraq. On 9 August 1990, the Council adopted Resolution 662 (1990) which declared that Iraq's annexation of Kuwait which was announced on 7 August had no legal basis, hence it was "null and void" (Osmańczyk 2003: 1163).

Bush saw a Council authorization of force as an opportunity to institute 'a new world order and a long era of peace'. This was to be a world order based on US leadership, values, and power, allowing the US to pursue our national interests, wherever possible, within a framework of concert with our friends and the international community' (Cockayne and Malone 2010: 387).

Despite the US efforts to push Hussein out of Kuwait, France was also involved in mediatory role of trying to lure Hussein out of Kuwait by suggesting a simple trade whereby Iraq was to pull out of Kuwait for an international conference on the Palestinian issue. In 16 January 1991 the coalition forces embarked on an air bombardment of Iraq's military infrastructure. This operation was code named Operation Desert Storm (Cockayne and Malone 2010: 387). When the SC authorised war the UN Charter, article 47 stipulates that The Military Staff Committee (MSC) which was supposed to be established for UN military action was already non-existent. The decision to push Hussein's forces from Kuwait came mainly from the USA and its NATO allies, and not from the council itself. Although the war against Iraq has some moral justification<sup>34</sup>, what raises ethical problems in the light of the UN Charter is the idea of some countries entering into some coalitions in order to carry out a war outside the UNSC, especially when one takes into account the fact that the UNSC was founded on the understanding that it was there to guarantee world peace and security by actively pre-empting threats to world peace and security.

There are other scholars such as Yamashita Hikaru argue that the behaviour of UNSC towards the crisis of the Iraq invasion of Kuwait was inconsistent with regards to its historical responses to invasions. Thus Hikaru writes,

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<sup>34</sup> Vaux (1992: 8-11) is among those scholars who argue that the war over Kuwait lacked honesty and good faith from the outset because a war can be justified when there is "an unmitigated aggression committed against an innocent party". Whilst Hussein's invasion of Kuwait was seen as an act of unprovoked aggression, given the history of the Western world's complicity with Hussein's aggression, their condemnation of Iraq's invasion of Kuwait "invites our scepticism about the righteousness of the eventual onset of war". Sometimes the pursuit of national interests remains a mitigating factor for the argument on the justification of war against Iraq's invasion of Kuwait. For this reason it is maintained that, "The acquisition or retention of resources does not justify beginning a war against another country". It is further contended that "At best the insatiable Western demand for cheap oil could only be a secondary reason to declare war against Iraq in occupied Kuwait and in its homeland". Entering into a war in pursuit of European oil interests defeated the moral justifiability of the war over Kuwait.

[T]he term threat appears to refer to two types of situation. The first is that one state invades another, violating the latter's sovereignty and territorial integrity. The second is a state's military intervention into another country's civil war, resulting in its intensification to the detriment of regional peace and security. Examples of the first type are the 1948 Arab-Israeli War, the Korean War, the South African attack on Zambia, the Falklands War, the Iran-Iraq War, the Southern Rhodesian invasion of Zambia, Botswana, and Mozambique, the South African invasion of Angola, Lesotho, and Botswana, the invasion of Benin by foreign mercenaries, and the Israeli attack on Tunisia. The second would include cases like the civil wars in the Congo and Cyprus, and the Portuguese invasion of Senegal and Guinea, each of which involved military intervention by Belgium (into the Congo), Turkey (into Cyprus) and Portugal (into Senegal and Guinea), respectively (Hikaru 2004: 44-45).

Amidst all these invasions the UNSC's response gave an impression that such invasions did not constitute a threat to world peace and security. Alexander Thompson argued that the UNSC is popularly known for doing nothing when the national interests of its Member States are not under threat. The UNSC is also historically known for working in a way that reflects that it is an organisation that does not necessarily work with a common purpose with regards to protecting international peace and security. In support of this argument, Thompson said that after Iraq's invasion of Kuwait, "arguably the first time in its history, the Security Council functioned as the collective security institution envisioned in the charter. ...by turning to the Security Council the United States was able to achieve greater legitimacy and support for its use of coercion" (Thompson 2009: 46-47).

But why was the USA more zealous in seeking the permission of the UNSC for the expulsion of Iraq from Kuwait? Was this not supposed to be the role of the UN? Why did the US went about frantically seeking the resolutions from the UNSC as well as the UN support? Here again Thompson maintained that, "The opportunity costs of using institutions are higher for powerful states: they have more to lose by ceding control. ...As a result, they have a more attractive outside option and, if they choose to do so, can more effectively realise their preferences" (Thompson 2009: 47). The problem

inherent in this type of thinking as it emanates from the political theory sceptical realism is that it tends to undermine the purpose of multilateral institutions and the main principles upon which they were founded. Here it can be argued that the USA appealed to the UNSC against Iraq's invasion of Kuwait for national self-interested purposes. As we have observed previously, oil has been pointed out as the main reason why so much frantic effort was put into forcing Iraq out of Kuwait. A situation whereby Saddam Hussein would have the greatest control of oil in the Gulf was something too ghastly to contemplate for the USA and its Western allies. However, some scholars maintain that the Gulf War "marked the first time when all five permanent members of the Security Council were clearly in agreement [<sup>35</sup>] on the use of force" (Hikaru 2005: 47).

#### **4.2.2 The UNSC and Post-Gulf War Critiques**

A lot of criticisms to date have been raised whether this multilateral institution is an effective way of maintaining peace and security in the world, especially with reference to its post-Gulf War resolutions. As a precondition to cease fire on the war over Kuwait, the UNSC came up with 12 resolutions and a series of obligations that were to be observed by Iraq. These resolutions, as observed by Cockayne and Malone (2008: 388) were purported to deter against "the longer-term Iraq threat". For example, "[t]he cease-fire resolution, Resolution 687...included boundary demarcation, UN

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<sup>35</sup>After the Iraq's invasion of Kuwait, the United Nations Security Council "adopted 12 resolutions that progressively applied elements of Chapter VII of the Charter. After condemning the Iraq invasion of Kuwait and demanding Iraq's withdrawal in Resolution 660 (1990), the Council decided in Resolution 661 (1990) to impose economic sanctions against Iraq and occupied Kuwait as a means of securing compliance by Iraq with Resolution 660 (1990). In Resolution 665 (1990), the Council authorized states with maritime forces in the area to „use such measures as may be necessary" to ensure strict implementation of the sanctions as related to shipping. Finally, in Resolution 678 (1990), the Council authorized states „to use all necessary means" to implement previous resolutions (Browne 2003: 3). A pacifist can argue that it was not justifiable for the UNSC to authorize states „to use all means necessary" against Iraq because the stipulated sanctions would have brought Iraq to its knees, hence the use of military force becomes something superfluous or something unnecessary. In this vein one finds Kenneth Vaux arguing that "The embargo on Iraq should have been allowed at least nine months or a year to work. ...The ambivalence, impatience, even cruelty of joining the confrontation on those terms [siege] and then immediately changing the rules of the game from a defensive to an offensive strategy was an unfortunate turning onto a path that eventually ended in hundreds of thousands of deaths. The lesson of patience would have been important to learn and practice, as the only just war that can be fought in a nuclear age will be one of severe limitation of combat to conventional means, difficult political bargaining, conflict forswearing recourse to other weapons-poison or nuclear-that could end it quickly" (Vaux 1992: 14). Vaux's main argument is that there was no moral justification for an action that leads to the termination of human lives.

Iraq-Kuwait Observer Mission, weapons of mass destruction, return of Kuwait property, compensation (reparations), sanctions: general and arms embargo". Some of these resolutions actually undermined Iraq's sovereignty. The common characteristic of Resolutions 687 and 688 is the imposition of obligations and responsibilities "that directly infringed on Iraq's internal affairs". Thus Iraq "was obliged to accept onto its territory teams of inspectors in search of weapons of mass destruction that were to be destroyed and/or removed. Iraq was obliged to accept international assistance for the housing, protection, and feeding of the segments of its population that had been subjected to and fled from gross human rights violations inflicted by the Iraq government"(Cockayne and Malone 2008: 388; Browne 2003: 3). These resolutions constituted a radical shift from the UNSC's original mandate of driving Iraq out of Kuwait as the attention is given to undermining Saddam Hussein's government "to hold power in Iraq even after the war" (Hikaru 2005: 47). The idea that the war went beyond what was mandated by the UNSC is indeed an historical fact that cannot be disputed. The war over Kuwait also involved the bombardment of some military installations within Iraq itself. This war created a situation of political destabilisation in Iraq among the Kurds in the north and the Shiites in the south. Thus Resolution 688 of April 5, 1991 "stated that the movement of large numbers of refugees across national borders constituted a threat to regional peace and security, and called on the Iraq government to immediately cease the repression 'as a contribution to removing the threat to international peace and security in the region'" (Hikaru 2005: 48). Whilst the Iraq government was attempting to control these situations of instability within its territory, its efforts were described as posing a threat to world peace.

However, under the umbrella of providing humanitarian aid to the people of Iraq, as Malone put it,

UN system increasingly took on the role of proxy administration in areas not under sovereign Iraq control. This emerged first in their launching of

Operation Provide Comfort to protect Kurdish refugees in northern Iraq, but soon spilled over into the imposition by those powers of no-fly zones over northern and southern Iraq in 1991 and 1992 (Malone 2006: 84).

Having a no-fly zone within a sovereign state is obviously an outright breach of the sovereignty of a state. The war over Kuwait had also a salient objective which was mainly aimed at removing Saddam Hussein from power. For example, the Central Intelligence Agency (CIA) sponsored a radio station called "The Voice of Free Iraq". Some of its broadcast messages were as follows, "We are with you [Iraq people]...in every heartbeat, in all your feelings, and in every move you make" (Malone 2006: 84-85). It is evidently clear that in such utterances the main aim was to destabilise Iraq by instigating an internal insurrection. Whilst the USA spearheaded this campaign, the UNSC did nothing to protect the sovereignty of Iraq. The UNSC actually collaborated with the USA's national self-interested<sup>36</sup> idea that Iraq had weapons of mass destruction. In this regard, one finds Resolution 1441 of 2002 stating that Iraq "has been and remains in material breach" and to set up "an enhanced inspection regime". This resolution went on to state that Iraq "shall provide...a currently accurate, full, and complete declaration of all aspects of its programs to develop chemical, biological, and nuclear weapons, ballistic missiles, and other delivery systems by December 8". The resolution is qualified with a threat that "failure by Iraq at any time to comply with, and cooperate fully in the implementation of, this

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<sup>36</sup>It is on record that the USA rewarded those countries that supported the idea of going to war against Iraq. In this vein, Thompson stated that, "payments were handed out by the United States to many countries, including at least Egypt, Poland, Syria, and Turkey, and Security Council Members Colombia, the Ivory Coast, Ethiopia, Malaysia, the Soviet Union, and Zaire. Economic inducements included extending credit, forgiving loans, and making trade concessions. Egypt provides a striking example. Almost immediately following the war, Egypt received an IMF loan of \$372 million at the urging of the United States (and despite a history of flouting IMF-imposed conditions). ...the United States and other members of the Paris Club, an informal group of the world's richest creditor nations, agreed to forgive half of Poland's \$3.8 billion in debt to the United States in return to its participation (Thompson 2009: 61). This observation shows that the war over Kuwait was not necessarily about freeing Kuwait from Iraq occupation, rather, it was mainly about pursuing American national self-interest. It was also Western economic interests that were compromised by Saddam Hussein's invasion of Kuwait because it meant he was at liberty to raise oil prizes, an economic scenario which America and the West could not accept nor the coalition" (Thompson 2009: 61). This observation shows that the war over Kuwait was not necessarily about freeing Kuwait from Iraq occupation, rather, it was mainly about pursuing American national self-interest. It was also Western economic interests that were compromised by Saddam Hussein's invasion of Kuwait because it meant he was at liberty to raise oil prizes, an economic scenario which America and the West could not accept.

resolution shall constitute a further material breach...will be reported to the Council for assessment". This resolution went further to say that the Council will "convene immediately upon receipt of a report...that it had repeatedly warned Iraq that it will face serious consequences as a result of its continued violations of its obligations" (Browne 2003: 4). Why did the UNSC continued to issue resolutions when Iraq had already pulled out of Kuwait?

Whilst explanations to the above question have varied among scholars, the common explanation has been that it was the need for oil that triggered the issuing of post-war over Kuwait UNSC resolutions. As we have seen in the preceding chapter, the UNSC has never authorised a war against colonial invasion and other post-colonial invasions. For example Israel invaded Palestinian territories, the USA invaded Panama and Grenada, South Africa invaded Angola, Rhodesia invaded Mozambique and Zambia and yet nothing came from the UNSC declaring a multilateral war against such invasions. Obviously this is a clear example of the UNSC's pre-commitment to an ethic of double standards. Vaux cannot be bettered when he said, "*Western vital interests were at stake: Stability in the region, continued affordable oil prices, protection of the American way of life*" [his italics] (Vaux 1992: 25). Scholarly consensus sees this reason as the main cause for embarking on war against Iraq. Other scholars maintain that the war over Kuwait was also aimed at removing Saddam Hussein from his political office. After the military repulsion of Iraq forces from Kuwait, the USA felt that it did not achieve this objective, hence it came before the UNSC with an allegation that Iraq had weapons of mass destruction (WMD), and that if such weapons remain in Saddam Hussein's hands, Iraq posed a threat to world peace and security. By invading Kuwait Saddam Hussein had proved himself to be a formidable adversary to Western and USA interests in the Arab world. Thus on 12 September 2002 President Bush argued before the UN that Iraq was failing to comply with UNS resolutions and his commitment to work through the UN in resolving such violations. The question of Iraq-Kuwait remained on the UNSC agenda even after Iraq had withdrawn from Kuwait (Browne 2003: 2).

Intrusive measures that undermined Iraq's sovereignty were put in place. These were, UN Iraq-Kuwait Observation Mission (UNIKOM), the annual report of the Resolution 661 Sanctions Committee, the Oil for Food (OFF) programme which stipulated that a report was to be given each ninety days and the quarterly report of the UN Monitoring, Verification and Inspection Commission (UNMOVIC). The UNSC resolutions also included that inspectors should also have access to presidential palaces in Iraq and that they could "go anywhere, anytime, see anyone, inspect anything, at the time and place of the inspector's choosing (Browne 2003: 5). However, as stated previously, such intrusive measures have never been meted out to any country that violated UNSC resolutions. But could it be possible that this UNSC commitment to double standards is exacerbated by the USA and Western world's bias towards the Muslim world?<sup>37</sup>

Ali Mazrui argued that the Muslim world has been treated unfairly by the United Nations itself. As he puts it,

How much is the violence in the Muslim world is native born and how much has been thrust upon it? There are three Muslim countries currently under military occupation - Afghanistan, Iraq and Palestine. In the last three years at least 200 000 Muslims have been killed in Afghanistan, Chechnya, Gujarat, Iraq, Kashmir and Palestine. Since the Gulf War as many as one million more might have been killed by United Nations (UN) sanctions in Iraq. Based on the number of people killed worldwide since 1990, Muslims are certainly more sinned against than sinning (Mazrui 2009: 36-37).

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<sup>37</sup>In his response to the questionnaire of this study, Godwin Mfula highlighted the predominance of double standards in the UNSC when he said, "The question of the evil system of apartheid which was being practiced by successive minority and racist regimes in South Africa drew international condemnation. In fact, in 1975, the UN General Assembly rightly described apartheid as a crime against humanity. The African states and non-aligned member countries and other progressive states usually took the matter to the UN Security Council with a request for sanctions to be applied but usually western permanent members vetoed the resolutions on that. Similarly the question of the Middle East where Israel has illegally occupied Palestinian lands. The USA has usually blocked any passage of resolutions to compel Israel to implement Security Council Resolutions especially 242 (1967) and 338 (1973) (Written response 2013). In similar vein, Godfrey Chidyausiku observed that "The UNSC's aggressive attitude towards the Iranian attempt to acquire nuclear capability is different from the UNSC's accommodative attitude towards countries that are known or widely believed to have nuclear weapons such as Israel, India and Pakistan" (Written Response 2013).

Mazrui's observation is well placed when one takes into the socio-economic and political destabilisation that is currently going on in Iraq since the expulsion of Iraq from Kuwait. The scenario can also be observed on the USA and her NATO allies' instigated war that is going on in Afghanistan. The removal of the Taliban has left a social situation characterised by immense political uncertainty about the future of this country, accompanied and a low intensity civil war. After intervening in Iraq under the pretext that Saddam Hussein posed a threat to world peace, America and its Western allied forces leaved behind a politically, economically and socially destabilised society of Iraq worse off than it was under Saddam Hussein's rule. One can argue that their actions in Iraq have been aimed at creating a real threat to world peace and security. As we have seen in chapter 2, the Security Council's role in Chapter VII of the United Nations Charter was stipulated as that of determining whether there is an "existence of any threat to world peace, breach of the peace, or act of aggression" (Article 39).

The tragedy of Iraq is that it is the UNSC which actually came up with resolutions of intrusive measures that resulted in the breach of world peace and security because the post-Iraq-Kuwait war had never left Iraq as a threat to world peace and security. The imposition of sanctions, even after Iraq had moved out of Kuwait was something anti-humanitarian and thus unethical. However, some scholars have argued that the post Iraq-Kuwait war that was later on pursued by America and Britain was mainly aimed at establishing their own proxy government in Iraq; hence it was not mainly about removing the Iraq threat world peace and security. What the USA and some of its Western allies really wanted was the removal of Saddam Hussein from power.

The main accusation which was brought by the USA in post-Kuwait-Iraq war was that Saddam Hussein possessed weapons of mass destruction (WMD). In this vein it is argued that any war that was to be pursued against Iraq outside the UNSC authorisation will remain illegal and illegitimate if it could not be proved that Saddam Hussein possessed weapons of mass destruction.

However, for the USA to legitimize this war, it came up with the claim that Saddam Hussein was hiding weapons of mass destruction (WMD) which he would use at a later date to unleash terrorism against America and the West. George Bush's argument for war was that, "The Iraq dictator must not be permitted to threaten America and the World with horrible poisons and diseases and gases and atomic weapons. I think unless the United Nations shows some backbone and courage, it could render the Security Council irrelevant" ([http://www.wagingpeace.org/article/2005/03/00\\_krieger\\_illegal-legitimate.htm](http://www.wagingpeace.org/article/2005/03/00_krieger_illegal-legitimate.htm)).

It is evidently clear that in such unproven allegations George Bush was agitating for war against Iraq.<sup>38</sup> Whilst the UN inspectors had found nothing which one could rely on as credible evidence that Iraq was a threat to world peace and security, Collin Powell, the then USA secretary of state addressed the UNSC at which he alleged that the intelligence evidence at the USA disposal shows definitely that Iraq had weapons of mass destruction. Thus he averred,

Iraq should not be allowed to shift the burden of proof onto the inspectors nor could the world return to the failed bargain of resolution 1284 which offered partial relief for partial disclosure. Iraq initiatives were small steps which had not come forward willingly and freely, but had been pulled out by the possibility of military force and the political will of the Security Council. If Iraq wanted to cooperate sincerely, we should not have to look for biological weapons. Iraq wants to shift the burden of proof to the inspectors to prove to them that they possess Weapons and Mass Destruction when Iraq should present these weapons to inspectors....Iraq's current behaviour is revealed a strategic decision to delay, deceive and throw us off the trail, leading to a fracturing of the international community (Cited in Emeagwali and Gonzalez 2003).

Since after the invasion of Iraq by Britain and USA no WMD were found, there has been an overwhelming world opinion that Powell misled the UNSC for

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<sup>38</sup>This observation is corroborated by Getrude Mungira who pointed out that the US has more "ubabe" than others (sic). "Ubabe" is Kiswahili word for bullish behaviour that is not in any way hidden (sic). Ubabe behaviour does not care whether it has a following/support or not (sic). It acts as it wishes. There is misuse of economic and technological power by the "ubabe" and after that misuse, the "ubabe" gets away with it (sic), interview with the author, Dar es Salaam, 02 August 2012.

reasons that remained best known to him. After the war there was no single WMD that was found. Another false claim that was made after the war against Iraq was that there was a link between Al Qaeda and Iraq. When evidence to this imagined linkage could not be established, the reason for the war was reduced to the fact that Saddam Hussein was an evil dictator who had blood of ordinary Iraq citizens dripping from his hands, and that he was a dangerous psychopath who should not be allowed to remain in the political office. What was obviously being sought here was the international approval as to render a war against Iraq morally legitimate. Alexander Thompson argued that by seeking the approval of international organisations, (IO) or international support one is usually trying to legitimise one's action' (Thompson 2009: 78). He went on to say that it is possible that foreign leaders and members of the public's view IO approval as conferring legitimacy on state actions, appealing to a norm that legitimate behaviour is more appropriate and thus worthy of support. Indeed. Legitimacy logic is arguably the conventional wisdom for understanding the political effects of IO approval, and the notion of legitimation is often invoked to explain the role of the UN in the Gulf War (Thompson 2009: 78-79).

In the light of the above observation, the question that can be raised is whether the UNSC is a legitimate institution to authorise a war? Thompson raised three arguments that undermine the legitimacy<sup>39</sup> of the UNSC. Firstly,

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<sup>39</sup>According to Ian Hurd, "Legitimacy refers to the belief by an actor that a rule or institution ought to be observed. Such a belief is necessarily normative and subjective, and not necessarily shared with any actor. When an actor believes a rule is legitimate, the decision whether to comply is no longer motivated by the simple fear of retribution or by a calculation of self-interest but, instead, by an internal sense of rightness and obligation. The operative process in legitimation is the internalization by the actor of an external standard. Internalisation takes place when the actor's sense of its own interests is partly constituted by a force outside itself in this case, by the standards, laws, rules, and norms that exist in the community. A rule will become legitimate to an individual (and therefore become behaviorally significant) when the individual internalizes its content and reconfigures his or her interests according to the rule" (Hurd 2008: 30-31). Obviously Hurd's definition of legitimacy is based on the philosophy of internalism. According to this philosophy, that which makes sense is something that is internal to the individual. On this premise he said that what is legitimate is „normative and subjective, and not necessarily shared with any actor“. The doctrine of internalism falls apart when we argue that something can only be legitimate when there are shared objective social and institutional norms or standards. For example, the very idea of international law is derived from the idea that there are internationally shared norms and standards which are codified into a law that can be identified as such. The doctrine of internationalism is an offshoot of the doctrine of atomic individualism whereby the individual is understood as insular to the external world by virtue of him or

he argued that whilst the UNSC is appealed to as the only international institution that can legitimize the use of force,

The Security Council has few features of a legitimate institution or of an institution that creates legitimate rules. For example, it lacks the requirements of procedural legitimacy, such as transparency, democracy, and accountability, and its decisions are inconsistent and based on ambiguous law. We should not therefore expect it to be effective at conferring legitimacy through its resolutions (Thompson 2009: 79).

Most countries have difficulties in adhering to UNSC resolutions precisely because most of those resolutions are laden with the political aspirations or national self-interests of the UNSC P5. Secondly, apart from the argument from design, Thompson raised the issue of leader behaviour in which he argued that leaders are motivated differently. Though their motivations were diverse, the issue of confronting Iraq over its invasion of Kuwait became the binding factor, though for different reasons. In this regard, “Legitimacy-based support would have been automatic rather than calculated and derived from normative rather than material concerns” (Thompson 2009: 80-82). As mentioned previously in this chapter, the need for oil was mainly the material concern for the USA and Western countries intervention in the Iraq-Kuwait war. Thirdly, Thompson argued from statistical evidence that most of the Western publics wanted Iraq to be out of Kuwait but they did not approve of their own military forces being sent there. As he put it,

Thus although there was support for the policy and the consequences it would entail, there was much less desire to participate. These attitudes are more consistent with arationalist-materialist logic than with a normative one. Publics should want and even feel obligated to participate in an action they view as legitimate. What we see instead is support coupled with a desire to free ride (Thompson 2009: 82-83).

These arguments demonstrate that the UNSC authorisation of force against Iraq as a way of repelling it from Kuwait lacked legitimacy. The reason for

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her possession of incorrigible properties. This doctrine severs our humanity from our common belongingness. On these grounds I submit that legitimacy is derivative from our human bondedness from which by origination we define what acceptable and unacceptable mode of behavior is.

participating in the war over Kuwait lacks legitimacy because of the presence of the plurality of motivations among those countries that participated in this war. But the dominant motivation for participating in the war over Kuwait was the need to have access to cheap Kuwait oil.

In the light of what we have said concerning the predominance of double standards and the constant calls for the reform of the UNSC, thus the issue of legitimacy remains a perennial one to this multilateral body. Some political leaders are aware of this weakness but they still insist on appearing before the UNSC whenever they sought its approval for the use of force. What has been a source of agitation on the US war against Iraq is that it was a war which the US decided to pursue without UNSC approval, a move that is contrary to the UN Charter.<sup>40</sup>

Whilst we have seen in the previous chapter that through the principle of 'the sovereignty of member state, the UNSC prohibited the invasion of one sovereign state by another, on the case of Kuwait we were given a prima facie commitment to this principle when it authorised the military repulsion of Iraq from Kuwait. However, later on in the developments of events, the UNSC went on to intrude into Iraq's internal affairs by passing on resolutions on how it should treat its citizens and where its planes should

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<sup>40</sup>Article 2(24) says that "All members shall refrain in their international relations from the threat of use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations. In Article 51 it is further elaborated that, "Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. This article went on to authorize war when there has been an armed attack against an innocent party. However, Krieger maintained that the US war against Iraq was illegal because "there was no armed attack against the US by Iraq, nor any substantiated threat of armed attack. There was no credible evidence that Iraq had any relationship to the September 11, 2001 terrorist attack against the US. There was, therefore, no appropriate justification for the invocation of the self-defense exception to the UN Charter's prohibition against the use of force. If the US could proceed to war against Iraq on the basis of a claim of potential future attack, it would open the door to a broad range of assertions of potential future attack, it would open the door to a broad range of assertions of potential future attacks by one country against another that would justify unilateral initiation of warfare, whether or not based on factual foundations, paranoia or simple expediency. It would throw the internal order into a state of chaos" ([http://www.wagingpeace.org/articles/2005/03/00\\_krieger\\_war-illegal\\_war-illegal-illigitimate.htm](http://www.wagingpeace.org/articles/2005/03/00_krieger_war-illegal_war-illegal-illigitimate.htm)).

fly and not fly.<sup>41</sup> Thus it comes as no surprise when Iraq's representative to the UN

Argued that the situation in northern Iraq was an internal matter, and that Security action would violate Article 2(7) of the Charter. Yemen [concurred with Iraq when it asserted] that the Resolution set a dangerous precedent [by] making an attempt to circumvent the rule of law for political ends, because the humanitarian crisis posed no threat to international peace and security (Malone 2006: 87).

It is evidently clear that the UNSC resolutions can easily be used to pursue national self-interests.<sup>42</sup> For example, the intrusive measures that were promulgated by the UNSC after the post Kuwait-Iraq war actually created a humanitarian crisis in Iraq. In this regard one can argue that the post war over Kuwait and the UNSC resolutions that followed thereafter actually created a situation of a threat to world peace and security. Under the guise of enforcing SCR 688 the USA, UK and France decided to send ground troops to Kurdish areas under the guise that they were providing humanitarian aid, a tactical move that later on led to the USA-UK invasion of Iraq (Malone 2006: 88).

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<sup>41</sup>After the Iran-Kuwait Gulf war Iraq went through an unprecedented phase of destabilization. This situation was characterized in the UN as a violation of human rights, The Security Council adopted Res. 688 (1991) calling on Iraq to end the repression of civilians and allow international humanitarian organizations immediate access to the areas where refugees were concentrated. To help enforce Res. 688 (1991) some of the partners to the coalition created, in June 1991, a „no fly zone“ zone north of the 36<sup>th</sup> parallel (i.e., over the largely Kurdish area of Iraq) from which Iraq aircraft were barred; the zone was patrolled by the US and UK aircraft operating from bases in Turkey. In October – December 1991 some 200 000 persons fled their homes because of clashes in the Kurdish-populated governorates of Suleimaniyah and Erbil; these two governorates of Suleimaniyah and Erbil; these two governorates together with that of Dohak, came under Kurdish control following the withdrawal of Iraq government troops and administrators. Another „no fly zone“ was established in August for the area south of the 32<sup>nd</sup> parallel” (Osmańczyk 2003:1168). What becomes a misuse of UNSC mandate was to issue a resolution that intruded into Iraq's sovereign affairs. Previously there were no resolutions that dealt with the way how Iraq should deal with its own citizens.

<sup>42</sup>When civil unrest occurred in Iraq the then American Vice-President Dan Quayle maintained that America was not going to be involved in Iraq's civil war because its national interests were not at stake: “Would America's intervention in Iraq's civil war advance vital national interests? I am afraid the answer is „no“. What are the vital interests of the United States in Iraq's civil war? Very little, if any...What would be the clearly defined military objectives of our intervention in Iraq? Overthrow Saddam Hussein? Impose Western-style democracy? Achieve U.S. brokered reconciliation among Kurds, Sunnis, and Shiites? Dismember Iraq? Prevent Iraq from being dismembered? Merely to pose these questions demonstrates how complicated the situation is – how easy it would be to get into Iraq, but how hard it would be to get out of the quagmire” (cited in Malone 2006: 89).

If the UNSC did not approve of a country invading another sovereign country as it condemned Iraq's invasion of Kuwait as a violation of international law, the questions that arise are: Why did it allow Iraq to be invaded by the USA and UK? Was the USA and UK invasion of Iraq not a violation of international law? An answer to both these questions is that the practice of double standards dominates the UNSC's approach to maintenance of peace and security in the world. Double standards undermine the principle of consistency in its deliberations and modus operandi. Some scholars have argued that the post war over Kuwait era was mainly aimed at removing Saddam Hussein from political office. It was not a case of Hussein being a threat to world peace and security. Milan Rai writes,

UN Resolution 687, which re-imposed economic sanctions on Iraq after the 1991 war, stated that oil exports would remain under an embargo until Iraq had completed a verified disarmament process. President Bush Sr, however, widened the goal of the sanctions policy. The President said in April 1991, 'There will not be normalised relations with the US until Saddam Hussein is out of there. And we will continue economic sanctions. ...There was Anglo-American unity on this point, then as now. The British Ambassador to the United Nations, Sir David Hannay, stated during discussions on Resolution 687<sup>[43]</sup> in early 1991, 'My government believes that it will in fact prove impossible for Iraq to re-join the community of civilised nations while Saddam Hussein remains in power. Prime Minister John Major was more forthright: 'Britain will veto any UN resolution designed to weaken the sanctions regime we have set in place for so long as Saddam Hussein remains in power (Rai 2003: 8).

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<sup>43</sup>The UNSC adopted Res. 687 on 3 April 1991 which provides "the basis of all UN actions involving Iraq after the end of the Gulf War". The main points of this resolution are that, Iraq and Kuwait should respect the inviolability of the international boundary and the allocation of islands set out in the 'Agreed Minutes between the State of Kuwait and the Republic of Iraq regarding the restoration of friendly relations, recognition and related matters' signed by them in the exercise of their sovereignty at Baghdad on October 4, 1963 and registered with the United Nations", that the UN Secretary General should send an observer unit to the demilitarized zone between Iraq and Kuwait. The resolution went on to say that it "[i]nvites Iraq to reaffirm unconditionally its obligations under the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on June 17, 1925, and to ratify the Convention on the Prohibition of the Development, Production and stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, of April 10, 1972; Decides that Iraq shall unconditionally accept the destruction, removal, or rendering harmless, under international supervision... (Osmańczyk 2003: 1164). Within this resolution there is clear evidence that the UNSC believed that Iraq had an assortment of all dangerous weapons even though there was no objective evidence to that claim.

Whilst the main objective of war of Kuwait was mandated by the UNSC as that of removing Iraq forces from Kuwait, it appears, in the light of the USA and UK utterances that their ulterior primary objective was the removal of Saddam Hussein from political office. The political moral value of sovereignty was superseded by national self-interest. It remains obscure as to what USA and UK intended to achieve by the removal of Saddam Hussein from office. The question of sanctions against Iraq was more punitive to the Iraq people than to Saddam Hussein as an individual. Rai avers that,

Comprehensive economic sanctions were not in fact successful in hastening the end of the Iraqi President, but they were successful in hastening the end of hundreds of thousands of Iraqi lives. It seems reasonable to deduce that most of these lives would not have been lost if Iraq had not been suffering the weight of UN economic sanctions, imposed at the behest of Washington and London” (Rai 2003: 8-9).

By imposing sanctions on Iraq it can be equally argued that the UNSC acted in a way that contradicted its mandate of fostering the general wellbeing of humanity or promoting humanitarianism as they claimed.<sup>44</sup> Here again it should be observed that the idea of threatening the UNSC with a Veto which John Major alluded to as the position of Britain on Iraq and its non-compliance with UN resolutions undermines the idea of Collective Security as it is entrenched in the UN Charter. This observation reinforces the argument that was made in the previous chapter that these P5 members have an understanding of the multilateral organisation such as the UN as simply there to further their own national self-interests. Whilst the UNSC is

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<sup>44</sup>The Oil-for-food program was the most inhumane action which was imposed on Iraq. It was aimed at draining Iraq’s oil in order for it to feed its citizens. The sanctions over Iraq had extreme devastating consequences to the civilian population. The UN report of 20 March 1991 characterized the situation in Iraq “as near apocalyptic”. To this end, “The UN Secretariat proposed that the Council regulate Iraq’s sale of oil, calibrating sales to provide revenue for Iraq’s essential civilian needs but not for Iraq’s re-militarization”. This Oil-For-Food which was established by Resolution 706 of 15 August 1991 required that “all Iraq commercial transactions with foreign suppliers were overseen by the UN Secretariat, in turn responsible to a committee of the Security Council. This “unprecedented and highly intrusive **Oil For Food** Programme involved regulation of a sovereign state’s revenues and direction of its expenditures – not only to benefit its own population, but also to pay costs incurred by the UN in the destruction of Iraq arms” (Cockayne and Malone 2008: 390-391). It is within such observations that it can be said that the UN and the UNSC actually created the humanitarian crisis which they purported to be concerned with. The continuous bombardment of post-Gulf war Iraq and the OFF violated the principle of Proportionality in the Use of Force. Deadly force was thus supposed to be used only in the proportion needed to achieve a just objective (Vaux 1992: 90).

expected to adhere to its own resolutions, what some of its members (USA and UK) ended up doing after the Gulf war, namely the bombardment of Iraq in the North as well as in the South was a blatant violation of those UN resolutions which Saddam Hussein was accused of violating.

#### **4.3 Treachery and Manipulation as Contributory Factors to Double Standards in the UNSC**

We have seen in chapter 3 that some rich members of the UNSC use poor countries in the UN to influence resolutions and decisions that are adopted by the UNSC. In this chapter we have seen that the USA used aid relief and loans to some of the poor countries as a way of buying their support for war effort in the Gulf war. The Gulf war was successfully fought on the basis of treachery and manipulation of the UN by those countries of the UNSC that are economically powerful. The poor countries in the UN as well as those who are temporary members of the UNSC became victims of this treachery and manipulation. For example, the USA and UK had their own national self-interests in post-Saddam Hussein Iraq. Thus one finds that a tragic and catastrophic event of 11 September 2001 which led to a situation whereby thousands of lives were lost in a horrific terrorist activity was later on used by the USA and UK to accomplish their long term economic ambition of controlling Iraq oil.

In the aftermath of September 11, 2001 it was claimed by USA and UK that Iraq possessed weapons of mass destruction (WMD). Whilst in his State of the Union address in January 2002, President Bush junior had mentioned that these countries that were an axis of evil (North Korea, Iran and Iraq), Iraq got the greatest attention in his speech when he described it as follows,

This is a regime that has already used poison gas to murder thousands of its own citizens - leaving the bodies of mothers huddled over their dead children. This is a regime that agreed to international inspections - then kicked out the inspectors. The dander from Saddam Hussein was that 'Secretly, and without fingerprints, he could provide one his hidden

weapons to terrorists, or help them develop their own” (Cited in Rai 2003: 24).

Rai argued that we should read Bush’s thought as making a transition from targeting terrorism to Iraq as the main target. What this implies that all along Iraq was the main target for attack and not terrorism as such. He writes, “11 September was a low-technology attack involving a group of 19 non-Iraq hijackers. No weapons of any sort appear to have been passed to the hijackers from any state. The attacks did not involve the use of chemical, biological or nuclear weapons” (Rai 2003: 24).

Treachery and manipulation of the UN and UNSC involved lying. For example, the then USA Secretary of State, Colin Powell gave a speech to the UN on Iraq whereby the main aim of that speech was mainly based on an allegation that Iraq had weapons of mass destruction, and that it was involved in terrorism, a reality that was in contravention of Resolution 1441.<sup>45</sup> In this speech, Powell had this to say,

The material I will present to you comes from a variety of sources. Some are U.S. sources. And some are those of other countries. Some of the sources are technical, such as intercepted telephone conversations and photos taken by satellite. Other sources are people who have risked their lives to let the world know what Saddam Hussein is really up to. I cannot tell you everything that we know. But what I can share with you, when combined with what all of us have learned over the years, is deeply troubling. What you will see is an accumulation of facts and disturbing patterns of behaviour. The facts on Iraqis’ behaviour – Iraq’s behaviour demonstrate that Saddam Hussein and his regime have made no effort – no effort – to disarm as required by the international community. Indeed, the fact [is that] Iraq’s behaviour show that Saddam Hussein and his regime are concealing their efforts to produce more weapons of mass destruction. My colleagues, every statement I make today is backed up by

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<sup>45</sup>On November 8, 2002 the UNSC unanimously adopted Resolution 1441 (2002) in which it was stated that Iraq remained in breach of UN resolutions. This resolution stipulated that Iraq “shall provide...a currently accurate, full, and complete declaration of all aspects of its programs to develop chemical, biological, and nuclear weapons, ballistic missiles, and other delivery systems by September 8” (Browne 2003: 4). In a 12 000 pages document Iraq declared all its weapons according to the requirements of SCR 1441 but its declaration was not believed by the US and the UK. Thus Powell insisted that Iraq was not complying with SCR 1441. The US and UK will later on abandon the idea of having another SCR on Iraq and Bush issued an ultimatum that Saddam Hussein should leave Iraq (see Malone 2006: 332-333).

sources, solid sources. These are not assertions. What we're giving you are facts and conclusions based on solid intelligence (*Washington Post* 2003).

In the light of the above speech we can deduce that Powell was telling the UN that the US knows better about the Iraq situation than the UN itself. The question that arises is: Why was the UN not participating in this project of monitoring Iraq's weapons instead of being a USA project to be reported to the UN? Many scholars have argued that most of Powell's claims made in this report could not be substantiated. Here we have a good example whereby a multilateral organisation is being used unscrupulously to give legitimacy to national self-interest of USA - that is to go to war against Iraq. Powell went on to allege that Iraq was hiding its weapons as well as the documents that outlined its nuclear programme. However, his main aim in this speech was to validate the unproven claim that Iraq was violating Resolution 1441; hence a war aimed at destroying Iraq's weapons of mass destruction should be wedged against it. But as we have seen previously, the post-Gulf war against Iraq was aimed at achieving other purposes that had nothing to do with the existence of WMD in Iraq. Powell went to say that,

Numerous human sources tell us that the Iraqis are moving, not just documents and hard drives, but weapons of mass destruction to keep them from being found by inspectors. While we were here in this council chamber debating Resolution 1441 last fall, we know, we know from sources that a missile brigade outside Bagdad was disbursing rocket launchers and warheads containing biological warfare agents to various locations, distributing them to various locations in western Iraq. Most of the launchers and warheads have been hidden in large groves of palm trees and were to be moved every one to four weeks to escape detection (*Washington Post*, 2003).

In the light of the above quotation, the demonization of Iraq was being made as part and parcel of a reflection on Resolution 1441. The passing of this Resolution proved to be the UNSC's fatal mistake because it leaved the door wide open for the undermining of Iraq's sovereignty, thus leaving it vulnerable to military attacks by other countries. Why is it that there was such a rigid belief that Iraq should abide by Resolution 1441 when Israel,

apartheid South Africa and colonial Rhodesia have never abided by all the UNSC resolutions that were passed against them? Most of these countries had WMD such as biological weapons and have used them against their opponents from time to time and yet no military action was meted against them. Here we can deduce that a the UN Charter concept of 'a threat to world peace' is taken seriously when a country or an individual leader has stood their ground against Western and USA interests. Thus deceit, lies and manipulation of the UN General Assembly and the SC are mechanisms that can be applied in the pursuit of the realisation of these interests. This practice has greatly undermined the credibility of UN and that of its SC, especially when one takes into account that when United States of America(USA) and Britain invaded Iraq there was no Weapons of Mass Destruction(WMD) that was found and that this war against Iraq has destabilised Iraq politically and economically up to the present day. Rai puts it more pragmatically when he said that,

The real 'sinister nexus' is not between states such as Iraq and loose networks such as al-Qaeda, but between imperial powers such as the United States and Britain, and their clients, such as Colombia, Turkey and Israel, who are granted diplomatic cover and material support as they carry out brutal campaigns against those regarded as powerless and unimportant." (Rai 2003: 32-33).

It is within such observations that we can easily infer that the moral credibility of the UN and UNSC was deliberately undermined through the propagation of falsehoods. It is common knowledge that after the United States of America and Britain's unilateral war against Iraq, the country has remained in a state of low intensity civil war which is claiming thousands of civilian innocent lives everyyear. Obviously the USA and Britain unilateral war against Iraq has created a situation of unprecedented threat to peace and security in the world. One would have expected that as members of the United Nations Security Council responsible for safeguarding world peace they should have been in the position to foresee. The idea that some members of the UNSC act in ways that pose a threat to peace and security in the world can be supported by the UNSC resolutions on Libya.

#### **4.4 The UNSC and the Tragedy of Libya**

However, another example where the manipulation of the UNSC Resolutions has occurred can be seen in what happened in Libya in 2011. It is common knowledge that Libya had had a tempestuous political relationship with the West and the United States of America. A cursory view of the history of Libya bears testimony to this claim: from 1912 to 1942 Libya was a colony of Italy and from 1943-1945 it came under the British and French military occupation. On 21 November 1949 the United Nations promulgated a Resolution 289 (IV) in which the General Assembly stipulated that “the trust territory known as Tripolitania, Cyrenaica, and Fezzan would become, as of 24 December 1951, a sovereign, independent country with the historical name Libya”. However, it was under the British influence that Libya became a constitutional monarchy under the emir of Cyrenaica, Muhammad Idris as-Sanusi who was later proclaimed King Idris I. This King “granted military bases to the UK and the United States and guaranteed oil concessions to foreign companies. When the parliament, in 1964, enacted legislation abolishing foreign military bases, it was dissolved”. Colonel Muammar Qaddafi led a military coup that overthrew the king in 1969. It was in 1970 that the military personnel of the United Kingdom and the USA were withdrawn from Libyan bases. The advent of Qaddafi in political office resulted in the nationalisation of the British Petroleum Company’s assets and “followed by the nationalisation, on 3 September 1973, of 51% of all foreign oil companies operating in Libya” (Osmańczyk 2003: 1320; Pakenham 1991: 673-674).

A series of events that followed after Qaddafi’s assumption of office clearly demonstrate that his Anglo-American relations have perpetually remained tumultuous. A former SAS operative in the then Rhodesia has stated it that just after Qaddafi had come into political office the United Kingdom and United States of America secrete agencies were given a mission to assassinate Qaddafi in as early as 1970 (Stiff 2011: 57-61) – a plan that never materialised for reasons which the author could not explain. Acts of

aggression against Libya are also abundant since relations between Libya, the United States of America and the United Kingdom remained strained since Gaddafi's assumption of political power through a coup-d'état. For example, in April 1981 the USA shot down Libyan jet fighters in the Gulf of Sirte. The United Kingdom terminated diplomatic relations with Libya after accusing Libya of bombing Libyan dissidents in the United Kingdom. The United Kingdom accused Libya of supporting Irish Republican Army with weapons. Libya rejected the request that was made by United Kingdom to hand over Libyan nationals who were accused of the bombing of Pan Am Flight over Lockerbie, Scotland. In 1986 the United States of America ordered air strikes against Libya on the allegation that it was supporting international terrorism. It also bombed Libya and its targets were Tripoli and Benghazi. The United States of America also severed economic relations with Libya. As if that was not enough, the USA later on accused Libya of manufacturing chemical weapons. Another member of the United Nations Security Council who had a dispute with Libya was France. She accused Libya for planning the destruction of a French commercial aircraft over Niger in September 1989 (Osmańczyk: 1322). All these events do show that a vendetta existed between Libya, United Kingdom, United States of America and France. Later on, the UNSC imposed sanctions on Libya despite of these historical disputes that existed between Libya and this trio. However, on the grounds of natural justice<sup>46</sup> one would have expected that since Libya had an historical dispute with the three members of the UNSC, these members should not have participated on the deliberations about Libya because the complainants cannot be judges in a case in which they have vested interests.

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<sup>46</sup>Natural justice means that "there are some qualities and values inherent in the very concept of law, as opposed to arbitrary decision-making, and that individuals should be able to claim certain basic protections in the legal system regardless of whether they are specifically given those protection by the statute". The concept of natural justice is also based on the idea that each party to a dispute has a right to be heard, and that the judge to the case should not have interest in the outcome of the case – *nemo iudex in parte sua* (Robertson 1993: 337). However, in the case of Libya, there was a blatant violation of natural justice because the majority of the members of the UNSC have had a history of a perennial conflict with the Libyan government of Gaddafi. In the unfolding of events in Libya, the vested interest of USA, France and UK was to have the government of Gaddafi removed from power. Also, the UN Resolution 1973 which authorized the enforcement of a no-fly zone by willing states and regional groupings was a violation of natural justice because those who had the capability of enforcing the no-fly zone in Libya was the USA her NATO allies – Gaddafi's Libyan government traditional enemies.

In the light of the above political developments, one can perfectly understand why Libya refused to comply with most of the UNSC Resolutions (Res. 731 1992, Res. 748 1992). In its dispute with the UNSC, Libya suggested that the suspects of the bombings should be tried in a third world country or in The Hague because it felt that if they were to be tried in the USA or Scotland they would be denied justice. Libya's refusal to hand over the suspects can be justified because the UNSC failed to observe the principle of fairness because it allowed the members (United Kingdom, France and United States of America) to the dispute to deliberate and pass resolutions on Libya instead of excusing themselves from debating an issue in which they were a part to the dispute. The Libyan conflict with some of the members of the UNSC brings into sharp focus whether justice and fairness are valued in its modus operandi. Is justice valuable within a multilateral organ of the UN? Or is justice only relevant within the political domain of a nation-state? The point being made here is that the principles of justice and fairness are compromised in the UNSC because of the practice double standards within this organ of the UN.

It can be deduced from the above cursory history of conflict between Libya, the Western countries and the USA, that a grudge against Gaddafi's government already existed among the majority of the members of the UNSC Permanent 5. When the Libyan government attempted to control civil unrests of 2011, the UNSC acted against the government of Gaddafi in a way that radically undermined Libya's sovereignty. The UNSC passed Resolution 1973 (2011) which stated that there should be a no-fly zone in Libya. The pretext for implementing such a no-fly zone was to protect civilians.<sup>47</sup> Thus the Resolution reads;

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<sup>47</sup>Some scholars have maintained that if a particular country fails to protect its citizens it forfeits its sovereignty to the international community. Amitai Etzioni says that the modern debate on sovereignty is based on sovereignty as responsibility: This author writes, "The new duty to protect hardly favors wanton interventions, but it does lower the legitimacy of independence and increase that of intervention. „Sovereignty“ becomes an internationally shared responsibility, and national sovereignty a privilege dependent on the fulfillment of responsibilities". Also, the duty to prevent genocide and WMD "goes beyond these specific measures to create a general normative justification for intervention in rogue states that possess and spread WMD" (Etzioni 2006: 75-76). However, the question that can be raised in this type of reasoning is that in international relations or within

*The Security Council,*

*Recalling its resolution 1970 (92011) of 26 February 2011,*

4. *Authorises* Member States that have notified the Secretary-General, acting nationally or through regional organisations or arrangements, and acting in cooperation with the Secretary-General, to take all necessary measures, notwithstanding paragraph 9 of resolution 1970 (2011), to protect civilians and civilian populated areas under threat of attack in the Libyan Arab Jamahiriya, including Benghazi, while excluding a foreign occupation force of any form on any part of Libyan territory, and requests the Member States concerned to inform the authorisation conferred by this paragraph which shall be immediately reported to the Security Council;
5. *Recognises* the important role of the League of Arab States in matters relating to the maintenance of international peace and security in the region, and bearing in mind Chapter VIII of the Charter of the United Nations, requests the Member States of the League of Arab States to cooperate with other Member States in the implementation of paragraph 4.
6. *Decides further* that the ban imposed by paragraph 6 shall not apply to flights whose sole purpose is humanitarian, such as delivering or facilitating the delivery of assistance, including medical supplies, food, humanitarian workers and related assistance, or evacuating foreign nationals from the Libyan Arab Jamahiriya.  
(S/RES/1973(2011)).

The idea of implementing a no-fly zone in Libya was something which was done before as we have seen in the case of Iraq. The concept of no-fly zone is a euphemistic term that implies direct military intervention or foreign invasion of a sovereign state. The SC authorised member states and the Arab League to enforce a no-fly zone.<sup>48</sup> However, this delegation of authority to

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multilateral institutions, who provides the judgement on whether a particular country was protecting its citizens or not? In the light of the examples that have been given with reference to Iraq and Libya, foreign military interventions against these sovereign states have created chaos and low intensity warfare. The military intervention into Libya by NATO under the auspice of UNSC Res/1973 did result in the death of civilians more than what has ever happened under the government of Gaddafi.

<sup>48</sup>Danesh Sarooshi observed that in accordance with Chapter VII of the UN Charter, the UNSC “has the competence to delegate its...powers to UN Member States and can do so either by means of a decision or recommendation. In either case there is no obligation on States to take up this delegation of powers”. Sarooshi went on to argue that, “There are inherent dangers in the practice of the Council delegating Chapter VII powers to Member States. The main danger is that those Member States will exercise the delegated powers to achieve their own national-interests and not that of the UN”. From what we have seen so far in this chapter on Iraq, Member States such as the USA and UK ended up abusing those SC delegated powers to pursue their own national self-interests. Such a behavior does undermine the moral legitimacy of the SC. Sometimes the delegated powers are used by Member States to overthrow the government of the intervened state. Whilst the SC did not authorize the

Member States by the SC created a situation whereby the moral credibility of the SC became highly questionable especially when one takes into account the fact that NATO countries did not only enforce the no-fly zone, but they actively went on a bombardment campaign against Libya's military installations in way that made it impossible for the Libyan government to enforce law and order within its boundaries. The enforcement of no-fly zone carried with it the arming of rebels who were fighting on the ground against Libyan forces. In the unfolding of events, NATO's aim was to overthrow President Gaddafi's government, not to protect civilians. Seumas Milne, a *Guardian* newspaper correspondent argued that "if the purpose of western intervention in Libya's civil war was to 'protect civilians' and save lives, it has been a catastrophic failure". Milne's argument is that more innocent civilian lives were lost on the hands of both the rebels and NATO's air strikes (Milne 2012: 238-239). He went on to say that,

What is now known, however, is that while the death toll in Libya when NATO intervened was perhaps around 1, 000-2000 (judging by UN estimates), eight months later it is probably more than ten times that figure. Estimates of the numbers of dead over the last eight months - as Nato leaders vetoed ceasefires and negotiations - range from 10, 000 up to 50, 000. Of those, unaccounted thousands will be civilians, including those killed by Nato bombing and Nato-backed forces on the ground. NATO has not protected civilians in Libya - it has multiplied the number of their deaths, while losing not a single soldier of its own (Milne 2012: 239).

In the light of the above observation we can deduce that NATO's mission was not to save the lives of Libyan civilians, but to depose Gaddafi from power and put in place a government of their own choice. Milne argued that the Libyan war allowed western countries and the USA to

Put themselves at the heart of the upheaval sweeping the most strategically sensitive region in the world, and secure valuable new commercial advantages in an oil-rich state whose previous leadership was at best unreliable. No wonder the new British defence secretary is telling businessman to 'pack their bags' for Libya, and the US ambassador in

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overthrow of Gaddafi from power, the delegated Member States ended up doing so outside the given mandate of enforcing the no-fly zone (Sarooshi 2000: 153).

Tripoli insists American companies are needed on a 'big scale' (Milne 2012: 249-240).

In the light of the above observation it can be argued that the UNSC actually acted in such a way that its Resolution (1973) that stipulated 'a no-fly zone' in Libya actually destroyed peace and security among the Libyan people. The main motivating factor among the implementers of the 'no-fly zone' was to depose Gaddafi, and not necessarily the protection of civilian lives, but the promotion of western and USA future access to the vast Libyan oil wells which Gaddafi had previously refused them access to. Milne ended with a remark to the effect that, "What the Libyan tragedy has brutally hammered home is that foreign intervention doesn't only strangle national freedom and self-determination - it doesn't protect lives either" (Milne 2012: 240). Here again, one is confronted with the issue of double standards because the protection of 'no-fly zone' had another objective which had nothing to do with protecting lives of civilians as purported by Resolution 1973. From my military experience, air bombardment is usually indiscriminate because a bomb cannot discriminate between soldiers and civilians.

In this example of Libya we can deduce that powerful countries can always ignore the sovereignty of poor countries in pursuit of their own national interests. Francis Deng et al proffered the argument that the issue of sovereignty was not an absolute, but was based on the ability of a particular country to protect its own citizens. As they put it, "A government that allows its citizens to suffer a vacuum of responsibility for moral leadership cannot claim sovereignty in an effort to keep the outside world from stepping in to offer protection and assistance" (Deng et al 1996: 33). In this regard, sovereignty is tied up with a particular country's ability to protect its citizens. In the case of Libya, western powers did not invade Libya with the intention of protecting Libyan citizens; rather the intention was to remove the government of Gaddafi from power. Up to now the ouster and execution of Gaddafi has left Libya in a state of low intensity warfare. Deng et al's argument against sovereignty can be countered by empirical evidence that

shows that outside intervention in a sovereign state has always created a power vacuum. The cases of Libya and Iraq are examples that go against Deng et al's argument against sovereignty.

The Libyan war demonstrates the UNSC's catastrophic failure in maintaining peace and security in the world. This instance has raised the issue of the moral integrity of the UNSC as a UN organ that is entrusted with the mandate of protecting world peace. The idea of passing a resolution aimed at protecting civilian lives and at the same time passing resolutions that endanger those very lives does set a dangerous precedence to any resolutions that will be passed by this UN organ that purport to protect lives. The inhumane treatment and execution of Gaddafi in the hands of the NATO sponsored rebels was yet another demonstration that the whole NATO mission was mainly aimed at killing Gaddafi. However, the most plausible action as to why the UNSC acted in a manner that it did can only be found in the presumption that the intervening Member States were only motivated by national interests in their pretence to enforce the 'no-fly zone'. In other words, the behaviour of NATO demonstrated that its actions in Libya had nothing to do with enforcing a no-fly zone that would protect civilian lives as provided by the UNSC Resolution 1973, but to put in place a new government of their own after the overthrowing of Gaddafi from power. Obviously NATO's military actions in Libya had nothing to do with the provisions of UNSC Resolution 1973.

#### **4.5 Concluding Remarks**

This chapter was aimed at showing how the UNSC has demonstrated its pre-commitment to double standards when undertaking its UN mandate of protecting peace and security to the world. To a great length I discussed how the UNSC's resolutions were ignored by Iraq during the Iran-Iraq war. During this period Iraq was the most favoured country by USA and its western allies. When Iraq later on invaded Kuwait they decided to enforce a resolution that authorised the use of force and sanctions against Iraq. We have seen that a UNSC Resolution that stipulated that Iraq should be removed from Kuwait

by force was enforced by the coalition forces in a way that carried intrusive measures that to a great extent violated Iraq's sovereignty. The post-Gulf-War era resulted in the fabricated accusation from the USA and UK that Iraq had WMD. This false accusation later on led the USA and UK to attack Iraq and finally overthrow Saddam Hussein from power. It was argued that up to today Iraq has not known security and peace and that many thousands of civilians are dying daily from bomb attacks. We deduced that the Gulf-War and the post-Gulf War against Iraq was mainly motivated by the need to have access to Iraq's oil. The Resolution called Oil For Food (OFF) was aimed to achieve this clandestine objective.

Lastly, I also discussed the tragedy of Libya, a country in which the UNSC authorised military intervention under the guise of no-fly zone. The concept of no-fly zone is a euphemistic concept which was used by the UNSC Member States to overthrow sovereign governments, usually under the guise of protecting civilians. I have given a brief historical account that showed that those UNSC countries (USA, UK and France) that deliberated on Libya within the SC were supposed to recuse themselves because they had a long history of conflict with Libya. In this regard the UNSC's commitment to international justice was questionable. This observation raised the issue of whether nations do share a common moral commitment to justice and fairness. In the light of this observation it was argued that the moral legitimacy of the UNSC is highly questionable. My main argument in this section was that the enforcement of no-fly zone was intended to achieve purposes that had nothing to do with the protection of peace and security among the Libyan people. In support of this argument, it was observed that many civilians died after NATO enforcement of the UNSC no-fly zone than when Gaddafi's government was controlling civil unrest. Scholars argued that NATO countries that enforced a no-fly zone in Libya were merely interested in pursuing their own national interests than the enforcement of UNSC Resolution 1973. In chapter 5 I shall attempt to determine how national self-interests of the P5 members of the UNSC contribute to double standards in the modus operandi of the SC. There is a

strong presumption that the UN and its SC must work in a way that fosters the well-being of all member states.

## CHAPTER FIVE: THE CONTRIBUTION OF NATIONAL INTERESTS TO THE ETHIC OF DOUBLE STANDARDS IN THE UNSC'S MODUS OPERANDI

### 5.1 Introduction

In chapter 3 and 4 we have seen that national interests play a vital role in the way Member States of the UNSC come to make their decisions. We have seen that the invasion of Iraq was fuelled by the USA's need for access to cheap oil. The reasons that were provided at the UNSC - that Saddam Hussein had weapons of mass destruction were a lie that was used to justify the invasion of Iraq by the USA and her allies. The invasion of Iraq was not about for the liberation of the Iraq people, but it was aimed at getting an opportunity to drain Iraq's oil. The looting of Iraq's oil came in the form of a UNSC's easing of economic sanctions against Iraq through a programme which was called Oil For Food (OFF). This OFF was a scandal that was sanctioned by the UNSC. We have also seen that NATO's invasion of Libya was equally motivated by the need to have access to Libya's vast oil reserves after the overthrowing of Gaddafi from power.

National interests prompted some Member States of the UNSC such as the UK and USA to attack Iraq in 2003 without the authorisation of the UNSC. When Iraq invaded Kuwait they were among those who strongly appealed for the need for a multilateral military action against Iraq. However, when they failed to get another resolution that would allow them to disarm Iraq they decided to bypass the UNSC and went to war against Iraq as a coalition. From the actions of UK and USA against Iraq we can deduce that these countries used the powers given to the UNSC for their own selfish national interests and when their national interests were not recognised, they violated international law which forbids the invasion of a sovereign state without the authorisation of the UNSC. The USA and UK are among the prominent members of the UNSC who should be part of the UNSC collective that is delegated by the UN Charter with the mandate to enforce the observation of international law among member states. Their failure to observe international law was a further demonstration that national self-interests are

pursued by UNSC Member States in a way that does not take into account any sense of obligation and duty to fostering the common good for the multinational community. As we shall see in this chapter, such behaviour will provide us with a rational explanation on why the ethics of double standards are inseparable to the modus operandi of the UNSC.

In the sphere of politics as in economics, the idea of acting in a way that promotes one's personal self-interest or one's national interest is regarded as an expression of rational behaviour. But the problem that inheres in the idea that a country should always act or relate in a way that always promotes its own national interests discounts the idea that nations have a concern for the wellbeing of other nations. In this type of thinking the acceptable rational conclusion is that nation B can only have a sense of concern for the wellbeing of nation A only on the condition that nation A acts in a way that promotes the national interests of nation B. In this chapter I aim to demonstrate that this type of thinking is integral to the rationale of double standards in the UNSC. It is a type of thinking that discounts the possibility of a shared morality or values among members of the UNSC. Since the main objective of this chapter is to demonstrate how national self-interest contributes to the ethic of double standards in the UNSC, the chapter will be structured as follows: The first section will be an historical discussion of national interest with reference to interstate relations. In the second section I shall go on to discuss how national interests have been pursued within multilateral organisations such as the UNSC and the dovetailing consequences to the promotion of world peace and security. The third section will consist of a discussion on whether it ethical for a country tasked with a multilateral responsibility of promoting world security and peace to pursue one's national self-interest.

## **5.2 On National Interest in Interstate Relations**

The idea that human beings are self-interested creatures has a long history within the western world. Niccolò Machiavelli (1469-1527) wrote a book called *The Prince* in which he advanced the argument that when ruling

people, a ruler was not supposed to be constrained by moral considerations. Machiavelli's theoretical outlook towards politics is popularly known as sceptical realism. Within the Machiavellian theory of sceptical realism, politics can best be described as 'the art of the possible' whereby lies and murder are permissible if they can be employed to attain the desired political ends. Machiavelli had an amoral outlook towards human nature in which he understood it to be originally evil, hence amoral. With regards to promises, Machiavelli said that a good ruler should never "honour his word when it places him at a disadvantage and when the reasons for which he made his promise no longer exist". His scepticism towards human nature comes out more poignantly when he states that, "If all men were good, this precept would not be good; but because men are wretched creatures who would not keep their word to you, you need not keep your word to them" (Machiavelli 1961: 100). Within this Machiavellian sceptical realism, all those abominable human character qualities such as cruelty, lying and deceitfulness, just to mention a few, should be the source of guidance to the ruler. According to Machiavelli's theory of sceptical realism the ruler and the people who are ruled were basically self-interested or egoists. Underlying the theory of sceptical realism is the presumption that human nature is evil; therefore an effective ruler has to rule in accordance with the dictates of this evil human nature.<sup>49</sup>

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<sup>49</sup>Our human relationships, social, economic and religious structures which we establish in our societies are usually based on some salient presumptions about human nature. For example, the predominant western classical view of human nature that was espoused by economists and philosophers was based on the presumption that human nature was evil or amoral. What entails is that when dealing with human beings one has to suspend morality and all moral evaluations. In economic liberalism the main motif is that the good things which society enjoys are usually the products of our vile human nature – in the sense that individual self-interest promotes the common good though not intended. The debased outlook towards human nature which emanates from the west has dominated the world's interstate relations, especially when one takes into cognizance the fact that most of the time states are presented as individuals. But this western view of human nature is not universalisable because other societies such as African societies human nature is actually celebrated as the pinnacle of goodness which flourishes on the basis of belongingness. For example in Africa south of the Sahara, *Ubuntu*-Zulu/Xhosa/Ndebele or *Unhu*-Shona is regarded as the dominant quality of human nature. The main reasoning in this ontology is that someone with *Ubuntu/Unhuis* endowed with a sense of concern for others (Mandeville 1924; Smith 1976; Ramose 1991; Kamwangamalu 1999; Samkange and Samkange 1980).

### 5.2.1 National Interest as an antithesis to Morality among Nations

The western political theory of liberalism evolved around the idea that human beings were solely self-interested creatures by virtue of the fact that they were not originally endowed with a sense of promoting the common good in their social relations. The theory of sceptical realism was also advanced by Thomas Hobbes in his book, *Leviathan*. In this book, Hobbes advanced the thesis that human social existence was basically a contract and that it was this contractarian nature of our human existence that helps us not to kill each other. For Hobbes, the main responsibility of the government or the sovereign was to enforce contracts. These contracts were only relevant within the nation state which is a sovereign. Hobbes maintained that the principles of law and order are only intelligible and plausible within the realm of a nation state because of the existence of a common power or a ruler. As he put it,

For the laws of nature, as *justice, equity, modesty, mercy*, and, in sum *doing to others, as we would be done to*, of themselves, without the terror of some power, to cause to be observed, are contrary to our natural passions, that carry us to partiality, pride, revenge, and the like. And covenants, without the sword, are but words, and of no strength to secure a man at all. Therefore notwithstanding the laws of nature, if there be no power erected, or not great enough for our security; every man will, and may lawfully rely on his own strength and art, for caution against all other men (Hobbes 1967: 129).

In the light of the above quotation, Hobbes was advocating a sceptical outlook towards human nature in the sense that he argued that abiding with morals presupposed the existence of a terrifying power. Hence, without the existence of this terrifying power, societies can easily descent into anarchy. For human beings to abide by their contract, Hobbes maintained the use of brutal force was indispensable. Without the use of brutal force, society would disintegrate into chaos. It was part of human nature that there is always disagreement. Whilst other creatures are naturally predisposed to agreeing with each other, the agreement among human beings “is by covenant only, which is artificial; therefore it is no wonder if there be somewhat else required, besides covenant, to make their agreement constant

and lasting; which is a common power, to keep them in awe, and to direct their actions to common ends” (Hobbes 1967: 131-132). In other words, our human existence is something that is artificial in the sense that it is based on covenants which are to be enforced by an all controlling power. Human beings were originally violent creatures who are only interested in pursuing their private self-interests. In the light of the above assertion, Hobbes went on to say that the issue of a common covenant among different nations was illusory because, “The notions of Right and Wrong, Justice and Injustice, have no place. Where there is no common Power, there is no Law, no injustice. Force and Fraud, are in War, the two Cardinal virtues” (Hobbes 1967: 139). This Hobbesian philosophical dictum has influenced the modus operandi of countries of the Anglo-American political tradition. In *Leviathan* Hobbes propounded a theory whereby international relations are only based on anarchy.<sup>50</sup> In other words, there is no nation which is concerned with the wellbeing of another nation, but its own national self-interest. Munyaradzi Murove summed up the Hobbesian theory of international relations as follows,

The salient presumption in this reasoning is that citizens of country *A* are concerned with the wellbeing of country *B* only in so far as the wellbeing of country *B* promotes the self-interest of country *A*. If the perishing of country *B* would promote the self-interest of country *A*, then it follows that it would not be to the self-interest of country *A* to stop country *B* from perishing (Murove 2005: 75).

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<sup>50</sup>Anarchists within the western world advocated the idea that there was no need for government. The main vocal advocate of modern anarchism was Peter Kropotkin, a Russian prince by birth and an explorer. Against social Darwinist, Kropotkin maintained that “nature favors cooperation, not competition, and that the natural result of the demise of strong government is not necessarily chaos” because “if freedom, justice, and equality were to be restored, private property and its ally, the state, had to be destroyed”. For Kropotkin, all the state institutions were artificialities that actually perpetuate the destruction of individual character. He writes, “Have not prisons – which kill all will and force of character in man, which enclose within their walls more vices than are met with on any other spot of the globe – always been universities of crime? Is not the court of a tribunal a school of ferocity? When we ask for the abolition of the State and its organs we are always told that we dream of a society composed of men better than they are in reality. But no; a thousand times, no. All we ask is that men [sic] should not be made worse than they are, by such institutions” (see Carroll et al 1962: 226-229). Fundamental to Kropotkin’s theory of anarchism was a strong belief that human beings are originally communal by nature. He avers, “That is why Collectivism has never taken hold of the masses, who always come back to Communism – but a Communism more and more stripped of the Jacobin theocracy and authoritarianism of the forties – to Free Communism – Anarchy” (Ibid).

In the light of the above quotation we can deduce that national self-interest eliminates the possibility of the existence of altruism in international relations. Whatever help which is given from country *A* to country *B* has to be seen as another way in which country *A* is pursuing its own national self-interest. The element of anarchy inherent in national self-interest cancels the possibility of the existence of common morality among nations. In similar vein, Mary Maxwell summarised Hobbes' view of morality among nations as follows: For morality to exist between nations, certain features such as power and compliance must also exist concurrently. These features do not exist in relations between nations, therefore we cannot have morality in international relations because there is no common power that can enforce the rules (Maxwell 1990: 11-12; see Hobbes 1967: 65).

As we shall see later on, the theory of nation-state sovereignty is also based on the idea that since nations do not share the same moral values, it is impossible to have a common power that rules all nations of the world.<sup>51</sup>Nations such as USA, and USSR and China to a lesser extent are in the forefront in the manufacturing of the most lethal weapons in the world. For example, the armoury manufacturing companies within these countries make lots of profits by supplying arms to warring parties across the globe. Recently we have seen a vicious war that is currently going on in Syria. It is a proxy war which is being fought by the bandits on behalf of NATO and the USA. Other media companies are reporting that some of the armed men whom the USA, UK and France are describing as 'Free Syria Army' are actually hired mercenaries from all over the world. There are no Syrian citizens who are participating in these banditry activities. It is also alleged that these mercenaries are being sponsored mainly by the members of the

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<sup>51</sup>The quest for a common power is related to the ancient history of conquest whereby one nation conquered another nation for the sake of national glory. British colonialism should be seen as an historical episode whereby the British wanted to be the *Leviathan* of the world. The revolt against British colonialism all over the world showed that human beings are endowed with a natural urge to rule themselves within their own territories. David Held and Mathias Koenig-Archibugi observed that the current unipolar system of power which is enjoyed by the USA shall come to pass and be "replaced by a multipolar international system, in which a limited number of states will cooperate and compete with an eye to preventing any of them from gaining or retaining the upper hand . Empires come and go" (Held and Koenig-Archibugi 2004: 7-8).

SC such as USA, UK and France. Despite the enormous loss of human life as a result of this sponsored conflict, these members of the SC have come out publicly that they were going to sponsor the mercenaries in Syria with more sophisticated weapons. The ability to supply weapons that can be used in taking lives of innocent civilians in other countries is yet another example that shows that nations do not regard the humanity of others as valuable in comparison to their own. A practice of double standards in this regard is a demonstration of the existence of amorality among nations.

When it was alleged that chemical weapons were used in this Syrian conflict, the UN investigated and found out that the rebels had actually used them. On the other hand, the USA and UK insisted that it was the Syrian government which used chemical weapons. Thus refusing to accept the UN's finding. This chemical weapons allegation was intended to make the UN believe that Syria had weapons of mass destruction and needed to be disarmed. The same lie was used against Saddam Hussein as a justification for USA and its allies' invasion of Iraq. Some conflicts in many parts of Africa have been going on for decades. Here what comes to mind is the UN Charter which stipulated that Members of the Council shall do everything to maintain world peace and security.

The behaviour of UNSC members towards the post-Gulf-War has put in focus the dark side of pursuing parochial national self-interest under the aegis of democracy being used to destabilise governments that are perceived to be anti-USA and Western hegemony. In the history of western modern philosophy, the idea that nations should always pursue their own national self-interests in their relations with other nations has militated against the idea that nations should be altruistic towards each other. In fact the argument that nations do behave in a way that is amoral towards each other seems to be irrefutable, especially in the light of the behaviour of USA and its allies in the Middle East.

Friedrich Nietzsche advanced a philosophy that was mainly on “a belief in the ruthless struggle for power” whereby he “rejected sympathy for the weak in favour of a willingness to trample on them”. As for Nietzsche, everything that exists is propelled by what he called, “the will to power”. Nietzsche maintained that people are endowed with the capacity of becoming what they want to be. For this reason, “Moral restraints on self-creation are the result of self-deception. The idea of loving your neighbour is a disguise for mediocrity. People [who are] too weak to override others disguise their weakness as moral virtue, though this may be a necessary state on the way to something higher...the bad conscience is an illness, there is no doubt about that” (Glover 1999: 11-16). Morality was thus regarded as dangerous by Nietzsche because it is used by the weak to charm the strong. An argument which is usually put across by ethicists against amoralism is that a genuine morality should be other regarding or altruistic.

The most prominent figure in the school of realism who was apparently influenced by Nietzsche is Hans Morgenthau. For Morgenthau, politics was about struggling for political power. The determining factor for foreign policy of any state was national interest. In order to avoid the Hobbesian universal anarchy, “peace should be secured by diplomacy” and “where necessary through the threat of force; it is not a gift of heaven, as idealists and utopians suppose, but a by-product of stability and a balance of power” (Küng 1997: 39). For Morgenthau, national self-interest became a mechanism for advancing the power of one’s nation. Powerful nations enter into relations with poor nations based on whether such poor nations support the national self-interest of the powerful nation.

The most vexing question concerning morality in international relations is whether it is possible for us to have morality among states. Here the argument is that since nations do not share the same cultural values and belief systems, they also do not share the same moral outlook or ideals. John Mearsheimer observed that the international system of the world is based on five assumptions on how the world is organised.

1) states are the key actors in world politics and they operate in an anarchic system, 2) great powers invariably have some offensive military capability, 3) states can never be certain whether other states have hostile intentions towards them, 4) great powers place a high premium on survival, and 5) states are rational actors who are reasonably effective at designing strategies that maximise their chances of survival. ...The world still comprises states that operate in an anarchic setting. Neither the United Nations nor any other international institution has much coercive leverage over the great powers (Maersheimer 2010: 349).

The idea of anarchy as that which characterises relationships among states is derived from the idea that nation-states will always relate towards each other in a way that only finds a rational explanation in national self-interest as a survival strategy. Multinational institutions are mostly valued in so far as they help the powerful states to advance their national self-interests at a global scale. Maersheimer observed that, "The United States is the most powerful state in the world and it usually gets its way on issues it judges important. If it does not, it ignores the institution and does what it deems to be in its own national interest" (Maersheimer 2010: 350).

As we have seen in chapter 4, when it suited its own national self-interest, the USA invaded Iraq without the authorisation of the UNSC. It was also shown that the reason that was proffered by the USA for such an invasion was actually based on lies - that Iraq had MWD. In this instance the USA did not feel morally constrained to propagate lies before a multilateral organisation such as the UN and the SC. Some scholars maintain that a plausible explanation with regards to the behaviour of states towards each other can only be found in postulating the prior existence of amorality among states. Mary Maxwell captured this mode of thinking more pragmatically when she retorted that, *the essential, perennial relationship among states is one of competition and self-help, and hence moral considerations are irrelevant*. Another feature of national interest theory is more straightforwardly amoral it says, international relations are characterised by aggression, deceit, and the play of power politics (Maxwell 1990: 11). In this regard, national self-interest reduces relations among

states to power politics. In this power politics, *realpolitik* it is expected that each country should always relate in a way that promotes one's national interest regardless of the means employed theretofore.<sup>52</sup> Maxwell argued that political "realism's emphasis on the national interest would naturally appeal to powerful Western nations, who have nothing to lose by endorsing the realistic status quo as opposed to conjuring up idealistic reforms" (Maxwell 1990: 14).

Maxwell's observation implies that one cannot enter into an intelligible debate on UNSC reform because the national interest theory of political realism will automatically forewarn that such reforms are simply not feasible, especially if such a reform is not to the national interests of the P5. Since the national interest theory is based on the presumption that there is no common power to guard against lawlessness in international relations it is thus argued that such a situation presupposes that international relations can only be anarchical. Maxwell captured the international anarchy theory of international relations as follows,

The international anarchy argument holds that *while the members of domestic societies have formed a social contract with one another and so lived in a civilized manner*, the nations of the world have never formed a contract and therefore continue to act savagely towards one another. According to this view there is no such thing as justice on the world scene, nor is there any overriding authority. Any enthusiasm which a given state may feel about forming relationships with other states should be tempered by scepticism and suspicion towards its neighbour [her italics] (Maxwell 1990: 15-16).

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<sup>52</sup>Realists maintain that the incorporation of morality in international relations would be dangerous to international affairs. Interstate behavior should not be subjected to moral analysis because the purpose of international relations is that "certain forces in the world, or perhaps ultimately in human nature, determine the outcome of international events". Consequently, "[t]his belief naturally devalues any effort to make nations behave ethically" (Maxwell 1990: 14). This way of thinking is actually an offshoot of classical economic liberalism. Within the sphere of economic liberalism, it was argued that society will prosper when individual are left to pursue their self-interests than when government actively decides to promote the common good. Among the classical liberal economists the pursuit of self-interest had nothing to do with our moral commitments and evaluations. One of the ardent proponents of economic liberalism, Ludwig von Hayek advanced the argument that human actions have a tendency of creating consequences which were not originally intended by their actors. Thus the individual pursuit of self-interest brings about a social order that was not intended by the actors (Smith 1976; Hayek 1948).

The anarchy theory of international relations derives from Hobbes' political presumption which was based on the idea that an international government cannot exist because there was no common power. The argument that can be raised by critics of the anarchy theory of international relations is that such a theory sidesteps the fact that nations enter into agreements with each other, and that they do abide by those agreements. Sometimes these agreements are not entered into on state to state basis, but they are entered into on the basis of commerce. Other scholars such as Terry Nardin used the term 'international society' to describe international relations. As he puts it, "The expression 'international society' as it is understood by many writers on international relations refers to the idea of states related to one another in terms of common practices, customs, and rules. Such rules provide the basis for making judgements of just and unjust international conduct" (Nardin 1983: 34). In other words, to talk of international society presupposes the existence of rules and customs that are shared in common by the international community. Nardin went on to say that,

The characterisation of international relations as taking place in a condition of 'international anarchy' is seldom intended to suggest complete disorder or chaos. The expression is more often used to suggest either the unreliability of common rules of international conduct or the absence of international government (Nardin 1983: 35-36).

The reality of the absence of a common government presupposes that there was nothing that binds people of different nationalities. An anarchic situation also implies the absence of common security as that which chiefly characterise international relations. In human existence, an anarchic situation is deemed too frightening in the sense that it endangers the reality of orderliness in human societies. A situation characterised by anarchy presupposes the absence of security. Thus Nardin writes,

Anarchy is a condition of mutual fear. Each power, unable to count on the amity of others, must take steps to protect its own security. It must seek power. But in doing so it necessarily threatens the security of others. The consequence is perpetuation of what has come to be labelled 'Hobbesian fear' or, more commonly, the 'security dilemma', a predicament so

exasperating as to invite resort to desperate measures of escape. Agreements to observe limits on conduct are therefore liable to be undermined as soon as they are made. The rationale of government, on this analysis, is to prevent this from happening. A superior power is required not only to deter and punish those who would exploit for their own advantage the trust of others but to provide assurance to those entering into agreements, and who rightly fear such exploitation, that the terms of their agreements will be enforced and the performance of others guaranteed (Nardin 1983: 39-40).

Here it can be deduced that the idea of an international society is only plausible within a situation where security is experienced as a good that is enjoyed in common by all the citizens of the world. In a situation whereby a particular society has its own security that is not available to everybody in this international society, a situation is obviously created where the international society is engulfed by competition for power. In a world context where states' relations are based on the pursuit of national self-interests, to what extent can the concept of international society be intelligible? Nardin alluded for an answer to this question when he said,

The idea of international society as a system of independent sovereignties within a common framework of rules is, then, one that has long appeared to rest on contradiction and to stand for a form of human association that many observers continue to regard as anomalous. The logic of international society appears to point toward the poles of complete disorder on the one hand and a world state on the other (Nardin 1983: 42).

There is no doubt that the idea of international society is beset with contradictions that cannot be ignored with logical impunity. For example if we admit that states are sovereign entities we are also bound on logical grounds to say that a society can only be understood as such within the boundaries of a sovereign. Outside the realm of a nation-state as a sovereign entity there cannot be any other society. The idea of international society remains untenable because there is no way whereby sovereign states can come up with universal norms to be observed by all. Bertrand Russell argued that the ideal of an international society remains elusive because as distinct societies we are endowed with our own moral codes than cannot be easily be reconciled with those of the others. He writes, "In view of this diversity of

moral codes, we cannot say that acts of one kind are right or acts of another wrong, unless we have first found a way of deciding that some codes are better than others” (Russell 1992: 9). According to Russell, the ideal of international society requires that there should be some shared moral values among peoples of different nationalities. The absence of shared moral values implies that we cannot have international standards which we can use as to determine what is right and wrong. The same observation was thus made by Nardin when he said,

The expression ‘international society’ is thus, strictly speaking, a misnomer. It is not ‘nations’ in the sense of ethnic communities that are associated within it, but states. Yet the notion that nations are the proper units of international society is one that tends to merge with a state-centric conception because statehood has in the past proved to be the only reliable vehicle for participation in world affairs. The principle of national self-determination, which could be taken to mean that each ethnic community or nation should be free to decide its own form of association, has more often been expressed as the claim that each nation should be free to organise itself into an independent state and to participate equally with other states as a member of the society of states (Nardin 1983: 43).

In the light of the above quotation, the ideal of international society is meant to imply nation-states as the actual units of such a society, and not ethnic communities. The rationale here is that nations are the only entities that can participate in international affairs. The concept of nation-state sovereignty gives the state the full status of being a fully independent member who enjoys the status of equality among other member states. The relations of nation-states are based purely on the pursuit of national self-interests instead of ethnic self-interests. The ideal of international society is not based on individual participation in the affairs of the world, but on nation-state participation in international affairs. However, self-interests remain the insurmountable obstacle towards the realisation of peace and security in the world.

### **5.3 National Self-interests and its Implications to the UNSC's Mission of Promoting World Peace and Security**

National self-interest remains the main challenge to the ideal of international society because, as George Chidyausiku put it, “the five permanent members subordinate the promotion of global peace and security to the national interest. In other words, national interest comes first and global peace and security second”. Chidyausiku went on to say that, “In conflicts in the Middle East the five permanent members of the UNSC have found themselves on opposing sides or supporting opposing States as dictated by their respective national interest which should not happen if they were acting in the interest of world peace” (Written response to questionnaire, 2012). Chidyausiku is emphatically sceptical on the possibility of the UNSC P5 working for world peace. As he puts it, “There is no likelihood of transforming the national interest of the five permanent members into general global interests that will promote world peace and security” (Written response to questionnaire, 2012). In pursuit of the national interests, the P5 have ended up supporting decisions that blatantly show some prior commitment to double standards within the UNSC. In similar vein, T. R. Rupende observed that the P5 “with the veto power can act irresponsibly to protect their allies or their own so called national interests. These countries with the veto power can act irresponsibly to protect their allies or their own so called national interests” (Written response to questionnaire, 2013). If the P5 are using their membership and veto power to advance their national interests it obviously becomes morally problematic in the sense that those who are not among the P5 do see the P5 members as abusing the United Nations for self-serving purposes.

Because of the pursuit of national self-interests among the P5 members, the decisions that are taken in the light of their duties and responsibilities as enunciated in the UN Charter remain unconvincing to the majority of the UN membership. Rupende made the following observation in which he wanted to demonstrate that national interests always creep into the decisions that are made by some of the P5. He avers,

In the case of Israel, the US has a very strong Jewish lobby. In fact both parties, that is, the Democrats and Republicans cannot go against the wishes of Israel in the Middle East conflict. The USA and its western allies on the UNSC usually act together to protect Israeli interests even if that action is at variance with the UN Charter (Written response to questionnaire, 2012).

What makes the pursuit of national self-interests within the immoral UNSC is that such a practice undermines the main objective of the UNSC - upholding peace and security in the whole world.<sup>53</sup> By pursuing their own national self-interests, the UNSC P5 should be seen as abusing the UN and its Charter. On these grounds, Rupende cannot be bettered when he said, "The message should be that the UNSC should be seen to serve the interests of humanity as a whole as it fulfils its role for maintenance of international peace and security in a fair manner" (Written response to questionnaire 2012). It is impossible for someone to profess to be the guardian of the multilateral common good whilst being committed to one's national interest. Some scholars have argued that the UN and its subsidiary organs should be seen as efforts by the world to promote international citizenship. Thomas Weiss made an explicit reference to this ideal when he said that,

The UN Charter clearly enumerates the need for calculations of common interests rather than narrower and purely self-centred mathematics that stop at national borders and entail only zero-sum games rather than win-win possibilities. Persuading states of the logic behind trading their zero-sum for a positive-sum perspective does, however, prove challenging, as does respecting international commitments. For instance, redefining national interests so that eventually genocide will not be a policy option would seem to be in the interest of all, especially because three-quarters of UN member states are signatories of the 1948 Genocide Convention (Weiss 2009: 127).

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<sup>53</sup>In Dr Salim Ahmed Salim's view, the US is the dominant power but more often, the US and the UK work together to some extent France though France at times works on its own and opposes US and UK efforts as was witnessed on the US led intervention in Iraq. The important point to note is that there is sometimes a convergence and divergence of interests within members of the P5. Politically, economically and Security wise (sic) China and Russia may support those regimes that are not necessarily supported by the US, UK, and France. Interview with author, Dar es Salaam, 01 August 2012.

Whilst Weiss acknowledges the prevalence of national self-interest in the UN, he emphasised the need for an all-inclusive national interest that fosters global citizenship. But how can states go beyond national interests so as to foster world citizenship? Some scholars have come up with a two pronged answer to this question. The first answer says that if there is to be global citizenship that can help nations to transcend their national interests, there is an ardent need for nation-states to put less emphasis on nation-state sovereignty and instead put emphasis on world citizenship. In the second answer it is maintained that global power should be evenly distributed instead of having all the power in a single state such as the USA.<sup>54</sup> In the following paragraphs I shall pay attention to the argument that is proffered by scholars against nation-state sovereignty in favour of global citizenship. The first argument is that the idea of nation-state sovereignty tends to overlook the reality of individual dignity because focus is usually put on the state as the only existing entity which is inviolable. This trend of thought is usually undermined by an argument that succeeds in showing that states do intervene in the affairs of each other. For example, we have seen that the USA and its allies intervened into the domestic affairs of Iraq for reasons that were purely self-serving to the national interests of the USA and its allies. The same argument against nation-state sovereignty is also raised in the light of the UNSC authorisation of the no-fly-zone in Libya as a pretext for allowing NATO military attack against Libya. It is thus argued that in a world order that is characterised by weak states and strong states, it is inevitable that those states that are economically strong will always violate the sovereignty of the weak states (Cox 2004: 21-77; Maxwell 1990: 20).

There are some scholars who argue that the current economic power which is enjoyed by the USA globally empowers it to undermine the sovereignty

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<sup>54</sup> In more or less the same context, Ambassador Dr Mohamed O Maundi pointed out that there is need for a new thinking i.e. a paradigm shift. There is need to convince the P5 to be part of this process. Other countries of the globe should be able to convince the P5 that there is need to share the burden of global governance. There is also need to convince the P5 on the importance of coming out with common global solutions to global problems. There is need to have new global spectacles that can serve as lenses to look at new global problems (sic). Interview with author, Dar es Salaam, 01 August 2012.

of poor states at will. Michael Cox argued that the USA sees itself as an empire of the world. He writes,

Any assessment as to whether or not the United States is, or is not an Empire, has to address the problem of perception, or more concretely of how US leaders view America's role and how the world in turn looks upon the United States. It is difficult to make easy generalisations. Nonetheless, it would not be a million miles away from the truth to suggest that most members of the Washington foreign policy elite do tend to see themselves as masters of a larger universe in which the United States has a very special part to play by virtue of its unique history, its huge capabilities, and its accumulated experience of running the world for the past 50 years. This is why the United States, like all great imperial powers in the past, is frequently accused of being 'unilateral' (Cox 2004: 39-40).

In the light of the above quotation, an empire has the power to rule other nations without their concern. From an imperial perspective, other countries are usually valued primarily on the basis of their contribution(s) to the overall policy of the empire. The invasion of Iraq was basically valued in terms of the advantages to be accrued by America from such a military venture, and not on the basis of the future wellbeing of Iraq people and the Gulf region as a whole. Michael Mann's observation cannot be bettered when he said,

The Iraq venture was doomed from the outset by the attempt made by American neoconservatives to create what some of them styled a 'New American Empire'. This exaggerated American powers, made facile historical comparisons with previous Empires, and misidentified the century we live in. So this early twenty-first-century attempt at Empire is failing (Mann 2004: 52).

By presenting itself and acting like an empire the USA ends up violating the sovereignty of other countries. When Iranian Prime Minister Mohammad Mossadegh nationalised all Iranian petroleum "Washington dispatched CIA agent Kermit Roosevelt" who organised street riots and violent demonstrations until Mossadegh resigned and "spent the rest of his life under house arrest". Mossadegh was replaced by a pro-American Mohammad Reza Shah who became an unchallenged dictator (Perkins 2005: 18).

This Iranian episode demonstrated that sovereign governments can be overthrown without any direct military action. Another strategy of overthrowing sovereign states, as John Perkins puts it, was through “the empowerment of international corporations and of multinational organisations such as the World Bank and the IMF. The latter were financed primarily by the United States and our sister empire builders in Europe. A symbiotic relationship developed between governments, corporations, and multinational organisations” (Perkins 2005: 19). Perkins argued that sometimes poor countries are indebted by USA sponsored multilateral organisations such as IMF, World Bank and USAID such that these heavily indebted countries ended up being dictated to by USA on matters of foreign and domestic policy without offering any resistance. Thus a clamour to nation-state sovereignty without economic power remains an empty verbiage because those countries that are economically powerful can easily intervene in the domestic affairs of poor countries militarily and economically. In a nutshell, the argument against the authenticity of nation-state sovereignty is undermined by those scholars whose arguments give precedence to the reality of power relations among states as the determining factor in nation-state sovereignty.

However, another argument against nation-state sovereignty is based on the idea that the very concept of sovereignty is based on the analogy of state and atomic individualism which is embedded in the western liberal society. In the doctrine of atomic individualism it is assumed that the individual has an incorrigible responsibility to self-preservation against any external encroachment. Within the doctrine of atomic individualism it is believed that states are self-sufficient in terms of their potentialities of resources, and that these nation-states can easily function without assistance from other states. It is the concept of self-sufficiency that is shared between nation-state sovereignty and atomic individualism. The doctrine of atomic individualism as it developed in western societies postulates an understanding of an individual as a self-contained and self-sufficient entity who does not need

other people for his or her wellbeing. For example, the doctrine of atomic individualism was well articulated by Ayn Rand when she argued that by nature individuals are self-sufficient beings that do not need to enter into relationships with others. She writes, “There is no such entity as ‘the tribe’ or ‘the public’, the tribe is only a number of individual men. Nothing can be good for the tribe as such; ‘good’ and ‘value’ pertain only to a living organism – to an individual living organism – not to a disembodied aggregate of relationships” (Rand 1967: 20). In the same vein, one finds Samuel Brittan postulating that, “individuals should be regarded as *if* they are the best judges of their own interests, and policy should be designed to satisfy the desires that individuals happen to have” (Brittan 1988: 109). Some scholars argue that the concept of nation-state sovereignty derives its philosophical assumptions from the doctrine of atomic individualism, especially from the assumption that the individual is metaphysically a self-sufficient being who is ontologically insulated from external political and moral interference. The transmutation of atomic individualism to with nation-state sovereignty discounts the fact that nation-states are existentially in perpetually intercourse with each other politically and economically. Some postmodern<sup>55</sup> scholars argue that with the current revolutions in information technology

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<sup>55</sup>The term postmodern literally means after modern. In *The Shorter English Dictionary* the word „modern“ comes from the Latin word, *modo* – which means „just now“. In this light of this definition, we can deduce that each era has its own modernity that differs yet from the modernity of the preceding eras. It is in the light of such a conceptualization of modernity that the term postmodernity is regarded as conceptually implausible because it is impossible to exist in the present and the future at the same time. Existentially what one has is only that which is modern or present. In the history of western societies, the term modernity referred to an era popularly known as the era of Enlightenment – an era in which Western societies revolted against the medieval ways of doing things whereby the Church was involved in all the facets of life. The mentality of this era was also characterized by concepts such as, Liberalism – meaning the philosophy of freedom that was tied up to the idea that the individual should be left to pursue his or her self –interest without constraint from traditions and institutions. Another concept that characterize this era was that society should always be Progressing to new modes of doing things. Lastly, modernity is sometimes characterized as the era of Individualism because it espoused the philosophies of Rationalism and Empiricism whose inner logic encapsulated an inherent revolt against Traditionalism. For Karl Marx modernity implied a radical social revolution from feudal relations to capitalistic relations. For Bauman, “What has come to be associated with the notion of the postmodern approach to morality is all too often the celebration of the demise of the ethical, of the substitution of aesthetics for ethics, and of the ultimate emancipation that follows. ...Ours is the era of unadulterated individualism and the search for the good life, limited solely by the demand for tolerance (when coupled with self-celebratory and scruple-free individualism, tolerance may only express itself as indifference”. Thus postmodernism is regarded as an era that is heralding complete emancipation of the individual from commitment to the common good or common social or institutional obligations (Giddens 1991: 2; Nürnberger 1999: 1987; Onions et al 1973; Marx 1973; Ritzer 1996; see Bauman 1995: 2-3).

the world is evolving into an era where the idea of nation-state sovereignty shall come to mean that the individual is the real sovereign rather than the state.

### **5.3.1 Postmodernity, Information Technology and Individual Sovereignty**

Postmodernist scholars such as Zygmunt Bauman are arguing that the world is currently evolving towards an era of hyper individualism where humanity will come to exist without any shared moral standards. Bauman advanced seven theses of postmodernist ethics. The first thesis is that,

Humans are essentially good, and they only have to be assisted to act according to their nature. In fact, humans are morally ambivalent: ambivalence resides at the heart of the 'primary scene' of human face-to-face. Given the primary structure of human togetherness, a non-ambivalent morality is an existential impossibility. What follows is that moral conduct cannot be guaranteed; not by better designed contexts for human action, nor by better formed motives of human action. We need to learn how to live without such guarantees, and with the awareness that guarantees will never be offered – that a perfect society, as well as a perfect human being, is not a viable prospect, while attempts to prove the contrary result in more cruelty than humanity, and certainly less morality (Bauman 1995: 10-11).

In the light of the above quotation, postmodernity is presented as anti-foundationalism or anti-structuralism. It is believed that there is no need for social structures for organising human activities. There is also a belief that our human existence should be based on what human nature is all about – that is, human nature is originally ambivalent therefore morality is equally ambivalent. There is no guarantee in what we say and do. For example, today we might sponsor a peace conference and tomorrow we sell lethal weapons to all who participated in this peace conference. In this first thesis, it is evidently clear that postmodernity advocates the idea that nothing should be considered with certainty.

The second thesis of postmodernity towards morality is that, "Moral phenomena are inherently non-rational. They are not regular, repetitive, monotonous and predictable in a way that would allow them to be

represented as *rule-guided* (Bauman 1995: 11). The implication of the second thesis is that morality does not offer us with a guarantee of what should be the guiding principles in our day to day living. According to this thesis, in a postmodern society we live in a society where there is not moral certitude and without a sense of moral certitude the idea of right and wrong will obviously remain as a prerogative of the individual. In this thesis the question why there is social harmony rather than discord is not attended to.

Thirdly, postmodernism advances the thesis that,

Morality is *aporetic*. The majority of moral choices are made between contradictory impulses. Virtually every moral impulse, if acted upon in full, leads to immoral consequences (most characteristically, the impulse to care for the other, when taken to its extreme, leads to the annihilation of the autonomy of the other, to domination and oppression). The moral self-moves, feels and acts in the context of ambivalence and is shot through with uncertainty (Bauman 1995: 11).

According to this third thesis, there is nothing of certitude about morality to the extent that even actions that are based on good intentions can lead to undesirable consequences. Such an outlook towards human existence is a nihilistic one in the sense that it undermines the idea of social certainty and stability which we usually presume to be embedded in moral values. Within this postmodernist view of morality one can easily deduce that each person is deemed to be a master of themselves. As human beings we can live together but we are forewarned not to trust each other, and not even our own very selves. The third thesis is also echoed by the fourth thesis which asserts that, “Morality is *not universalizable*”. By this assertion Bauman argued that he was against the modernist moral outlook which saw morality in terms of smothering differences” (Bauman 1995: 12). The celebration of differences is seen as one of the main defining characteristic of postmodernity. When morality is reduced to a matter of individual subjectivity affair, the difficult that arises from such a life outlook is that it cannot help us to account for our human sociality and our ability to approve or disapprove certain actions as right or wrong. By denying the reality of the

universalisability of morality, the salient assumption is that the individual is endowed with her or his own properties that are incorrigible or that the individual's nature cannot be subsumed under the generality of our human existence. This type of individualism is based in the lack of belief in the importance of society or collectivities to the wellbeing of the individual's existence.

In the fifth thesis it is stated that "morality is and is bound to remain *irrational*. For every social totality bent on uniformity and the soliciting of the disciplined, co-ordinated action, the stubborn and resilient autonomy of the moral self is a scandal. From the control desk of society, it is viewed as the germ of chaos and anarchy inside order" (Bauman 1995: 13). The fifth thesis is evidently an antithesis of foundationalism in the sense that it denies the foundationalist premise that human reason enables us to live as moral beings with each other. For example, one of the prominent western modernist philosophers such as Immanuel Kant had argued that morality arises from *a priori* principle which makes it universalisable through objective reason.

According to Kant, morality was to be understood as a law. He called this formulation of morality a categorical imperative which implies that the individual should always behave in a way that his or her reason for action can be universalised without any reference to context. Thus Kant would maintain that "We don't need to have any particular experience to know the truth of an *a priori* proposition. It's known prior to or independently of experience" (Garvey & Stangroom 2012: 256). Obviously the Kantian proposition that morality is *a priori*, is sharply contradicted by the postmodernist thesis which asserts that morality is irrational. Within such a postmodernist claim a strong impression is inevitably created to the effect that there is nothing that provides us with some foundation to our common human belongingness. If as human beings cannot share some common values within our locality, what about within the realm of international relations? Postmodernists would answer such a question by saying that there

are no real moral relations within the international scene because the international context is a nihilistic one.

The sixth thesis is based on the presumption that,

Given the ambiguous impact of the societal efforts at ethical legislation, one must assume that moral responsibility - being *for* the other before one can be *with* the other - is the first reality of the self, a starting point rather than a product of society. It precedes all engagement with the other, be it through knowledge, evaluation, suffering or doing. It has therefore no 'foundation' - no cause, no determining factor. For the same reason for which it cannot be wished or manoeuvred out of existence, it cannot offer a convincing case for the necessity of its presence. In the absence of a foundation, the question 'How possible?' makes no sense when addressed to morality (Bauman 1995: 13).

In the light of the above postmodernist thesis, our common understanding of morality as implying being in solidarity with the others is actually ridiculed on the grounds that there hasn't been any foundation for human solidaristic existence. Without any shared foundational basis for morality, it is argued that the question of the existence of morality becomes a self-defeating question because questioning something presupposes that the questioned reality has some foundation. But in cases where there is no foundation, the absence of a foundation itself pre-empts the question. It is mainly for this reason that postmodernism is considered to be nihilistic in the sense that it deconstructs the very idea of society as the foundation of the individual's well-being. The seventh thesis advocates that "the postmodern perspective on moral phenomena *does not reveal the relativism* of morality. Modern societies practice moral parochialism under the mask of promoting universal ethics"(Bauman 1995: 14). In this seventh thesis, it is evidently clear that postmodernism advocates that there is nothing universalisable in morality. However, if morality is not universalisable, to what extent can we have a harmonious society? The postmodernist moral outlook is also related to the idea that a nation-state does not have a genuine existence in the sense that postmodernists see it as an artificial construction.

Apart from historical postmodernists we also have apocalyptic postmodernists who are predicting that in the light of the expansion of capitalism all over the globe, the nation-state is doomed to come to an end. It is thus argued that with advancements in communication technology and the dominance of capitalism all over the world, countries are no longer sovereign states but agents of multinational companies and corporations all over the world. These transnational companies are seen as having a global economy of their own that surpasses many national economies since they can effect transactions across political boundaries (Holton 1990: 52-53; Murove 2005: 12). With the demise of socialism, some scholars such as James Dale Davidson and William Rees-Mogg argued that the world is evolving towards the predominance of individual sovereignty. They argued that since the nation-state has come to depend on the economic will of transnational companies, it also implies that the coming of an era of sovereign individuals. According to their argument, since the nation-state has come to depend on the economic wellbeing of transnational companies, it is thus deduced by neo-liberal economists as a signifier to an era of the coming of sovereign individuals who are wholly committed to their own private self-interests. They maintained that the transference of sovereignty from the nation-state to the individual is something that is already being facilitated by information technology (Murove 2005: 12). On the basis of developments in information technology, Davidson and Rees-Mogg foretold the end of a nation state as follows,

Changes that diminish the power of predominant institutions are both unsettling and dangerous. Just as monarchs, lords, popes, and potentates fought ruthlessly to preserve their accustomed privileges in the early stages of the modern period, so today's governments will employ violence, often of covert and arbitrary kind, in the attempt to hold back the clock. Weakened by the challenge from technology, the state will treat increasingly autonomous individuals, its former citizens, with the same range of ruthlessness and diplomacy it has heretofore displayed in its dealing with other governments. Increasingly harsh techniques of exacting will be a logical corollary of the emergence of a new type of bargaining between governments and individuals. Technology will make individuals more nearly sovereign than ever before (Davidson and Rees-Mogg 1997: 17-18).

Apocalyptic postmodernists such as Davidson and Rees-Mogg are stating that advancements in information technology are facilitating the transference of sovereignty from the state to the individual. Within such a futuristic outlook, there is no way whereby one can think of a shared morality within the nations or even among nations internationally. These two authors went on to foretell that, “We believe that as the modern nation-state decomposes, latter-day barbarians will increasingly come to exercise power behind the scenes. Groups like the Russian mafia, which picks the bones of the former Soviet Union, other ethnic criminal gangs, drug lords...will be laws unto themselves. Far more than is widely understood, the modern barbarians have already infiltrated the forms of the nation-state without greatly changing its appearance” (Davidson and Rees-Mogg 1997: 18). In other words, individuals are being conferred sovereignty upon themselves by technology in such a way that will make them independent from governmental rules and regulations. This type of postmodernism is usually referred to as deconstructive<sup>56</sup> postmodernity. It is called deconstructive postmodernity in the sense that it does not advocate authentic relations within the generality of existence. Human society is thus suspect for future

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<sup>56</sup>Historical postmodernity usually comes across as antimodernism in the sense that the modernist condition can only be overcome by going beyond it. Sometimes it is philosophically referred to as the new age metaphysics. By the use of terms that arise that connote to the idea of a nihilistic world outlook, postmodernism can be called deconstructive, relativistic or eliminative. Postmodernism is thus poised as overcoming the modern worldview by positing an anti-worldview that deconstructs. It is basically for this reason that critics of postmodernism have argued that this type of postmodern thought has a tendency of degenerating into nihilism. This type of postmodernism can be called ultra-modernism in the sense that it carries certain modern premises such as the mechanistic doctrine of nature. Thus its deconstructions can lead to self-referential inconsistencies such as “performative self-contradictions” between what is said and what is presupposed in the saying”. For example, the central thesis of postmodernism literature is that our representation of reality is mediated by diverse cultural influences, linguistic indeterminacy, technological change, historical accidents, institutional frameworks and the vagaries of desire. Human knowledge consists of multiple perspectives with no fixed, independent criteria of choosing between them. Obviously such a philosophical like outlook does not offer common worldview based on the idea of a common humanity. Some scholars such as Johan Jungerman have attempted to transcend this type of postmodernity by positing the concept of “reconstructive postmodernism” in the sense that (reconstructive postmodernism) constructs a postmodern worldview through a revision of modern premises and traditional concepts. The reconstructive orientation of this type of postmodernism is not restricted to a revised worldview. It is concerned with a postmodern world that will both support and be supported by the new world view whereby “[g]oing beyond the modern world will involve transcending its individualism, anthropocentrism, patriarchy, economism, consumerism, nationalism...” (Jungerman 2000: xix-xxii; also see Becker and Becker 2001; Lyotard 1985; Fukuyama 1999; Derrida 1997; Leitch 1996; Callinicos 1994).

disintegration into sovereign individuals since the current revolutions in information technology have destined individuals into an existence of unbridled pursuit of self-interests.

Some scholars have maintained that our human nature has an inherent element of barbarism in it. As we have seen in the preceding discussion, as western scholars such as Hobbes intimated this barbarism when he professed that our human social existence was based on a social contract that help us to avert from an orgy of killing each other. Scholars such as Karl Marx have gone as far as to claim that the dominant economic system – capitalism was tainted by evil human nature in the sense that it was constructed in a way that aims at depriving others of a decent livelihood. Karl Marx and Friedrich Engels argued that the expansiveness of capitalism all over the globe had set in motion the disintegration of old traditional societal structures that had helped to cement a sense of common belonging and mutual recognition (Marx and Engels 1962: 37-38). Other scholars who came up in the wake of Marx have argued that the capitalistic economic system which thrives on the pursuit of self-interest dehumanises human beings. The economics of self-interest has been transposed in international relations whereby interstate greed is seen as what should be the main guiding principle in international relations.

The current human barbarism is manifesting itself in environmental and ecological disasters that are being perpetuated by rich countries in the northern hemisphere under the belief that the resources of the earth are endless and all countries of the world have the capacity to become rich like countries in the northern hemisphere. Whilst those countries in the northern hemisphere are beginning to realise that the reality of the depletion of natural resources contradicts their vision of endless economic growth, they argue that “wholesale de-industrialisation of a nation in Europe, America, or Japan...[will create a situation whereby these industrialised countries will become like] an impoverished Third World country” (Fukuyama 1992: 85). Whilst the countries in the northern hemisphere are responsible for most of

the global pollution, they are not willing to own up to any responsibility that could result in curtailing their polluting economic activities.

Within the theme of barbarian human nature there is also a strong belief among scholars that our human nature is extremely violent. Albert Einstein advanced the idea that the world should make an effort to set up a legislative and judicial body that would settle every conflict arising between nations, and that each nation should commit itself to abide by the orders issued by this legislative body, and to invoke its decisions in every dispute, as well as to accept its judgements unreservedly. In a nutshell, this was Einstein's vision of a new world order. Einstein of ecumenical sovereignty among nation states as a deterrent mechanism against war and violence. Einstein's optimistic view of human nature was based on the understanding that human beings desire a type of existence that is characterised by peace and harmony, (Einstein 1946).

However, Sigmund Freud had a pessimistic view of human nature. Freud maintained that in the origins of human society, it was superior muscular strength which decided who owned or whose will should prevail (Freud 1956). In international relations the powerful nation will always act in a way that fosters its own national self-interests. As we seen previously that this concept of self-interest cancels the existence of morality in our interstate relationships. As we have seen previously, Nietzsche was an amoralist admired Charles Darwin's theory of evolution, especially the idea that all creatures are always struggling for survival and within this struggle it was the fittest that survive, in other words the weak should be allowed to perish because it is to the self-interest of the strong that the weak should perish.

Thomas Malthus, the father of demography would even put it bluntly that the problem of the world lies in the fact that there were too many people in it. Malthus went to the extent of suggesting that there should not be social solidarity that manifests itself in the form of helping the poor (Malthus 1958). From the perspective of social biology human existence as in the

animal kingdom was based on the principle that “the stronger often carries off by force the prey which the weaker has caught” (Spencer 1907: 3). Spencer went as far as asserting that, “And by implication, the uniform principle has been that the ill-adapted, disadvantaged in the struggle for existence, shall bear the consequent evils: either disappearing when its imperfections are extreme, or else rearing fewer offspring, which inheriting its imperfections, tend to dwindle away in posterity” (Spencer 1907: 162). In this motif of barbarism, it is a concern for one’s self-interest or egoism which ensures the survival of species. Spencer coined the concept “survival of the fittest” as something that was at the centre of the law of natural selection (Conniff 2003). In other words, our human survival is based on the principle of competitiveness against the survival of others.

The concept of self-interest or egoism is usually presented by the advocates of human barbarism in a hierarchical form. For example, self-interest is presented as a natural state of human existence politically, economically and religiously. Here the individual success is premised in his or her ability to pursue his or her self-interest in a way that outsmarts others. When faced with the reality of the existence of other groups that do not share the same ethnic background it is claimed that the pursuit of collective group self-interest will help the group to survive. Thus ethnic relations are originally tainted with amoralism because of the priority that is given to group ethnic self-interest. Finally, within a nation, as we have previously, individual egoism is transmuted into national egoism in the form of national interest. Other scholars as we shall see below argue that one of the elements that make it impossible for the existence of solidarity among nations is nationalism – the idea that the nationhood of particular state should be given precedence over others by all means.

### **5.3.2 Nationalism as a Contributory Factor to Disharmony in International Community**

The idea of nationhood contributed enormously to the struggle against the barbarism of colonialism. The tenacity to take up arms against colonial rule

was based on the quest of the colonised people to be recognised as an independent and sovereign nation endowed with the capability to chart the path for its own political and economic self-determination. The spirit of colonialism was based on the belief that the colonial masters were nations whilst the colonised people were to be taught through subjugation and subservience by their colonial masters to become nations. But colonised people were not seen as nations on their own, their nationhood was primarily authentic by the virtue of being proxies of their colonial masters. John Stuart Mill, the architect of the ethic of utilitarianism was of the conviction that the colonised were not supposed to be seen as nations, but to be converted to nationhood. As for Mill, the term nationhood was exclusively for those people of the world who were civilised (Mill 1960: 364). The European colonial adventure was partly based on the misrecognition of the personhood of the colonised.

Among the colonised peoples nationalism was inspired by the western liberal ideals such as the Christian concept of personal responsibility and accountability. Thus certain liberal ideas could end up becoming nationalistic values. Mazrui observed that, “liberalism as a system of norms came to favour not only individual freedom but also the whole principle of collective self-determination. The principle of self-determination provided a connecting link between the influence of liberal capitalism and the rise of nationalism in Africa” (Mazrui 1977: 25-26). Nationalism was also inseparable from the idea of race consciousness among the colonised and their shared experience of dehumanisation and humiliation by the white race. Within nationalism, it is asserted that each nation has a right to self-determination within the economic as well as political spheres of existence (Nkrumah 1961: 162).

Other scholars argue that nationalism is not a permanent state of our human psyche but something that is transitory. Francis Fukuyama argued that, “Without denying the power of nationalism in large parts of post-Cold War world, the view of nationalism as permanent and all-conquering is both

parochial and untrue” (Fukuyama 1992: 268). Fukuyama’s main argument against nationalism is that the capitalistic modes of labour and production have historically played a critical role in the emergence of nationalism in European societies. He writes, “Economic forces encouraged nationalism by replacing class with national barriers and created centralised, linguistically homogenous entities in the process. Those same economic forces are now encouraging the breakdown of national barriers through the creation of a single, integrated world market”(Fukuyama 1992: 275). Karl Marx and Fredric Engels saw Capitalism as anti-nationalism when they metaphorically described this economic system as basically promiscuous. In *The Communist Manifesto* they stated that, “The need of a constantly expanding market for its products chases the bourgeoisie over the whole surface of the globe” (Marx and Engels 1988: 58-59). The sexual metaphor that was evoked by Marx and Engels in their description of capitalism was intended to show that this economic system was not committed to any nationalistic bonds, but simply to economic interests.

However, the argument that nationalism militates against the possibility of the existence of some universally shared human values is equally undermined by the argument that says that there are no nations or ethnic groups that possess timeless values and customs that are the bedrock of their identity as a nation. For example, the current USA is a country that is mainly populated by immigrants from various parts of the world. These immigrants are actually the greatest majority when compared to indigenous Americans. Thus the idea of American nationalism becomes illusory if nationalism implies a homogenous group of people who possess a common ancestry and shared cultural values. Another example is that the current Australia is a nation that was originally a land colonially designated for convicted and banished British criminals. In the passage of time, other people from different nationalities came to settle in Australia. These examples do demonstrate that the idea of nationalism or national interest

isan illusion.<sup>57</sup> This illusion is based on the presumption that a nation is a homogenous group with shared interests. Other scholars who are sceptical about the authenticity of national self-interest are arguing that the current developments in communication and information technology that have reduced the world to a global village do require a new world order that realises the reality of our relatedness and interrelatedness.

#### **5. 4 Concluding Remarks**

In this chapter I have demonstrated how the concept of self-interest has been integral to international relations and from this analysis it was also shown that the concept of self-interest is actually based on a sceptical view of human nature. The theory of national self-interest evolved around an existential outlook based on the presumption that human nature was evil. We have shown that Niccolò Machiavelli and Thomas Hobbes were the most outstanding proponents of sceptical realism in human nature which latter on became highly influential in the development of national interest as the main determining factor in international relations. The presumption among many scholars is that inter-state relations are not based on moral considerations because by virtue of pursuing their national interests, states will always behave towards each other in a way that is amoral (Maxwell 1990: 11-12; see Hobbes 1967; Murove 2005).

We have seen that the sceptical realist theory that nations do only relate to each other only on the basis of pursuing national self-interest is also based on the idea that their relations are based on their quest for power. The idea that there is no common power to govern the international community implied an anarchic outlook towards international relations because each

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<sup>57</sup>The world renowned sociologist, Talcott Parsons says that the idea of the modern nation-state was an historical development. He writes, "Thus the politically organized England has not been confined to „Anglo-Saxon“ populations, but has included components in Wales, Scotland, and, of course, Ireland. In the case of France there has been shading off into the German cultural world toward the east, as, for example, in Alsace and Lorraine, and toward the Italian world in the south". Parsons went on to say that the Western obsession with the idea of race resulted in the Germanic Nazism attempt at creating a distinct Aryan Germany race. What this implies is that the reality that people do always intermingle makes it implausible to maintain the idea of a nation as constituted of a homogenous people with primordial national-interests (Parsons 1975: 55).

country remains a suspect of trying to illegally rule other countries without their concern. I argued that the national interest theory of international relations does appeal to the most powerful nations of the world in the sense that it gives some justification to their actions which would otherwise be subjected to moral ridicule by the international community. It was thus deduced that in a multilateral organisation such as the UNSC the P5 members can easily absolve themselves from any sense of accountability to the UN on the grounds of preserving their own national interests (Küng 1997; Glover 1999; Maersheimer 2010; Maxwell 1990).

Some scholars such as Terry Nardin advanced the argument that we should see international relations as relations of international society. The main presumption within the international society argument is that the idea of seeing states as self-enclosed entities creates the impression that states and other international institutions do not enter into binding agreements. The ability to enter into binding agreements or contracts implies that there are values to be observed by the international society – hence international law is a law that is supposed to be observed by all nations. Nardin’s international society argument is beset with difficulties when subjected to the concept of nation-state sovereignty which goes hand-in-glove with national interest. Another argument that militated against international society theory was based on the observation that nation states do not share common values and that their relations are based on anarchy and amorality (Nardin 1983; Russell 1992).

Apart from the argument of anarchy as the main characteristic of international relations, it was argued in the third section of this chapter that national interest remains the main obstacle to the making of international society theory. From the interviews I have contacted, the responses of the interviewees have been unanimous on the subject that the pursuit of national interests in the UNSC has remained a perennial threat to the promotion of world peace. The P5 subordinate their UN mandate of promoting world peace to their national self-interests. The general common

idea that filtered through the interviews was that it was unethical for particular countries such as the P5 to use a world multilateral body such as the UNSC purely for the mundane pursuit of national self-interests. This view was equally collaborated by the argument that was put forward by scholars to the effect that some powerful countries, who in this case are the P5 do use poor countries and sometimes undermine the sovereignty of poor countries in order to pursue their own national self-interests. Such a practice, it was argued, poses a threat to World Peace and Security(Chidyausiku, 2012; Rupende 2012;Weiss 2009; Cox 2004; Mann 2009; Perkins 2005).

It was shown in this chapter that the theory of national interest was partly based on the notion of nation-state sovereignty. The concept of nation-state sovereignty which is at the heart of the UN Charter protects the weak states against the strong states. However, the argument I have proffered was that the concept of nation-state sovereignty was based on the philosophical doctrine of atomic individualism whereby states are portrayed as endowed with intrinsic properties that are unique to them. I have argued that the doctrine of atomic individualism has become integral to postmodernist thought. Deconstructive postmodernism is enunciating the idea that with the current developments in the expansion of neo-liberal capitalism and information technology, it is the individual who is destined to become sovereign instead of the nation-state. My argument against deconstructive postmodernism was that it was based on a nihilistic world outlook. To that end I argued that there is a need to come up with a constructive postmodernist worldview that transcended nationalism. The following chapter will argue that there is a need for a new world order that can help the international community to go beyond national-self-interests.

## **Chapter 6: UN Security Council Reform Debate with Specific Reference to the New Global Order**

### **6.1 Introduction**

A call for the reform of the UNSC has been made by many scholars on two grounds. Firstly, there are scholars who argue that this multilateral organisation has failed to reflect the current world reality of democratisation which is currently based on the political values of pluralism. In this regard, it is argued that by virtue of the formation of its membership, the UNSC does not reflect an ethos of democracy - hence it cannot claim to be the vanguard of world democracy. Reformists maintain that the UNSC is still based on the values of six decades ago; hence it cannot be relevant to the current world democratic values of political pluralism. A multilateral organisation that is founded on the values of the Second World War which happened over sixty years ago cannot respond effectively to the peace and security challenges of the 21<sup>st</sup> century. In chapter 5 we have seen that countries that are economically powerful such as the USA do use the UNSC to pursue their national self-interests. In this regard the ethos of democracy is restricted to nation-states and not to the whole world.

Proponents of the UNSC reform do argue that the concept of superpowers that was used as a determining factor to P5 membership is in actuality a defunct concept because some countries who are currently enjoying this status are weak states. For example, it is argued that France and Britain are weak states when compared to Germany and Japan. The rationale behind their membership is thus based on the fact that they were on the winning side of the Second World War. The very idea of premising UNSC membership on Second World War undermines the democratic value of political transition. The democratic value of political transition is based on the presumption that nothing should be permanent in political pluralism. Thus the idea that of P5 is equally critiqued as a misplaced idea that has helped to foster the national self-interests of these P5 members at the expense of the majority of other countries that constitutes the UN membership. The

democratisation reformists argue that numerical preponderance should also be reflected in the UNSC membership. Without the principle of numerical preponderance those that are economically powerful will always dominate this supposedly multilateral organisation in a way that is deliberately calculated to further selfish national-interests.

On the other hand, there are those who argue for the reform of the UNSC on the premise that the world has become too interconnected in such a way that there is a universal intercourse of countries economically, politically and culturally. Here the argument is that since the world has converged into a totality, the UNSC should reflect this reality within its membership. The main focus of this school of thought is on what the UNSC should be like within a globalised world. Values that determine the modus operandi of the UNSC should be world values. In this regard, it is maintained that issues of peace and security can only be realised when all countries are involved instead of the P5 only. The idea of P5 is thus construed as a misplaced idea within a globalised world. It is equally an idea that is seen as responsible for war and insecurity in the world. This school of thought sees the UNSC reform as only plausible when the world is seen as a totality that should not be divided on the basis of national interests.

This chapter is structured as follows: The first section will be devoted to the idea of UNSC reform with specific reference to democratic values. Within this section I intend to determine whether the UNSC can be seen as a model to emulate when it comes to the upholding of democratic values. The second section will look into the idea of globalisation in relationship to the UNSC reform. It will be argued in this section that the UNSC cannot effectively maintain world peace and security without the active participation of all the world stakeholders. World peace is only realisable when all citizens of the world are participants to it. In the third section I shall argue that the UNSC reform is only feasible when P5 membership is abolished and replaced by rotational world regional membership of the UNSC.

## 6.2 UNSC Reform with Specific Reference to Democratic Values

Democratic values are anchored on the premise that there should not be a monopoly of power by an individual or an institution. This premise is usually followed by the idea that the possible monopolisation of power can only be countered by its devolution through different national and international institutions. With the demise of communism, there has been a worldwide attack on governments in the Third World who were mostly accused of being undemocratic and totalitarian. Part of the post-cold war UNSC agenda was to advance the cause of democracy and a free market economy all over the world.<sup>58</sup> The political defeat of communism led the West to claim that they were the world models for democracy which all other none Western nations in the world should emulate. Thus the UNSC's main mandate of protecting peace and security came to be subsumed under the democratisation of all states in the world. The values that undergirded this Western democracy were based on the ideals that political authority should be legitimated by period elections in which all aspirants for political power should avail themselves to be elected by the citizens, that the rule of law should be observed by those in political power.

Within the UNSC the commitment to democratic values came through the doctrine of Collective Security. This doctrine rests on the presumption that “international security is indivisible: a breach of the peace anywhere threatens the peace everywhere” (Bosco 2009: 5). The question that arises in the light of this doctrine is, how has collective security been collectively observed by the UNSC? In the previous chapters it was demonstrated that

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<sup>58</sup>Ali Mazrui observed that, “Capitalism in western society grew alongside liberalism and the two do complement each other. The liberal distrust of government resulted in the expansion of private industry and the insistence that political authority should not interfere with the profit motive of individuals”. In the whole colonized world, the colonists did not rule with the values of democracy. As Mazrui aptly puts it, “Intellectually, a colonial system was not a free market of ideas. The colonial rulers asserted a monopoly of intellectual control over their subject people. The colonial administrators were also intellectually intolerant, and sought to ensure that the market place of ideas in their own colonies was not based on a system of intellectual free enterprise” (Mazrui 1977: 20-24). We can stretch this way of thinking in such a way that it can be argued that the colonial mindset still haunts most of the members who are currently in the group of the P5. Previously it was shown that this colonial mindset is demonstrated when France interferes in the internal conflicts of its former colonies such as Ivory Coast and Mali under the auspice of maintaining world peace and democracy. Britain has also demonstrated this colonial mindset when it wanted the UNSC to act against Zimbabwe's internal political affairs.

the current P5 membership of the UNSC is not representative of the UN membership. As David Bosco noted,

The United Nations' principal architects believed that only a small council could be effective. A larger and more representative body would be incapable of reacting speedily and decisively to security crises. The judgement has been questioned ever since. What good is an effective council that does not fairly represent the world? The overall size and composition of the council are perpetual topics for discussion. Should the fifteen-member council take on new members? (Bosco 2009: 7).

However, the argument that a small membership in the UNSC is more effective than a larger membership can be refuted on two grounds. Firstly, In the light of my discussion in chapter 5, it can be deduced that there is no empirical evidence on the effectiveness of the P5 in maintaining world peace and security. The problem of double standards and the pursuit of national interests by the P5 members undermine the principle of effectiveness. Secondly, the small membership undermines the democratic ethos of representativeness. In chapter 5 I argued that the pursuit of national self-interests implies that these P5 are in the UNSC for their narrow selfish national interests. This claim also implies that they do not represent those countries that are not members of the P5. <sup>59</sup>When members of a given institution are not integral to the decision that is made by that institution or one of the organs of their institution one can safely say that they are, marginalised or disempowered by their institution through exclusion. David Plotke observed that, "The opposite of representation is exclusion. The opposite of participation is abstention. Representation is crucial in constituting democratic practices" (Plotke 1997: 19). The current P5 membership is not representative of the UN membership in the General Assembly. The P5 members are mostly Euro-centric by virtue of

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<sup>59</sup>Thus it is in this context that there cannot be genuine reform in the UNSC because those who are there feel much served by their positions and they are not worried about other countries who are not members of the P5. There seems to be a general feeling among members that any increase in number will compromise their privileges and thus they want to have a situation where there are only 5 members with the right to veto and non-permanent members who do not have veto powers (Salim Ahmed Salim interview with author, Dar es Salaam, 01 August 2012).

predominantly originating from the Caucasian ancestry. Without genuine world regional representation it remains questionable whether the decisions of the SC on world peace and security do reflect the aspirations and wishes of other world regional groupings who are not represented within the P5.<sup>60</sup>

On the issue of representation, Bailey and Daws made an observation to the effect that whilst

[t]he representatives of the permanent members are not necessarily more influential than those who represent non-permanent members...those who represent the permanent members wield more *power*, partly because of the threat of the veto, and partly because their periods of service have not been limited to two-year terms (Bailey and Daws 2005: 141).

In chapter 4 it was observed that the role of the non-permanent members of the UNSC is not essential to the decisions of the P5. Some of the P5 members who are economically powerful have the ability to buy support of the non-permanent members so that the decisions of the SC will count in their own favour. The role of the non-permanent members of the SC remains obscure in a way that one questions why these non-permanent members were included in the first place. The veto power of the P5 members completely undermines the role of the non-permanent members in the decision making of the UNSC. What also remains as a huge violation and mockery of the democratic principle of representation is that the non-permanent members of the UNSC are elected by the General Assembly with a requirement of two-thirds majority for terms of two years whilst the P5 who are not elected

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<sup>60</sup>As President Benjamin Mkapa of Tanzania puts it, “when it was founded many of our countries were not independent (sic). We were not counted by them (sic). We were less important and we played second fiddle (sic). We may acknowledge the principles and values of the Charter as members but for the founders, they don’t take us seriously. An important question to be asked is why emerging countries like India, Brazil and others are not being considered for permanent membership in the UNSC. Factors such as size, geography and resources may also need to be used as criteria for permanent membership to the UNSC. If by nay chance new members are incorporated into the UNSC, they may need to assert themselves. The new criteria for the operationalization of the P5 must be revisited (sic). There must be acceptance of universality of membership. What is lacking is the global participation in UN activities. Whilst every county is entitled to membership, because of economic, political and military prowess some countries will always have an edge over others. It is undemocratic not to think of adding more members to the P5 but it’s realistic to note that „whoever calls the piper calls the tune” (sic). However that does not mean you can call for veto that directly affects non-members (sic) (Interview with the author, Dar es Salaam, 03 August 2012).

wield absolute power in the decision making process of the SC (see Bailey and Daws 2005: 141-142). This practice brings into question the issue of legitimacy within the UNSC. Hans Köchler observed that the United Nations is currently faced by “an increasing lack of legitimacy” because of three interrelated factors. Firstly, since the end of the bipolar world order, “the Security Council has been arrogating more and more competencies, in certain cases even circumventing provisions of the UN Charter”. Secondly, adoption of resolutions on the basis of the “constellation of interests among the five permanent members in a given case, not on considerations related to international security...or the rule of law - a problem that is further exacerbated in the present unipolar environment”. Thirdly, “a factual policy of double standards resulting from the lack of (political) checks and balances as well as of legal restraint...” (Köchler 2007: 1). Köchler’s observation echoes what I have observed in chapter 5 when I argued that the UNSC acts mainly on the basis of pursuing their own national interests and that the invasion of Iraq and Libya was done in blatant violation of international law. He thus went on to characterise this as “the United Nations’ acute legitimation crisis” which arises from “an imbalance of power relations, manifested in the *effective invalidation of democratic procedures* within the only organ of the UN system that is vested with executive power, the Security Council” [his italics] (Köchler 2007: 3).

The violation of democratic procedures within the UNSC manifests itself in the veto system. As Köchler puts it, “The veto privilege in favour of the permanent members is ‘protected’ by means of a kind of self-referential arrangement that defies all rules of democracy and fair play. According to Article. 108 of the Charter, any amendment to it...requires the consent of the permanent members” (Köchler 2007: 5). The undemocratic nature of the veto system can be seen in relationship to the fact that it’s not something that is enjoyed by the UN General Assembly but only by the P5. Thomas Weiss observed that whilst “all of the other 186 member states criticize the veto as equitable, [t]he veto has been and remains an obstacle to reform both because of the P5’s vested interests in preserving power and because no

provision in the charter requires them to relinquish this right” (Weiss 2003: 151). For example, the Charter states that,

...amendments to the present Charter shall come into force for all members of the United Nations when they have been adopted by a vote of two-thirds of the members of the General Assembly and ratified in accordance with their respective constitutional processes by two-thirds of the members of the United Nations, including all permanent members of the Security Council (see Article 108)

However, the above provision still leaves power to change or to amend the Charter to the P5 of the Security Council. In this regard, what remains glaringly undemocratic is the idea that any amendment to the Charter should be firstly accepted by the P5 of the Security Council. Taking into account the prominence that is given to national self-interests by the P5, any amendment that undermines their national self-interests would not be acceptable.<sup>61</sup> Dimitris Bourantonis regarded Article 108 as “a blocking element in the reform process in the sense that power would be in the hands of the five permanent members of the Council to accept or reject amendments” and that the P5 “would be unlikely to do anything which might jeopardize their privileged position” (Bourantonis 2005: 11). In this regard, without a reform that would entrench wider representation, the SC thus remains unrepresentative and illegitimate. A commitment to the P5 1945 arrangement is also based on a self-serving rationale. There is no cogent reason why the membership of the UNSC should not be expanded in a way that reflects the democratic ethos of equal representation of the UN geopolitical membership.<sup>62</sup> Another argument that is used in support of the

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<sup>61</sup> Fisher reiterated this view by pointing out that the bottom line is that each of the big five’s national interests is based on economic national interests (sic). Basically, they want markets for their finished products, raw materials for their industries etc. In pursuit of these, the P5 (or even one of them) would use issues related to governance, human rights elections etc. as reasons to intervene militarily as has been witnessed in most interventions carried out in Africa. How come some of the “Big Five” don’t talk about democracy in Oman, Saudi Arabia (sic), why is it that they don’t talk about gender equality and human rights in Saudi Arabia? The P5 look at what a country has and what its level of cooperation to the P5 is in terms of letting them pursue their national economic interests. They (P5) have interests but these interests are attained or pursued in a complicated manner (Interview with author, Harare, 20 July 2012).

<sup>62</sup> Getrude Mungira, the former head of the Pan African Parliament, noted that there is need for a new structure. In her view, there must be many positive scenarios and ideas on how to tackle global

status quo of the UNSC is that the P5 are more prone to make swift decisions on threats to world peace when they are a few as compared to when they are many. Within this vein, Bourantonis observed,

The successful involvement of the Council in the Gulf crisis (August 1990 to January 1991) gave the permanent five the chance, on the one hand, to further cement their bonds of commonality and, on the other hand, to use the 'efficiency argument behind which they rallied in order to justify their objection to Council reform. Understandably, the United States and Britain pointed to the Security Council's action over the Gulf War as proof that the existing Council was now working well and there was no need to amend its membership. The Soviets and the French, in an attempt to add their own voice of opposition to the demands of Council reform, started to back the 'efficiency argument, which was expressed in the American slogan, 'if it ain't broke, don't fix it', or its British version, 'why change a winning team'. As the Soviets put it, 'the organisation cannot afford to engage in an overhaul of machinery which not only is not broken but is in fact in good working order. The French also seized the opportunity to declare shortly after the Gulf War that 'there [were] not sufficient grounds for a retroactive reading of the UN Charter to take into account developments since 1945' (Bourantonis 2005: 35).

This type of reasoning is usually undermined by an argument that succeeds in showing that the UNSC has not been swift or proactive in its protection of world peace and security. Taking the Gulf war as an example of the efficiency of the UNSCP5 tantamount to making unwarranted generalisation. Common logic does not allow us to argue from a particular and ending up making a general conclusion. For example, the liberation wars which resulted in millions of deaths were fought without UNSC intervention. In fact some the members of the UNSC were colonisers. In these wars, thousands of the colonised people lost their lives. Recently the Rwanda genocide was carried out with the full knowledge of the UNSC. Another example can be deduced

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problems. There must be a gradual approach to the implementation of democratic reform of the UNSC. Member states of the UN General Assembly must keep on pushing (sic). The UNSC must be restructured along the lines of a federal arrangement where ideas emanate from regions such as the Africa, Latin America and so forth (sic). It is important to note that there is no "UMOJA" or "oneness" in most institutions of the world such as the G77. This can be equated to a scenario where people ride on the same bus when they are going to different directions. Such scenarios will place the world in chaotic situations. Developing countries should try and have the same agenda. They must avoid the "one bed sheet, different dreams or one bus different directions" scenarios (sic). Interview with author, Dar es Salaam, 02 August 2012.

from the liberation wars against colonialism. However, to rely on a particular example (Gulf War) as evidence of efficiency of an organisation is logically implausible because other examples that will demonstrate the SC's inefficiency do undermine the efficiency argument. The efficiency argument does not help us to explain why there is a general UN discontent with the current membership of the UNSC. A call for democratisation of the SC arises from the argument that there should be a wider participation in the decision making processes of this UN organ.

Gregory Fox(2004: 70-77) argued that the ethos of democracy is embedded in the SC's modus operandi. As he puts it, "Democracy, in the Council's repertoire of practice, is above all a means of ending, preventing, sublimating, and diverting violent internal conflict. In part, this view is premised on the theory that repressive and exclusionary political practices are a significant contributing cause of many civil wars". He went on to say that the UNSC appealed to democratic values in "its condemnation of apartheid in South Africa and Southern Rhodesia". Fox maintained that the UNSC puts premier value on democracy as a means to national conflict resolution. Fox went on to say that, "the Council called on the parties in Mozambique - which had just held its first postconflict election - to base national reconciliation 'on a system of multi-party democracy and the observance of democratic principles which will ensure lasting peace and political stability'". Thus for the UNSC democracy is a political mechanism that can be applied as a means to avert internal national conflicts. The main belief here is that "long-term solutions to internal conflict must include democratic governance".

In the light of the concerns of this study, the question that obviously arises is why does the UNSC advocate democracy when it is the most undemocratic organ of the UN? The answer to this question can only be found in the practice of double standards embedded in this multilateral institution. Fox went on to observe that, "the Council's understanding of democracy has been much narrower. Democracy in its view can roughly be described as the

set of institutions, rights, and norms that enable citizens to choose their leaders and influence policy. It is a view that focuses primarily on the political arena and within that on competitive elections” (Fox 2004: 75-76).

To the UNSC, democracy has an instrumental value in the sense that it serves purposes that are indispensable to promotion of peace and security. According to the UNSC, there are five goods that are enabled by democracy. Firstly, “National Reconciliation” in which “Democracy is often identified as the means by which parties negotiating an end to internal conflicts may ultimately channel differences that at the time appear insurmountable”. Secondly, democracy promotes the flourishing of “Internal Security” whereby “democracy and internal security appear in Council discussions as intertwined objectives, with one asserted as an essential prerequisite to achieving the other”. Thirdly, “Building Governmental Infrastructure” by promoting missions that “involve substantial constitutional reforms in the target states”. Fourthly, the promotion of democracy is also perceived to enable “Regional Stability” because the reduction of conflict within the target state has often resulted in the flourishing of peace within the region. Lastly, the Council’s promotion of democracy is also tied to the belief that it promotes “Economic and Financial Recovery” because “democratic institutions are perceived as more effective in assessing needs fairly, making decisions in a transparent manner, and utilising aid money honestly and efficiently” (Fox 2004: 77-80). The questions that arise are as follows: If democracy is associated with the above goods, why is it that the Council has failed to democratise for the past seven decades of its existence? Does the UNSC have the moral campus to talk about democracy to the UN member states?

In the preceding discussion we have seen that the P5 have been there since the formation of the UNSC and they have refused to allow the ethos of political pluralism to influence this vital organ of the UN. If they were operating on democratic principles one would imagine that the whole issue of permanent membership would have been discarded in favour of a

revolving membership of the SC. Some scholars are very sceptical whether the UNSC has a moral campus to talk about democracy. Thomas Weiss is one of those scholars who have argued forcefully that a discourse on UNSC reform should be seen and understood as an illusion. His argument in this regard is that the role that is played by national self-interests and power within the UNSC suggests that democratic reform for the SC remains infeasible. He writes,

Today, there are two world 'organisations': the UN - global in membership - and the United States - global in reach and power. Jostling about UN Charter is a mere distraction. ...As the UN's coercive capacity is always on loan, UN-led or UN-approved military operations take place only when Washington signs on (Weiss 2003: 153).

If that is the case, one can easily conclude that a discourse on the democratisation of the UNSC so as to instil a culture of equal representation and arriving at decisions through consensus remains a political statement - implying something that cannot be implemented in praxis but simultaneously appealed to as a way of expressing discontent from the perspective of an outsider in the decision making process.

Weiss went on to say that any suggestion for reform can only be favourable when it does not threaten the USA's national self-interests. Thus the pursuit of national self-interests within a multilateral organisation undermines the majoritarian democratic presumption that is usually premised on the idea that a valid and authentic political decision should be based on the will of the majority. Bush demonstrated this type of thinking when he told the UN General Assembly that the USA will act alone if its national interests are at stake. Weiss deduced from this that, "The future challenge for UN proponents is twofold: to determine when the Security Council will act as a multiplier for U.S. power and to persuade the United States that acting multilaterally will be in its interest" (Weiss 2003: 153). In other words, the UNSC is primarily there to serve the national interests of the USA instead of those of the world.

Another crucial observation that was made by Weiss is that the dual UNSC practice of permanent membership and the veto do make the possibility for democratic reform unthinkable. Within a truly democratic institution the issue of permanency would be an anomaly because elections ensure that there is always change within the institution. It was also observed over and over again that the culture of a veto that is practised so as to undermine the decisions of the majority goes against the democratic principle that premises the legitimacy of a decision through consensus. Apart from the veto and permanent membership, another stumbling block towards the democratisation of the UNSC is the pursuit of national self-interests which we discussed in the preceding chapter. As Weiss puts it, “Major powers normally pursue their self-determined interests in their backyards without the UN’s blessing - look no further than Cote d’Ivoire, Sierra Leone, Chechnya, or Xinjiang. ...In certain cases, U.S. interests can be best pursued through multilateral decision making” (Weiss 2003: 156). To have a multilateral organisation whose purpose of existence is to serve a single country’s national interests becomes an issue that undermines any prospect for a democratic reform.

The debate on UNSC reform is related to the issue that this multilateral organ of the UN should be more transparent and greater participation of the UN membership. Attempts to increase greater participation has come in the form of a resistance to the reform by some of the UNSC member states. For example, Britain, Russia and the United States are on record for publicly refusing the expansion of permanent membership. As Bourantonis’ observes,

The three permanent members explicitly told the Open-Ended Working Group on Council Reform and the General Assembly that they were unwilling to discuss any increase beyond 20 or 21 Council members in total. This meant that they were not prepared to accept an expansion in the non-permanent membership. They made clear that they considered it crucial to maintain a compact and operational Security Council membership and that exceeding the quantitative limit of 20 or 21 would have, as they pointed out, a negative impact on the efficiency of the

Security Council's activities. 'It is not a search for a magical number but rather of ensuring real efficiency of the Council. We must not turn the Council into a 'discussion club', the Russians said (Bourantonis 2004: 70-71)

However, as it was observed previously, appealing to the efficiency argument as a way of refusing reform by the P5 is not a plausible argument because most of the SC sanctioned interventions have spectacularly failed. In the light of the above citation the idea of the P5 members dictating to the UN on what should be the composition of the UNSC is a subversion of democratic practices that are known in various parts of the world whereby democracy mainly implies active participation in decision making process by the majority. Whilst there has been some discussion on the SC reform, most of the P5 have insisted that they would not accept a reform that would inhibit them from exercising a veto.<sup>63</sup>It has been noted that the UN Charter itself supports this undemocratic practice when it stipulates that, "UN Members which are not members of the Security Council shall be invited to participate, without vote, in the discussion..." (Article 32). The question that arises here is that: Why does the SC invites UN members to participate in the deliberations of the SC whilst at the same time refusing them the right to vote? If UN Member States are prohibited from voting within their own organ, it obviously begs the question as to whose interests is the organisation serving if not those of the UN. The phraseology of participating without vote is self-contradictory in the sense that without voting one's participation will remain unrecognised. Bailey and Daws observed that,

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<sup>63</sup>Some scholars such as Bourantonis argue that the P5 have defended the veto by appealing to the Cold War era whereby it was seen as a stabilizer between the two competing groups. He writes, "The permanent five were opposed to any change in their veto right but did not take a position on the question of extending the veto to new permanent members. As they stated, they saw no point in further discussions of this matter, because the existing insurmountable differences in the approaches of member states to the question of veto impeded their ability to reach an agreement on the issue of Council expansion. ...in this way, they tried to divorce the issue of the expansion of Council membership from the issue of the veto. This is of course contradicted repeated calls by the member states that the issue in the reform package should be considered as an integrated whole" (Bourantonis 2005: 72-73). Here it can be argued by reformists that an organ (UNSC) of a multilateral organization should not dictate on what is acceptable and not acceptable in the envisaged reform plan. It is the generality of the UN membership which should actually have a final voice on the reform plan, and not the other way round.

There are two express limitations to the participation of non-members of the Council. First, the Charter states that the participation of non-members is 'without vote' (Articles 31 and 32). Second, UN Members may submit proposals and draft resolutions, but these will be put to a vote 'only at the request of a representative on the Security Council (Rule 38) (Bailey and Daw 2005: 157).

The above scenario on the participation of non-members of the UNSC is reminiscent of the participation of the colonised Africans in colonial or apartheid political administration. During colonialism, Africans, through their chiefs were allowed to air their political opinions on the running of the country but they were not allowed to vote during national elections. Voting was a reserved privilege of white people. One can also compare the participation of non-members of the UNSC to that of South African tri-cameral parliamentary system. Within this system Indians and Coloured people had their own parliamentary houses but they were not allowed to deliberate on legislation that had a bearing on the apartheid system itself. Those Africans who participated in colonial or apartheid administration were usually described as puppets in the sense that they could only do that which their colonial/apartheid masters tell them to do. Thus their participation in the system was mainly a manipulated participation. Here I should like to illustrate what I am saying with an example of colonial Rhodesia in the light of Meredith's observation,

In the place of majority rule came the concept of parity, a system under which the African population in theory would achieve equal representation in Parliament with the whites in the distant future. ... Under the constitution, Africans were allocated sixteen seats and whites fifty seats, a ratio almost identical to that of the 1961 constitution. However, the method for determining the rate of increase in African representation was tied to the overall level of personal income tax contributions by Africans. The allocation of sixteen seats would remain fixed until the African population paid at least twenty-four per cent of the national revenue raised by direct income tax. As the African population then contributed about one-half of one percent of income tax revenue and as the average annual increase in payment during the previous six years was about 0.05 per cent, it could have taken some 460 years before any increase in parliamentary representation was obtained and 980 years for parity to be reached. Of the sixteen African members, eight were elected by an African lower roll and the other eight were selected by a college of

1, 400 chiefs, headmen and rural councillors with strong conservative inclinations and pro-government views. A Senate, composed of ten whites, ten chiefs and three other representatives, was given a minor role and inconsequential powers (Meredith 1979: 62-63).

The above example that is based on the then colonial Rhodesia government echoes some close resemblance with the reforms of the UNSC that have been carried out to date. Under colonial rule, white minority parliament would enact any legislation without facing any hindrance from the African majority. In a similar fashion, the P5 members of the UNSC have been overwhelmingly empowered by the UN Charter to overrule a decision from the majority of the UN General Assembly. Similarly, in colonial Rhodesia and apartheid South Africa, a white minority government was constitutionally empowered to overrule any decision that came from the African majority whenever they deemed it a threat to their white privileges. In the light of the above quotation about the political condition of colonial Rhodesia, the participation of blacks in government was premised on insurmountable conditions such as their contributions to tax – a precondition which colonialists knew blacks would never achieve as compared to whites who were institutionally privileged. The same colonial rationale has crept in the UNSC's rationale for resisting reform, especially in those instances when it is argued that the P5 are there on the basis of their contributions to world peace and security as compared to other non-member states. In colonial Rhodesia, it was argued that Africans could only be eligible for a vote on their basis of their tax contribution. The similar argument is saliently applied in the UNSC as a way of discriminating the majority of the UN membership which is poor. A genuine reform should be inclusive in such a way that shows the reality of the current global reality of our human connectedness. In the light of the current advances in information technology the world has become a global village in such a way that issues of peace and security can no longer be seen in isolation to the pervasive reality of our human connectedness.

### **6. 3 UNSC Reform as a Quest for a New Global Order**

I should like to start this section with the following question: To what extent has the UNSC reform debate been informed by contemporary reality of a world that has become too interconnected and democratised? Those who argue for a new global order argue from different perspectives – for example from a natural new science perspective, political theory of international relations, economics, religious and ethical values. Some scholars have argued that some of the discoveries that have been made in the new sciences such as the theory of relativity, quantum physics and microbiology can assist us into coming up with a new world order that is mainly sensitised to the reality of relationality among all that exists as constitutive of ultimate reality. Teilhard de Chardin (1969: 301) propounded a theory which he called “evolutionary convergence” in which he maintained that the universe was not a chaos of multiplicity, but an intelligible structure converging towards unity, or “a structure that is converged ahead”. By coining the term evolutionary convergence de Chardin also implied the emergence of a new world consciousness which termed “unanimisation” – a term which means collective human consciousness. The convergence of the world was something that was inherent in the workings of the laws of nature, hence the future of humanity was to be based on solidarity with the laws of nature through participation. The human participation that would converge with the laws of nature was that type of participation that goes beyond nationalism as it embraces the generality of all human existence as species. Our human existence has been naturally made in a way that shows our dependence and interdependence on each other. In this regard, advocates of a new world order argue against excessive nationalism as espoused by sceptical realists in international relations.

Anthony Giddens advanced the argument that the current logic behind the new sciences and communication systems is actually cementing the durability of interconnections between nation-states because local or national actions have consequences that go beyond locality (Giddens 1991: 59-62; see Murove 2005: 11). Currently some scholars have argued that the

world should be seen as an interconnected whole because advances in communication systems local events have increasingly become global by nature. With the collapse of communism some scholars have talked about “a new liberal democratic capitalist world order” which implied the end of the ideological divide that existed during the Cold War era. As John de Gruchy observes, “Thus the proclaimed victory of a new world order of liberal democratic capitalism raised again the question of the meaning of democracy and its global significance at the end of our millennium” (de Gruchy 1995: 3). It is also argued that instead of allowing various countries of the world to come up with their own democracies, the west has insisted on imposing its own type of democracy as the archetype of world democracy. Sometimes when one talks about the new world order, it is assumed that such an order should be constructed around the western democratic values. De Gruchy further notes that, “Cynics also have reason to suspect that the western insistence on multi-party democracy in eastern Europe, Latin America, or sub-Saharan Africa is motivated more by economic self-interest than a concern for meaningful democratic participation in government and economic justice” (de Gruchy: 1995: 4). In other words, the western world crusade on democracy as the only plausible political value for the whole world is made on self-serving motives. The idea of democracy is usually given as symbiotic to capitalistic free market values. This presumption is taken as what is constitutive of the new world order.

However, some of the western new world order theorists discuss democracy from the premises of neo liberal capitalism. According to neo-liberal capitalistic thinking, there should not be any government intervention in the economy because the economic system is understood as a self-regulatory organism. With the demise of communism the IMF and World Bank embarked on a world crusade whereby countries were given loans on the precondition that they introduced neo-liberal economic policies such as ESAP (Economic Structural Adjustment Programme). ESAP was mainly based on the idea that government should not be involved in the running of the economy by subsidizing public sectors. Such IMF and World Bank neo-liberal

economic programmes caused a lot of political and economic instability in many Third World countries. The neo liberal capitalistic ontology of a person is based on the presumption that the individual is an autonomous being who relate to others in the basis of pursuing private self-interests. This understanding of human beings gave birth to liberal democracy in the western world. De Gruchy observed that,

The starting point for liberalism is the individual, and therefore individual rights, rather than society and the common good. But in many ways the individual posited by liberal democracy is an abstraction, and the universalities [of] western specifics. ...To suggest that all societies must accept a liberal worldview is, on this reckoning, a form of cultural imperialism which will lead to the destruction of those cultural niches and traditions which enrich many societies. Yet, paradoxically, while global democratisation runs the danger of promoting universal cultural homogenization, it is also shattering...the myths of homogeneity as people and nations become more aware of gender, ethnic, and cultural differences in their local struggles for democracy (de Gruchy 1995: 29).

In the light of the above quotation, de Gruchy is mainly against the understanding of a new world order that is based on the western liberal democracy theory on the grounds that it entrenches western cultural imperialism. This practice overlooks the fact that any political or economic system is culturally conditioned. Thus cultural imperialism fails to recognise the reality of cultural diversity and the contributions that can be made by other cultures to the envisaged new world order. Against this background of western imperialism of liberal democracy, some African nationalists and scholars have argued that traditional African societies had their own forms of democracy that was based their cultural understanding of a person. Julius Nyerere advocated a rejection of western liberal democracy on the grounds that “it was not appropriate for our circumstances” (Nyerere 1968: 19). Since colonialism has been divisive to African societies, the challenge that faced African nationalists was basically that of nation building (see Nkrumah 1970: 73-74; Ki-Zerbo, Mazrui, Wondji and Boahen 1999: 491). African scholars such as KwasiWiredu have argued that the appropriation of democracy in

Africa should be based on African traditional political values of consensus.

He writes,

It is well known that traditional Africans generally, if perhaps not universally, placed such a high value on consensus in deliberations regarding interpersonal projects that their elders would 'sit under the big trees and talk until they agree. ...People disagreeing about the first two kinds of issues can still agree as to what is to be done by virtue of compromise (Wiredu 2001: 173).

However, the African political tradition of coming to some decision through consensus was based on the presumption that any authentic decision should be reached through a process of inclusive discussion and deliberation. Disagreeing did not necessarily led to conflict but rather it led to a situation of coming to some decision through compromise. Thus disagreement did not imply enmity; rather it was understood as an opportunity to demonstrate wisdom. In similar vein Munyaradzi Murove made the following observation,

A wise leader was considered so on the basis of his or her ability to allow debate, so that at the end of the deliberation on a particular issue of the day, s/he was able to give judgement on the issue in question, basing that judgement on the views that prevailed during deliberation. ...Those that deliberated at the *Dare* were expected to be perceptive and wise in such a way that they were more skilled in the art of persuasion instead of force and threat (Murove 2011: 208).

In the light of the Murove's observation, western liberal democracy is incompatible with African traditional political system of decision making through consensus. The ideal of political decision making through consensus was to foster communal harmony or *Kuwirirana* (mutual understanding). Shona people, like other African people in sub-Saharan Africa, do place greater value on harmonious relationships rather than opposition and conflict. It is for this reason that I hereby submit that western liberal democracy with its tendency to encourage people to compete for political power has remained the main threat to peace and security in many societies in the African continent. It is in such observations that some

scholars who are advocates of new world order are arguing against the imposition of the western liberal democracy to none western societies. In this regard, other proponents of new world order have argued that the world should recognise the reality of cultural pluralism. In this regard, the normative of International Law and Human Rights upon which the UNSC basis most of its judgements is critiqued on the grounds that these norms are simply an expression of the attempt to universalise Eurocentric ways of understanding law and the human person.

#### **6.4 Plurality and Cultural Convergence in the New World Order**

From their observation on global trends and scientific developments, scholars have made fundamentally two competing claims. The first claim is Euro-centric in the sense that it attributes all scientific discoveries and moral advancements in the world to western culture. In this regard, what is construed as normative in politics, economics, religion and ethics should be that which is derived from the west. Here I should like to illustrate this Euro-centric way of thinking by quoting Augustine Shutte when he argued that,

There is no avoiding an engagement with European culture and European ethics in our contemporary globalising world and if it is a critical ethical discussion, so much the better. If Africa is to play a part in the worldwide ethical discussion, it cannot be content simply to rehearse its ancient wisdom in the forms in which it was first formulated. It has to find a way of articulating its ethical insights that can engage with a scientific culture (Shutte 2008: 16).

This way of thinking presupposes that European culture is endowed with an inherent superiority that makes it imperative that other cultures such as African and other non-European cultures should emulate. The marginalisation of African and non-European traditional cultures have been carried out from two fronts. Firstly, from the interpretation of modernity, it has been generally assumed by Euro-centric scholars who maintain that Africa and other non-western cultures must appropriate the processes of globalisation by modernising. In this type of thinking the salient presumption is that Africa must emulate western culture as a precondition to being a relevant global neighbour. Thus the would-be African contribution

to the global culture is premised on being assimilated to western culture. From a Euro-centric historical perspective, Theodore von Laue argued that the original pan-African agitation against colonialism was mainly based on the African quest to be allowed to participate in colonial government structures. He avers, "What Negroes craved above all in the face of African backwardness and Western cultural arrogance was racial pride, combined under socialist (or communist) influence with an affirmation of a common humanity - a concept far beyond the comprehension of simple villagers guarding the African roots" (von Laue 1987: 92). Von Laue's main conviction is that the African quest for independence was indispensable from the quest to westernise. But it is not only Africa; von Laue saw the westernisation of the world as a process that was going on among all non-western cultures. In this vein, he had this to say, "In sum, wherever one looked outside Europe, outside the West, whether into Japan, China, India, or Africa, the revolution of Westernization relentlessly advanced, causing more troubles than it resolved, piling up ominous problems even for the leading countries of the West" (von Laue 1987: 93). Within this way of thinking, the main presumption is that the whole world is destined to adopt western culture. Von Laue's interpretation of globalisation is equally based on the conviction that it was mainly a process of westernisation. He writes,

The world revolution of Westernisation has run its course. It has created an interdependent world supporting five and more billions of human lives, a large percentage existing in comparative misery. Interdependence has been built on universalized Western terms, on Western accomplishments in institutions and command over nature (von Laue 1987: 361).

In the light of the above quotation, the process of globalisation is seen as part and parcel of westernisation. In other words, the main belief is that globalisation had its origins in the diffusion of western culture to all parts of the world. Thus this Euro-centric way of thinking does not see any contributions that are made by other cultures towards globalisation. However, in relationship to the global problems such as poverty, environmental pollution, wars, and the threat of nuclear war, von Laue

admitted suggested that, “The United Nations certainly offers the most practicable available framework for mutual accommodation. Would that it could also assume the function of a universal church preaching the spiritual discipline required for the sense of global citizenship without which there can be no peaceful resolution of international conflict” (von Laue 1987: 368). Such a suggestion is obviously based on the realisation that the world is in actual fact a plurality of cultures that should be recognised on equal footing with western cultures.

The second front which facilitated the marginalisation of non-western world cultures came in the form of social biology – a social interpretation of Charles Darwin’s theory of evolution. The predominant belief from western social biologists is that western societies evolved first before other non-western societies, hence they should thrive at embracing western culture and values. The main understanding here is that a society characterised by complexity must have preceded that which is characterised by simplicity. For this reason, African societies are usually derided upon as backward and therefore they are not able to experience democracy and economic development (Murove 2011: 29). The social reading of Charles Darwin’s theory of evolution resulted in a tendency whereby the western world does not take African and Asiatic societies seriously. We have seen in the previous chapter that the UN’s *Universal Declaration of Human Rights* is ethnocentric on the grounds that it was originally premised on the Western ontology of a person.<sup>64</sup> When the UNSC sees its global responsibility as that of protecting world peace and security by promoting a culture of human rights among all

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<sup>64</sup>Some scholars have argued that the whole discourse of human rights is actually based on Western arrogance whereby Westerners see themselves as endowed with “the last word on all subjects moral” such as justice and rights. It is argued that to talk of *Universal Declaration of Human Rights* is in itself a misnomer because this declaration is basically an articulation of the Western social understanding of a person as an isolated individual. In Western literature “[t]he individual is portrayed...as „fighting to preserve his [sic] domain against the oppressive forces of society”, an image of an individual that is at odds with the African ontology of a person. It is in opposition to this dominance that has been given to the Western understanding of a person as enshrined in the *Universal Declaration of Human Rights* that the then OAU (Organisation of African Unity) came up with its own *Human Rights and People’s Rights* of 1981. One finds that in this African Charter, the discourse of Human Rights was articulated in a way that expressed the communitarian nature of a person as a dominant value in African ontology of an individual (Maxwell 1990: 29; *OAU Charter on Human Rights and People’s Rights*, 1981).

member states, the salient presumption is based on an understanding of a culture of human rights as it originated in western societies. For example, Rhoda Howard demonstrated an ethnocentric reading of Darwin's theory of evolution when she argued that Africa's present was Europe's past. Thus she writes, "They [former British colonies] fare quite poorly...if I compare them with developed Western democracies or with their mother country, Britain, in the contemporary period" (Howard 1985: 161). In their quest for recognition, some African scholars have argued that human rights are culturally conditioned; hence they should not be understood primarily on the basis of the western understanding of a person (Zvobgo 1979; Okere 1985). The implied argument in this way of thinking is that an understanding of human rights that is only based on the western ontology of a person is basically ethnocentric. In other words, the correct approach of understanding human rights should rather be based on an understanding of the world as constituted by a plurality of cultures.

If the world is constituted by a plurality of culture, in the light of the objectives of this study, we are, on logical grounds, bound to investigate the question as to what should be our world outlook that expresses the reality of global cultural pluralism? Some scholars have interpreted the new global order on the basis of a conflict of civilisations as something inevitable. For example, Samuel Huntington saw the new global order as characterised by "The Clash of Civilisations". His main argument is that in the new world order, wars will be fought on the basis of religious beliefs and convictions. These wars will be fought on the basis of an alliance between Islam and Confucian civilisation against Western civilisation (Huntington 1993: 22-49).<sup>65</sup>

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<sup>65</sup>Hans Küng observed that, "Since the French Revolution, the wars of kings and cabinets have been replaced by the wars of nations, and since the First World War these have been succeeded by the wars of ideologies. Now, however, we are told – and this also the sign of an epoch-making change – that we are in the age of wars between civilizations, which for their part are stamped by religions. And indeed there is no avoiding the sad recognition that in the transition to the third millennium, religions appear not only as the great midwives of the global ethic but also as the great disturbers of world peace". Küng went on to say that religions such as Judaism and Islam have served as sources of inspirations for enmity and hatred. This implies that those who undertook wars under the banner of these religions do believe that they were doing this for a divine cause (Küng 1997: 114).

Mazrui (2009: 52-58) is more nuanced when he argued that the UN has acted in way that shows some prior commitment to double standards when it came to resolving conflicts in the Muslim world. An example he gave to illustrate this culture of double standards in relationship to the Muslim world is derived from the conflict that occurred in the former Yugoslavia after its disintegration into several states. In the aftermath of the disintegration of Yugoslavia one of the states that emerged was Bosnia-Herzegovina. A war against Muslims emerged being instigated by troops that were armed by Serbia. As Mazrui puts it, "The irony is that just when the Muslim world was learning to accept a Jewish state in the middle of a Muslim Middle East, Europeans were reluctant to countenance a Muslim state in a Christian Europe". Mazrui's main argument is that the western world has been resentful towards the idea of having a Muslim ruled country in the midst of Europe. The deduction that is made by Mazrui from this war was that,

Fifty Muslim governments, on the other hand, were content timidly to obey the demands of the Security Council: to refrain from arming Bosnian Muslims and evacuating refugees. The conclusion to be drawn from all this is that the universalism of states ostensibly achieved by the UN is still seriously flawed. The UN is still a creature of the Western world, and the West still views Islam through distorting lenses (Mazrui 2009: 58).

The implication of Mazrui's observation is that whilst the UN is expected to be a universal ecumenical body of nations, its *modus operandi*, with specific reference to the Muslim world is mainly determined by Euro-centric interests. In other words, a prior commitment to Euro-centric interests undermines the idea that the UN stands as an ecumenical body of all states of the world. Here I should like to authenticate Mazrui's observation with reference to the current conflicts that have engulfed the Muslim world. The current war that is going on in Syria is actually supported by the western world as a legitimate process of bringing about democratic change within the Muslim world. If the current political and military destabilisation which is happening to the Muslim world has been happening to the West the SC would have taken drastic measures to curb it. It is also for this glaring practice of double

standards that Mazrui maintained that “the UN has sometimes unwittingly provided an umbrella for this division of the world into a system of global apartheid” (Mazrui 2009: 58).<sup>66</sup> A practice of double standards arises from the same logic that guided the then apartheid South Africa whereby white people believed that there should be justice and peace among themselves whilst denying black people the same goods of justice. Some members of the SC would not hesitate to destabilise other none western countries whilst they would not like the same to happen to their countries. The metaphor of apartheid undermines the idea of seeing the world as a global village.

Mazrui (1976:2-14) is a well-known advocate of the new world order. His reasoning in this regard is that there is a world cultural convergence whereby “certain tastes in music, films, sports, magazines have become almost globalized”. Mazrui went on to argue that there is also the reality of convergence in world political sensibilities. A sense of revulsion against injustice is found among all cultures. Whilst one cannot create or come up with a police force for the whole world, Mazrui maintained that “we propose cultural engineering as the most promising approach towards that reform”. Though it remains unclear as to what Mazrui means by ‘cultural engineering’ he went on to assert that, “What all this means is that the way towards creating a more just, more comfortable, and less violent world is through creating a world *community* [his italics]”. However, the problem remains as to the values that should be the guiding posts in this world culture. In chapter 5 we have seen that the West has a tendency of exerting its own national interests in a way that tend to imply that an acceptable world culture should be based on Western political practices. In most cases the UNSC has based the rationale of most of its pronouncements and

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<sup>66</sup>The term „global apartheid“ by Thabo Mbeki, the former president of South Africa at the UN World Summit on Sustainable Development in 2002. Within South Africa, apartheid was a political system that was based on belief that different races should live separately and use separate facilities as designated by the apartheid laws. Adebajo observed that, “The paradox of the 192 member world body is that while it embodies ideals of justice and equality, the power politics embodied in its structures – particularly the powerful fifteen member Security Council – often mean that the powerful *Brahmins* of international society (the Great Powers) can manipulate the system to the disadvantage of the *dalis* (the wretched untouchables)”. Adebajo’s argument is that the UN has maintained a system that is reminiscent to apartheid because poor countries do not have a permanent seat in the UNSC(Adebajo 2009: 3-4).

interventions on Western political values of liberal democracy. In this regard, political values that are found in sub-Saharan Africa, Asia, Latin America and the Arabic countries are usually ignored. The entrenched practice of cultural dependency carries with it the non-recognition of the peoples in the southern hemisphere of the globe. To overcome cultural dependency, Mazrui argued that there was a need to recognise regional autonomy based on continental recognition. He writes,

The central principle is that of *continental jurisdiction* [his italics], which simply asserts that there are certain African problems which should only be solved by Africans themselves, 'Africans' being defined as citizens of member countries of the Organisation of African Unity. The principle of continental jurisdiction concedes legitimacy to continental supranationality. Continental jurisdiction would help to consolidate cultural interaction within those areas themselves (Mazrui 1976: 12).

In other words, the principle of continental jurisdiction offers world recognition to the continent instead of a nation-state. Such a suggestion is extremely important especially when one takes into account the fact that the current UNSC P5 is mainly Eurocentric and its ability to protect world peace and security has remained questionable. Some of the members of the UNSC have actually taken sides in certain national conflicts without the mandate of the UN nor the UNSC. For example, recently France militarily intervened in Mali and Niger, its former colonies. In the light of Mazrui's theory of continental supranationality one would have expected the African continent to intervene in conflicts that happen within the African continent. Recently the 31<sup>st</sup> July 2013 election in Zimbabwe was endorsed by African regional powers such as the Southern African Development Community (SADC) and African Union as free and fair but its legitimacy was rejected by America and Europe on grounds that could not be substantiated. In a way, the USA and Europe have failed to recognise the cultural jurisdiction of the African continent with regards to what constitutes a free and fair election in Africa. The USA and European attitudes towards African political processes sets a precedent for future intercontinental mistrust. What makes the world domination of USA and Europe too repugnant is that there is no single

instance in history where the African continent or the Asian continent has been invited to give its opinion on elections in one of European countries or the USA. What this implies is that Africa and Asia are not recognised as neighbours in the global village but parasites within the global socio-economic political system that is dominated by Europe and the USA.

Mazrui's theory of the world as primarily a federation of cultures was also based on premise that religion played an enormous role in the federation of world cultures. He argued that organised religion helped humanity to come up with the idea of a Universal man (sic) and empathy. According to Mazrui, "What connects the idea of empathy with the idea of the Universal Man is the whole process of *ecumenicalism* [his italics], which denotes the universalisation of empathy" (Mazrui 1976: 19). It is thus concluded by Mazrui that, "Those religions which had the arrogance to believe that every member of the human species should embrace them, and which set out on their travels to convert the world, helped to promote a shared morality between societies which once diverged more sharply" (Mazrui 1976: 32). In the light of the wars that are being fought on the grounds of religious beliefs, it is equally imperative for us to re-examine the role of religion in international conflicts. In other words, peace among religions remains the most challenging factor towards the realisation of a new world order. It is argued by other scholars such as Küng that "religions appear not only as the great midwives of the global ethic but also as the great disturbers of world peace" (Küng 1997: 114). During colonialism, colonialists oppressed and brutally murdered the colonised on the belief that their mission was to protect civilisation and Christianity. It is mainly for this reason that some scholars do argue that religion cannot be a guarantor of the global new order. Despite the inherent psychosis of war which is embedded in organised religions, it also has the tendency to spiritualise animosity among people as it divides them among true believers and false believers. Thus the killing and maiming of those that are deemed non-believers is carried out without any resort to conscience.

In the light of the weakness of religion as a foundation for a new world order, there is also a worldwide scholarly conviction that ethics should be given precedence in the making of a new world order rather than religion. The UN Commission on Global Governance observed that, “The idea is that the values and principles of a global ethic should be common points of contact which offer a minimal moral stimulus which the world must observe in its manifold efforts to overcome the global problems...” (*Report of the World Commission on Culture and Development*, 1995: 35). This commission went on to state that in our general human existence, regardless of cultural differences, there is a shared belief in “human vulnerability and the attendant ethical impulse to alleviate suffering where such is possible, and to provide security to each individual” (Ibid). By basing a new world order on a global ethic, there is also a realisation that each society is endowed with moral values that are indispensable to its functioning, hence a global ethic should provide the foundation for a new world order, an order that builds on the ethical values derived from all cultures of the world. But is this feasible in the light of the American and European domination of world cultures?

The criticism that is levelled against the quest for a new world order is that such a quest is based mainly on advocacy instead of a critical analysis of world realities. It is argued that the new world order quest is based on USA and European political and economic aspirations of trying to shape the world according to their political and economic ideologies - neo-liberal capitalism and liberal democratic theory of politics. Some scholars such as Fouad Ajami critiqued the hypocrisy of Western leaders who talk about world order in terms of intervening in places where dissidents are suppressed, but plead the principle of non-intervention when the subject of Third World poverty arises. He writes, “This approach postulates the existence of specific responsibilities to the world community on the one hand, but then proceeds to dilute the case of global norms when it comes to the rights of poor states” (Kathari 1979: 583; see Maxwell 1990). As we have seen in the previous chapter, powerful countries have already set precedence that by virtue of

their own military and economic prowess they can invade poor countries and reconfigure the political processes of poor countries in accordance with the desired national interests of those powerful countries. In this regard, the International Law norm of respecting the Sovereignty of other states is violated with impunity. The practice of double standards does in fact undermine the idea of interstate mutual recognition. In chapter 7 I shall argue that the ideals that are being espoused by new world order theorists can only be realised through world commitment to equal recognition and mutual aid as an alternative global ethical paradigm.

### **6.5 Concluding Remarks**

In the first section of this chapter I have argued that the call for the UNSC reform is related to the quest for a new world order. Related to this quest for a new world, the USA and the Western world understood the UNSC's main mandate of protecting peace and security under the presumption that all states in the world should embrace liberal democracy. The ironic part of this crusade for liberal democracy for a new world order is that the P5 members of the SC have not been elected by the UN General Assembly. Thus the SC is not well adept to the democratic ethos equal representation and the majoritarian participation in the decision making process. The violation of democratic procedures within the UNSC also manifests itself in the veto system whereby one member of the P5 can easily prevail against the majority desire. It was argued that in the light of the current advances in information technology the world has become a global village in such a way that issues of peace and security can no longer be seen in isolation to the pervasive reality of our human mutual dependency and interdependence.

The convergence of the world was something that was inherent in the workings of the laws of nature; hence the future of humanity was to be based on solidarity with the laws of nature through participation. We have seen that some of the advocates of the new world order are mainly concerned with seeing a world that has wholly implemented Western political values of liberal democracy. It was argued that this was some form

of cultural imperialism which fails to recognise the reality of cultural diversity and the contributions that can be made by other cultures to the new world order. Thus some African nationalists and other Third World scholars who are advocates of new world order are arguing against the imposition of the western liberal democracy to non-western societies. The normativeness of International Law and Human Rights upon which the UNSC basis most of its judgements is critiqued on the grounds that these norms are simply an expression of the attempt to universalise Eurocentric ways of understanding law and the human person.

It was demonstrated that Eurocentric ways of thinking tends to militate against the idea that the new world order should be based on the reality of cultural pluralism in the world. Eurocentricism attributes all scientific discoveries and moral advancements in the world to western culture. In this regard other cultures are not seen or recognised as endowed with any potentiality to contribute anything meaningful to the world except Europe. The main presumption is that the whole world is destined to adopt western culture. Some scholars have argued that the world should be seen as constituted by a plurality of cultures and those cultures need to be recognised on equal footing with any other world cultures. In the following chapter I shall offer an ethical critique of the UNSC basing myself on the ethical paradigm of equal recognition and mutual aid.

## **Chapter 7: A Critique of UNSC'S Double Standards Based on the Ethical Concept of Equal Recognition**

### **7.1 Introduction**

In the preceding chapters we have seen that the main problem that has beset the UNSC is the practice of double standards in its humanitarian intervention missions. Many causal factors for the practice of double standards have been identified. Among those that were identified were the pursuit of national interests among the members of the UNSC, a lack of commitment to upholding international law or morality, the use of a veto by P5 as a blocking mechanism against a majority decision, failure to carry out genuine reform that could lead to the expansion of permanent membership and the undemocratic nature of the UNSC with reference to democratic representation and participation. Related to the later point, we have also seen that the UNSC is organised in a way that reflects its formation since the Second World War.

To practice double standards implies being morally hypocritical with regards to one's commitment to justice and fairness. For example, some members of the UNSC have been very vocal against the manufacturing of nuclear weapons by certain states but the same members have been very much willing to transfer the technology of nuclear weapons to other states. In the case of the tragedy that has fallen on Iraq and Libya, some members of the UNSC could not hesitate to lie to the UN and the SC with the aim of securing a permission to attack these two countries. Instead of acting as guarantors of world peace and security, some members of the UNSC have embroiled themselves into vicious conflicts by actively sponsoring mercenaries and political opposition parties in a most politically destabilising manner to such an extent that the UNSC itself has appeared as actually posing a great danger to world peace and security.

Whilst the UNSC remains a vital organ of the UN, it has also remained the most morally questionable organ of this multilateral organisation. In the preceding chapters, it was evidently clear that there is a strong scholarly

consensus that the UNSC should be reformed so that it reflects the socio-economic and political realities of the 21<sup>st</sup> century where each person, organisation and government is positioning itself for recognition. By resisting the calls for democratic reform, the UNSC is logically refusing to recognise the significance of the majority of the countries that constitute the UN membership, nor does it recognise the contributions that are being made by other UN members towards the maintenance of world peace and security.

I shall structure this chapter as follows: The first section will be based on a conceptual definition of recognition as an ethical concept. In the second section I shall argue that most of the world conflicts ever recorded in our human history were caused by the absence of recognition of each other's being or existence. It is not only the rich who should be seen as the sole guardians of world peace and security, rather all countries of the world should be given the opportunity to contribute something to each other's existence.

## **7.2 A Conceptual Definition of Recognition as an Ethical Concept**

In African culture when you see a person you are expected to greet them as a way of demonstrating that you care and recognise their presence. The need for recognition is thus fundamental to our human flourishing. As we have seen in chapter 5, the doctrine of nation-state sovereignty derives from a particular country's need to be recognised as a self-governing state among other states. The International Law or the Law of Nations - *ius gentium* (Latin). This law provides the norm concerning the relations that should exist among nations. International law stresses that the sovereignty of states should be recognised as a moral imperative (see Ozmańczyk 2003: 1115).

Fukuyama observed that the history of our human existence has been based on the incessant struggle for recognition. This struggle for recognition was integral to historical theories that have been proffered by scholars about human nature. As he puts it,

...the understanding of history as a 'struggle for recognition' is actually a very useful and illuminating way of seeing the contemporary world. ...The 'struggle for recognition' is a concept as old as political philosophy, and refers to a phenomenon coterminous with political life itself. If it seems to us today a somewhat strange and unfamiliar term, it is only because of the successful 'economization' of our thinking that has occurred in the past four hundred years. Yet the 'struggle for recognition' is evident everywhere around us and underlies contemporary movements for liberal rights, whether in the Soviet Union, Eastern Europe, Southern Africa, Asia, Latin America, or in the United States itself (Fukuyama 1992: 145-146).

In the light of Fukuyama's conceptualisation of struggle for recognition, we can also infer that the call for the UNSC reform is also motivated by the struggle for recognition in all countries thriving to be heard and to contribute to world peace and security as equal partners. The UN Security Council has encouraged liberal democracy to other countries whilst refusing to accept the ethos of recognition through liberal democratic practices. However, to restrict the quest for recognition to western liberal democracy as the political ethos which should be followed by the whole world amounts to ignoring other world democracies that exist in the world. African nationalists such as Ahmed SékouTouré of Guinea discussed democracy in terms of national democracy. He writes,

Thus, national democracy is a framework perfectly in keeping with the requirements of our dynamic evolution, as it does not leave aside any goodwill apt to make a positive contribution to the country's development. ...Democracy is a principle, a way of living, a certain quality of the relationship between the various components of a group; it further relates to the conditions under which the respective economic social groups are placed, and work. But democracy is essentially a means; its contents may vary as widely as human thoughts and concepts (Touré 1979: 172-173).

By coining the term 'national democracy', Touré was driving home the idea that democracy is context specific and that contextual realities should determine its nature and form. This type of thinking implies that when democracy is contextualised it enables all peoples of the world to attain political recognition rather than when it is portrayed as an acontextualpolitical system. In similar vein, some scholars in post-colonial

Africa have maintained that the African political system was based on democracy by consensus whereby “the pursuit of consensus was a deliberate effort to go beyond decision by majority opinion” (Wiredu 1997: 307; also see Khoza 2005: 84). Wiredu is arguing that the western liberal democratic tradition does not recognise the minorities in the political decision making process.

As indicated in chapter 6, the African political system of democracy by consensus created a political situation whereby everybody was recognised through participatory deliberations. The African consensual democracy is thus radically different from the western liberal democracy which is usually based on the presumption that the decision of the majority should always prevail against the minority. In liberal western democracy the minority are not recognised when it comes to political decision making. Whilst democracy by consensus required the use of rationality during deliberations, the western liberal democracy is based on irrationalism - it does not matter whether the electorate knows the implications of voting for the candidate they are voting for or not. In fact western liberal democracy is based on irrationalism because it presumes that the choice of individuals should remain unknown to others. This practice actually discounts the possibility of decision making through consensus.

The main aim of consensual democracy is to create a condition where there is greater participation in such a way that nobody is left out in the decision making process. Charles Taylor cannot be bettered when he stated that, “Democracy has ushered in a politics of equal recognition, which has taken various forms over the years, and has now returned in the form of demands for the equal status of cultures and of genders” (Taylor 1994: 27). As we have seen in the preceding chapters, most the countries as well as scholars have called for the UNSC reform on the basis that it has remained undemocratic. This call for UNSC reform should be understood as a quest

for recognition through a wider participation of the UN member states in the decision making process of the UNSC.<sup>67</sup>

Most of the conflicts that have been experienced in most parts of the world do arise from failure to recognise others in terms of what they have achieved in life or what they can contribute in a given situation of conflict. Fukuyama did put it well when he said, “The problem of human history can be seen, in a certain sense, as the search for a way to satisfy the desire of *both* masters and slaves for recognition on a mutual and equal basis; history ends with the victory of a social order that accomplishes this goal” (Fukuyama 1992: 152). In a world that is polarised between rich and poor countries, and the former exercising domination and patronage against the later, it is no wonder that the later has persistently argued that their UN membership should be recognised on the basis of equal participation in the decision making processes of the UNSC.<sup>68</sup> Within the UNSC where voices of poor countries are usually ignored, the dialectical relationship of masters and slaves has remained intact. For example some members of P5 have insisted that poor countries should not have chemical and nuclear weapons whilst they themselves are hoarding the most sophisticated chemical and nuclear weapons. Such an attitude arises from a failure to recognise the sovereignty

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<sup>67</sup>However, there are always challenges that member states particularly developing countries often encounter in the quest for reform. As highlighted by Jonathan Moyo during, there seems to be serious death of political leadership (sic) in developing countries that have moral campus and vision that resonates value of commonalities. This affects the unity of purpose in as far as the achievement of reform is concerned. Moyo further noted that developing countries particularly in Africa don't have leadership with shared history. Africa no longer have the Nkurumahs, the Mwalimus, and the Kaundas. The zeal for common purpose and in this case the quest for reform is not there (Interview with the author, Harare 02 January 2013).

<sup>68</sup> In the views of John Makumbe, these poor or developing countries (sic) should at least organise themselves into blocs with a united voice against these alien values, educate themselves about these values. Their voices can only be significant only when these countries educate their people on constructive value systems. Makumbe further noted that there is need for developing countries to mobilise resources that will enable them to successfully lobby for the elimination of alien values at continental and international forums. Developing countries must resist punishments meted by some members of the P5. On a related note, Makumbe also noted that whilst there is a general consensus by the developing countries on the need to reform the UNSC, the same developing countries have not agreed on what reforms, when to reform and how these reforms are to be effected. Right across the board, they have to push for reforms at UNSC meetings and demonstrations have to be organised targeting P5 institutions such as embassies (Interview with author, Harare, 02 January 2013).

of poor countries as well as their right to self-determination as entrenched in the UN Charter. One of the contributing factors to war is based on the belief that peace can only be achieved on “a condition of mutual terror” as well as “greater total destruction” (Burton 1967: 15). During the Cold War era this became the predominant thinking in the struggle for recognition among members of the UNSC. The concept of ‘Super Power’ was based on the idea of recognising those countries that possessed nuclear weapons and their capability to effect a situation of mutual total destruction. In this regard, the struggle for recognition was based on barbarism because the very idea of mutual destruction is analogous to burning a house in which one stays. Thus the struggle for recognition carries with it two implications, one amoral and another moral.

### **7.2.1 An Amoral Struggle for Recognition**

In chapter 5 we have seen that there are some western philosophers such as Thomas Hobbes, Nicole Machiavelli and Fredrick Nietzsche who advanced the thesis that human beings were evil by nature.<sup>69</sup> For these philosophers, our human competition for power was mainly motivated by the quest for recognition. In other words, human beings do not acquire power as an end in itself, rather the aim of acquiring power is recognition. Hobbes was more nuanced on this point when he said that human beings can only behave well when there is a common Power to enforce agreements. As he put it,

If a covenant be made, wherein neither of the parties perform presently, but trust one another; in the condition of mere nature, which is a condition of war of every man against every man, [sic] upon any reasonable suspicion, it is void: but if there be a common power set over them both, with right and force sufficient to compel performance, it is not void. For he that performeth first, has no assurance the other will perform after; because the bonds of words are too weak to bridle men’s ambition, avarice, anger, and other passions, without the fear of some coercive

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<sup>69</sup>Machiavelli was more nuanced on the idea that a successful politician should be the one who acts immorally and that a politician who acts morally will always fail to achieve his or her goals. In this regard, deception is presented as the indispensable art of politics. Thus Machiavelli would put it blatantly that people should be given the impression “that he [the ruler], when one sees and hears him, is all gentleness, and all piety...People are simple, judge by appearances and like to be deceived”. In *Beyond Good and Evil*, Nietzsche maintained that a successful ruler is the one who does “good when possible and evil as far as necessary (Machiavelli 1984: 59; Küng 1997: 70).

power; which is the condition of mere nature, where all men are equal, and judges of the justness of their own fears, cannot possibly be supposed(Hobbes 1962: 108).

As for Hobbes, the existence of a government arises from the fact that by nature human beings exist in a perennial state of mutual suspicion on the intentions of each other. It was through the recognition of a universal power which enabled human beings to honour and respect agreements. Hobbes' presumption of human nature was based on the premise that human beings were amoral by nature; hence they exist in a state where they all compete for recognition. When this competition for recognition is not controlled by a common power, we end up with a tragic situation characterised by a universal war. This competition for recognition was the source of social strife. Recently some countries have attained global recognition by exercising power militarily against poor countries. For example, some scholars have advanced the argument that the USA has asserted itself as a global empire. As Michael Cox puts it, "...under the conditions of international anarchy, where order remained the prime concern, the United States had to learn the most important and self-evident lesson of history - if there was to be any form of order at all, it had to act in the same imperial fashion as the British and Romans had done in the past" (Cox 2004: 23-24). In a way the USA has assumed the role of the Hobbesian Leviathan for the whole world. Here the presumption is that there can only be order in the whole world when there is an overseeing power that keeps all nations in awe. Another domain where the USA exercises its power is the domain of economics. The USA has attained global recognition through economic domination and military force. It uses economic sanctions and military force to gain recognition from states that are perceived to be anti-USA policies. Michael Mann stated it is follows,

The poorer countries subsidize the American economy far more than they ever receive in US development aid. It also aids the US to maintain an enormous military budget, year in, year out, without the strains that were manifest in all previous Empires. ...The US tries to use these economic powers to further its strategic interests through three principal mechanisms - aid, trade, and loans. ...US aid programmes remain closely

geared to strategic goals. ...Most African countries get less aid from the US than from Europe (Mann 2004: 58-59).

Through its economic power, the US is in the position to manipulate poor countries through aid. But this aid is not necessarily an expression of generosity, but another way of enslaving poor countries whereby through aid poor countries end up contributing to the development of the American economy. A strong military helps the US to maintain recognition amongst its foes and allies alike. The fact that poor African countries get less aid from the US implies that such a quest for recognition is actually based on amoral grounds. In this regard economic aid is used as a means of advancing or promoting US's national interests. Sometimes aid has been used as a means of interfering in the domestic political affairs of a sovereign country. Recently some members of the UNSC such as France and Russia have sometimes embarked on bombarding their former colonies. This is another way of struggling for recognition that fails to take into account the moral implications of one's actions.

Another amoral dimension of recognition which is found in international relations comes in the form of misrecognition whereby political identities of poor countries are deliberately distorted by the Western world and its media empire. For example, as we have seen in chapter 5, the period prior to the illegal war against Iraq, the Western and the USA media went on a relentless campaign that was aimed at promoting an international political identity of the misrecognition of Iraq. In the aftermath of the 1991 Gulf War, the Western and the USA media went on to create grand narratives whose main motif was to demonstrate that Iraq was being ruled by a war mongering psychopath whose continuous ruling of Iraq posed a threat to world peace and security in the Middle East, that he ruthlessly waged unnecessary wars against his neighbours and routinely murdered his ministers and generals because of his inherent psychosis of war and violence. This media profile of Saddam Hussein became the launch pad for the USA and its Western allies' agitation for war against Iraq at the UNSC. As we have seen previously,

themalicious accusation was that Iraq was hiding enormous quantities of weapons of mass destruction. Thus on the basis of this misrecognition, Resolutions, 687, 707 and 715 insisted that Iraq “must declare the locations, amounts, and types of all its prohibited weapons; agree to destroy, remove, or render them harmless under international supervision” (Da Silva 2004: 206). Even though the UN inspectors failed to find those WMD, the USA and the UK insisted on a political misrecognition of Iraq by campaigning that the UN and the SC should take into account that they were dealing with a treacherous regime who had no commitment to truth and honest dealings. However, we have also seen in chapter 5 that the main aim behind the USA and UK campaign for political misrecognition of Iraq was to effect what they called ‘Regime Change’<sup>70</sup> which is a malicious political agenda usually aimed at destabilising legitimate governments who are in most cases regarded as enemies of the USA and her western allies. I have called it a politically malicious agenda because the whole of the post-Gulf War campaign against Iraq was based on a lie which has resulted in the destruction of Iraq which is still ongoing to this day. To promote misrecognition of another country the most effective tool for such a purpose is to lie about the target country in a way that creates a distorted image that will in turn help to nurture misrecognition in the psyches of many people across the globe.

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<sup>70</sup>The war against Iraq was mainly aimed at removing Saddam Hussein from power. But instead of campaigning for this war under the banner of Regime Change, the USA and UK deceived the world by insisting that they wanted to rid Saddam Hussein of Weapons of Mass Destruction. Some scholars such as Milan Rai argued that “the war was an illegitimate war for US domination, not for Iraqi liberation. It was clear six months before it was launched that this was not a war for „regime change“, this was a war intended to achieve „regime stabilisation“ and only leadership change“...The war [against Iraq] was a crime”. Here it can be added that the war against Iraqi was a crime against humanity because it was based on a lie that Iraqi had weapons of mass destruction. On these grounds, Rai argued that “[T]he war was unnecessary. It was unjustified. It was immoral. It was illegal. It was anti-democratic. It was a war built on lies”. The concept of „Regime Change“ was based on sinister campaign by right wingers that those leaders who are deemed as a threat to American global hegemony should be removed from power. The then USA Secretary of State, Colin Powell maintained that, “Sanctions and the pressure of sanctions are part of a strategy of regime change [along with] support for the opposition and reviewing additional options that might be available of a unilateral or multilateral nature. For reasons set out elsewhere, I believe that it is more appropriate to describe US policy as one of „leadership change“ rather than „regime change“. Here the concept of Regime Change implies a misrecognition of those leaders who were deemed as threats to American global hegemony. This implies forceful removal of such leaders and active support for the opposition which is deemed supportive of American policies (Rai 2003: 7-12).

Currently the USA and Western media have characterised most of the revolts that have gone on and are still going on in the Arab world as 'Arab Spring' - implying the uprising of Arab people against their own dictatorships in their quest for Western liberal democratic form of government. The concept of 'Arab Spring' gives the impression that the Arab world is currently yearning for something that is politically new, hence these political revolts are something spontaneous. What is mainly hidden from such accounts is that the USA and its Western allies such as the NATO are actually the main instigators and supporters of most of these revolts. The image that has been nurtured by the USA and Western media prior to the overthrowing of Gaddafi was that he was a ruthless and eccentric dictator. Hence, whenever the Gaddafi government tried to restore law and order among its citizens it was broadcasted to the whole world as part and parcel of Gaddafi's expression of his ruthless dictatorship. It is no wonder that the image of the misrecognition of Gaddafi as the legitimate leader of Libya was adopted by the USA and NATO. Thus Obama reacted to the Libyan insurrection as follows,

The American people extend our deepest condolences to the families and loved ones of all who've been killed and injured. The suffering and bloodshed is outrageous and it is unacceptable. So are threats and orders to shoot peaceful protesters and further punish the people of Libya. These actions violate international norms and every standard of common decency. This violence must stop (*The Guardian Live Blog* 2011).

In the above quotation we can deduce that Obama was not supportive of the Gaddafi government as the legitimate and internationally recognisable government of Libya, rather, it is evidently clear that he was on the side of rebelling part of the Libyan people. Here we can also assert that misrecognition is closely tied with an attitude that actively undermines the legitimacy of a government of a particular state. Such a misrecognition is usually motivated by some ulterior self-interested motives that are in most cases aimed at advancing national economic interests or settling some primordial grudge. In the case of Libya, the economic self-interested motives which we deduced in chapter 5 was to gain access to Libyan oil and to

revenge against Gaddafi's nationalisation of Libyan oil to the detriment of Western oil companies. The USA and NATO's campaign for the misrecognition was initially based on an unproven allegation that Libya was using planes to bomb its protesting citizens. This allegation resulted in the UNSC's passing of a Resolution 1973 which stipulated that a No Fly Zone<sup>71</sup> should be enforced in Libya. Whilst the members of the UNSC had approved the enforcement of the No Fly Zone resolution, it later emerged that those who voted in UNSC had actually in ignorance given the power to NATO and the USA for the total destruction of Libya's security infrastructure so as to give an advantage to NATO and USA sponsored rebels to overthrow Gaddafi's government. In the light of the two examples of Iraq and Libya we can deduce that a situation of misrecognition was fuelled by misinformation or the spreading of propaganda against Libya.

Related to misrecognition is the concept of Super Power which is used as a justification for permanent membership. The very concept of Super Power tends to give the impression that the rest of the countries that are not among the P5 are inferior. In the preceding discussion it came out clearly that the P5 concept is a misnomer because some of those countries such as the UK, Russia and France are no more Super Powers as compared to countries such as Japan and Germany. These countries contribute much more to UN peace keeping missions than what UK, Russia and France do. In this regard, Germany and Japan are being misrecognised. In chapter 6 it was also argued that the SC is usually used by the P5 as an arena to promote their own national interests. The P5 system of the UNSC is based on a system of patronage and proxy whereby other states, especially the poor ones rely on the protection of a friendly member of P5 country(ies) for protection from

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<sup>71</sup>The concept of No Fly Zone (NFZ) was previously applied on Iraq after the Gulf War. It was used under the pretence that Saddam was bombing Kurdish areas, hence USA and its allies needed to institute a No Fly Zone within Iraq. As we have seen previously, this No Fly Zone idea was later on used to violate Iraq's sovereignty, something that is prohibited in international law. The concept of No Fly Zone was lobbied for against Libya and was later on used by NATO countries for an unrelenting bombardment of Libya with the aim of degrading its military capability. With the case of Libya, the No Fly Zone UNSC resolution was abused by NATO to destroy all of Libya's military installations. Recently Syrian rebels were appealing to the USA and NATO that a No Fly Zone be implemented in Syria. This was another way of requesting for a direct military assistance that directly violated Syria's sovereignty.

military attack and destabilisation by some permanent members of the SC. For example in its 2002 *National Security Strategy*, the United States maintained that, “We must be prepared to stop rogue states and their terrorist clients before they are able to threaten or use weapons of mass destruction against the United States and our allies and friends” (cited in Hume 2004: 612). In this way of thinking, those who are not allies and friends of the USA will not be protected from any threat to their security. In this regard, these states (those who are not allies and friends of the USA) are misrecognised. Misrecognition goes hand-in-with double standards because a country that is labelled as an enemy of the USA and its allies is usually subjected to all sorts of threats from terrorism. For example, it is common knowledge that the USA and her allies are actively sponsoring terrorism in Syria. The USA and her allies abhor terrorism in their own territories but they are willing to sponsor it in countries that are seen as enemies of the USA and its allies. Thus misrecognition means a failure to give equal value to peace and security to those that are seen as enemies. In other words, the lives of those who are killed by weapons that are supplied by the USA and her allies are not seen as important in comparison to the lives of the citizens of USA and her allies.

Thus misrecognition has posed a threat to the functioning of the UNSC as one of the organs of the UN. For a struggle for recognition to be ethical it needs to be based on mutual recognition. Currently many Heads of State of Africa and some scholars have become conscious of the fact that the plight for reparations of African people and those who suffered under Euro-American slavery has not received any attention from the mainstream Eurocentric global culture.

The idea of mutual recognition can only be enabled by a political condition whereby all countries are respected on the basis of their own sovereignty and the idea of our shared humanity. For this reason we shall turn to the concept of equal recognition as a moral imperative in international relations.

Here my main presumption is that each country needs to be recognised as an equal partner in the promotion of world peace and security.

### **7.2.2 Moral Implications of Equal Recognition**

Currently there has been a worldwide realisation that people need to be recognised as equals regardless of who they are culturally or religiously. Some scholars have understood equal recognition as a moral condition that can only be realised within a socio-political context of liberal democracy. Their main argument is that within a society that has adopted values of liberal democracy, cultural values and religious convictions of all members of a multicultural society are respected. Thus recognition is tied up with the issue of identity within a multicultural society. Charles Taylor states it more succinctly when he said, “A number of strands in contemporary politics turn on the need, sometimes the demand, for *recognition*. ...The demand comes to the fore in a number of ways in today’s politics, on behalf of minority or ‘subaltern’ groups, in some forms of feminism and in what is today called the politics of ‘multiculturalism’” (Taylor 1994: 25). In other words, the need to be recognised has become a universal reality in our contemporary times. From the perspective of multiculturalism all cultures demand to be recognised within the global reality of the plurality of cultures. Here the implication of this claim is that each people needs to be recognised within the context of its culture and history. For this reason, Mazrui argued that in the light of globalisation, governments of the world should move towards a global situation of cultural federalism. He writes,

A Cultural federation in our sense is not a neatly institutionalised arrangement but a pattern of cultural relationships based ultimately on three principles. These principles are, first, an acceptance of cultural interdependence among the constituent parts; second, an acceptance of the principle of parity of esteem among the constituent cultural units, ‘coordinate in their powers, so that none of them is able to dominate the others’; and third, a promotion at a federal level of ‘cultural fusion’ which is the equivalent of sharing the central powers of sovereignty in a political federation. In a cultural federation, we might call the federal level the shared culture or joint culture; and call the lower units simply constituent cultures (Mazrui 1976: 70).

The above quotation is based on the presumption that we should see the world as basically constituted by different cultures that should be treated on the basis of equality. No world culture should present itself within the global community as superior to other cultures. World federation of cultures also implies a cultural quest for recognition based on the idea that our human existence is intertwined with the existence of others. Here the challenge is to recognise other cultures as equally contributing positively to the world federation of cultures. The political concept of sovereignty which is at the heart of a nation-state's quest for recognition has to be understood as something that should be seen as a moral good that is shared by all countries of the world. Colonialism and imperialism in whatever form is usually based on a quest to make the other emulate the colonial or imperial culture as the only genuine reflection of personhood. However, in Africa "it is very often those Africans who completely abandoned their own roots who have later become particularly hostile to foreign influences and western ways" (Mazrui 1976: 73). Here we can deduce that the hostility of an educated African to foreign influences and western culture is mainly related to the fact that within a foreign culture such as the western culture, the educated African remained unrecognised. Post-colonial African scholarly reconstructions of the African history of antiquity are all efforts that were aimed at attaining cultural world recognition. Thus the book of Magesa M Fuze which was written in 1929 *The Black People: And whence they Came*. Fuze is more telling in trying to narrate the history of African people before the advent of colonialism. He writes,

Our forebears tell us that all we black people originally came from the north. When we make close enquiry as to where this north may be, they point in an upward direction; but because no written records were left by those who came before us, all they can do is to point in that northerly direction upward of the country [*ehlenezwei*], which we hear referred to as the horn of Africa near where the sea almost meets (Suez Canal). It is said that when they left that curve [*isonge*], they dispersed throughout the country, skirting the sea and travelling westwards and southwards. Those who went westwards are known as the Ntungwa, and those who skirted the sea and headed southwards as the Nguni (Fuze 1979: 1).

It is important to note that accounts such as these that attempt to trace the history of the origins of African people are in most cases aimed at rewriting the history of African people from an African perspective. For most of the African scholars, recognition was to be attained in the process of reconstruction of African history which they deem to have been distorted by colonialism. As we have seen in the preceding chapter, Eurocentricists claimed that the history of the world started in Europe. Within the realm of colonialism, it was claimed that African history started with the advent of colonialists. A quest for recognition is thus related to an attempt to dispel such a myth. Colonialism had nursed a perception that Africans did not have a history and that the history of Africans started with the advent of colonialists. To a certain extent this implied that Africa's rise to world recognition was enabled by the arrival of colonialists. In similar vein with Fuze, Aeneas Chigwedere wrote a book titled *The Roots of the Bantu* in which he maintained that, "My first task in this book is to try and demonstrate that the black Pygmies were the only human beings existing on the continent of Africa at one time. The next task consists of proving that a new and different man migrated into Africa somewhere around 15 000 BC" (Chigwedere 1998: 10). This historical writing is mainly an attempt at reconstructing the African identity that needs to be recognised by the world instead of that which was created by colonialism which was based on an erroneous assumption that African history started with the advent of colonialism.

Recognition is inseparable from a genuine moral perception of personhood. Other moralists argue that recognition is something which we owe people. Taylor states it well when he said, "...misrecognition shows not just a lack of due respect. It can inflict a grievous wound, saddling its victims with a crippling self-hatred. Due recognition is not just a courtesy we owe people. It is a vital human need" (Taylor 1994: 26). In the previous subsection I have demonstrated that misrecognition is usually the main cause of conflicts within the generality of our human existence. For example, some countries such the USA, Russia, Britain, Israel, the then Rhodesia and apartheid South Africa sometimes violated the sovereignty of other states by carrying out

military attacks without the mandate of the UNSC. In this regard, failure to recognise the sovereignty of another state undermines the dignity of the attacked state. Whilst such behaviour has often been described as a blatant violation of International Law, there has never been concerted effort from the UNSC to enforce this law against violators. For this reason, there are scholars who are calling for a balance of power so that there can be a world situation of collective security whereby “both men[sic] and States are subject to a universal law and order” (Burton 1967: 55).

The idea of balance of power is also connected to the quest for equal recognition within the international political arena. In its embryonic stages, the UN advocated the idea of solidarity among the nations of the whole world. In this regard the concept of Collective Security was introduced on the understanding that all countries of the world should be active participants for the security of the whole world. The concept of Collective Security “eliminates alliances which divide the world into power groups” (Burton 1967: 60). Thus within the concept of Collective Security there is an inherent presumption that power should be universalised as a mechanism of promoting world peace. For this reason, it can be deduced that Collective Security provides us with a fertile ground in which we can foster the ideal of equal recognition in the promotion of peace and security in the world. The implication of this assertion is that the pursuit of world peace and security cannot be seen solely as a preserve of the P5 members of the UNSC, but as a goal that has to be actively pursued by all UN member states.

However, another arena in which equal recognition can be realised is through the International Law. The idea of International Law was originally aimed at creating common standards in the governance of the world. Amongst those who advocate for International Law there is an “assumption of some continuity from tribal leadership and law, to the creation of the State, and finally to the establishment of an international order” (Burton 1967: 61). For International Law to be enforced there must be a general consent to it by the international community. J. W. Burton argued that since

national law is constructed around the idea of protecting individual rights, it is impossible to apply international law to individual cases. Burton went on to say that, “Any enforcement of international law that might take place is, therefore, enforcement by one or more States in support of their own interests and against those of others” (Burton 1967: 62). In other words, International Law does not necessarily promote a condition of equal recognition because those who might purport to enforce it will be doing so on the basis of promoting their own national selfish interests. Recently, there have been some concerns from African countries based on the observation that International Law is being applied in a way that has targeted African leaders as the only perpetrators of crimes against humanity in the whole world.

For example, George Bush and Tony Blair waged a war that has led to the destruction of Iraq without the mandate of the international community or the UNSC. This war was later on described by the then General Secretary of the UN, Kofi Annan as illegal but to date no effort has been made to bring Bush and Blair before the International Criminal Court (ICC). When Judge Richard Goldstone was appointed by the UN to investigate crimes against humanity in Palestine, he came to the damning conclusion that indeed Israel had committed crimes against humanity in Palestine but no action was taken by the ICC against Israeli individuals responsible for those crimes. In the light of all these examples we can fairly deduce that there is a practice of selective application of International Law against the weak as opposed to the powerful. This selective application of International Law does not help to promote equal recognition because of the practice of double standards inherent in its application. It is mainly on these grounds that most of the African countries who are signatories to the ICC are currently contemplating withdrawing their membership. By withdrawing their membership from the ICC, African countries are protesting against the principle of unfairness which is being enforced in the application of International Law by the ICC.

We can also deduce from the above examples that International Law does not promote equal recognition because the will of the powerful and their allies will always prevail against the weak and poor. Thus the current application of International Law does not recognise the grievances of African states with regards to past injustices that were committed against African people during the eras of colonialism and apartheid. Those who perpetrated wars against humanity such as the South African apartheid government leaders as well as Rhodesian leader, Ian Smith have never been requested to answer before any multilateral organisation for their crimes against humanity. The concept of equal recognition is hinged on the legal principle of justice as implying fairness. In chapter 5 we have seen that the western notion of justice derives from the philosophical doctrine of atomic individualism which differs yet from the African communitarian notion of justice that is based on the notion that individual rights subsist in the community in which s/he belongs. Within the African notion of justice, is usually recognised as wholly belonging to the community. The western individualistic influence on the world discourse of rights has failed to recognise the concerns of none westerners in their quest for justice. Here I should like to evoke Jürgen Habermas where he said,

The struggle over the interpretation and satisfaction of historically unredeemed claims is a struggle for legitimate rights in which collective actors are once again involved, combating a lack of respect for their dignity. In this 'struggle for recognition' collective experiences of violated integrity are articulated...Can these phenomena be reconciled with a theory of rights that is individualistically designed? ...Does not the recognition of cultural forms of life and traditions that have been marginalised, whether in the context of a majority culture or in a Eurocentric global society, require guarantees of status and survival - in other words, some kind of collective rights that shatter the outmoded self-understanding of the democratic constitutional state, which is tailored to individual rights and in that sense is 'liberal'? (Habermas 1994:108-109).

Habermas' observation is very much relevant to the African continent and other continents that were once subjected under the yoke of colonialism and imperialism. What the colonised people struggled for has never been recognised. Neither does the current Eurocentric global society recognise

those previously disadvantaged cultures. A discourse on democracy that can help to create a situation of the recognition of such people should come up with a language of rights that accommodates the aspirations of all those people whose cultures could not be recognised by the Eurocentric global society. However, the quest for recognition is not only about culture, but it involves a quest for redress with reference to injustices of the past. For example, Germany was requested to make reparations to the Jews for the Holocaust that was committed by the Nazis. When it comes to the issue of reparations of black people who were subjected to horrendous systems of colonialism and slavery, the world has remained silence as if this history of brutalisation of African people has never happened. Thus Ali Mazrui would observe that,

The consequences of colonization are not merely research topics for scholars, they also encompass horrendous civil wars, the collapse of states, and a normative collapse in places like Liberia, Angola and Somalia. These are some of the malevolent continuities of colonialism. Thus, the consequences of both enslavement and colonization are not merely themes for plenary lectures at African Studies conventions because these consequences also include the malfunctioning of colonial economies in Africa and the distortion of socio-economic relations in the African Diaspora...When the reparations movement finally captured the imagination of Africans in Africa, a wider normative shift followed. It was the African side of the reparations movement that shifted it from a demand of Diaspora blacks for restitution in their own countries to a new world-wide crusade for reparations for the African and Black as a whole (Mazrui 2002: 62-63).

In other words, wrongs or crimes such as slavery and colonialism do need to be recognised actively in the form of reparations. So far the issue of reparations is very crucial especially when one takes into account, as observed by Mazrui above, that some countries were completely destroyed by colonialism to the extent that they have never recovered. UN resolutions about the need to eradicate colonialism and apartheid on the basis that they were a threat to world peace and security was not necessarily sufficient because this was not followed by an active form of compensation or reparations. Colonialism was not about the benevolence of western

countries. The western Berlin Conference was aimed at avoiding a European bloodbath in the course of competition for looting of African resources.<sup>72</sup> But does the UN and its SC recognise these claims for reparations from African people?<sup>73</sup> Failure to recognise the need for reparation has often led to a distorted view of African economic and political realities without taking into account the role that was played by European colonialism to Africa's socio-economic mishaps and instability. There are some scholars who fail to recognise this truism and they therefore end up resorting to some simplistic and poorly misguided analyses that fail to do justice to Africa's political and economic problems. Within such analyses, the main aim is to accuse the victims – that the victims of colonialism and slavery are mainly responsible for their own socio-economic and political condition. For example, EllyTwineyo-Kamugisha is a typical example of those who accuse victims of colonialism for socio-economic and political mishaps and instability that have befallen post-colonial Africa. He avers,

In tandem with the continent's economic plight, many African states have failed infrastructure, and some depend on food aid. Although the economic emancipation struggle has been fraught with immense challenges, I, personally, do not buy into the repeated argument that

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<sup>72</sup>In his *Scramble for Africa*, Thomas Pakenham observed that "Europeans pictured most of the continent as „vacant“: legally *res nullius*, a no-man's-land. If there were states and rulers, they were African. If they were treasures they were buried in African soil. But beyond the trading posts on the coastal fringe, and strategically important colonies in Algeria and South Africa, Europe saw no reason to intervene. Suddenly, in half a generation, the Scramble gave Europe virtually the whole continent: including thirty new colonies and protectorates, 10 million square miles of new territory and 110 million dazed new subjects, acquired by one method or another. Africa was sliced up like a cake, the pieces swallowed by five rival nations – Germany, Italy, Portugal, France and Britain. ...By the end of the century, the passions generated by the Scramble had helped to poison the political climate in Europe, brought Britain to the brink of a war with France, and precipitated a struggle with the Boers, the costliest, longest and bloodiest war since 1815 – and one of the most humiliating in British history" (Pakenham 1991: xxiii). The Scramble for Africa had set a historical precedence whereby it became acceptable for countries to plunder the resources and even going to war for plunder. The Scramble for Africa was also based on the failure by European countries to recognize the sovereignty of other people's territories. One can even claim that the both First and Second World Wars were actually the products of lack of recognition of each other's sovereignty.

<sup>73</sup>Article 16 of the "UN Charter of Economic Rights and Duties of States" stipulates that there was need to pay compensation for the economic consequences of colonialism. Other scholars argue that "it is difficult to relate the responsibility of particular colonial states to their victims in a measurable way which takes account of the fact that the existing world economic system adversely affects many developing countries which were neither colonized. ...The historical dimension of colonialism has...created a relationship of dependence on the part of developing countries towards developed which is not properly taken into account present aid and industry sharing policies towards developing countries "(Carty 1984: 74).

colonialism is the main cause of Africa's current economic woes. I believe that the continent's plight is attributable to maladministration by its leaders. Many African nations have suffered long spells of poor leadership, dictatorship and gross corruption (Twineyo-Kamugisha 2012: 11).

In the light of the above mode of thinking, victims of colonialism are not supposed to be recognised because they are the main cause of their own predicaments. However, in the light of the available knowledge about colonialism, this type of thinking is dangerously superficial. I have qualified this type of thinking as dangerously superficial for the following reasons: Firstly, colonialism introduced into Africa all that was about political and economic maladministration. Politically the colonial arena was not characterised by democracy, rather it was a political arena that thrived on the exclusion of the majority of the citizens from participating in the political processes of their own country of origin. In this regard, colonialism did not recognise African people as real people but sub-humans to be exploited. Colonialism never trained the colonised people for political offices, on the contrary, what we find is that those who were colonially oppressed had to emancipate themselves through the process of a protracted armed struggle.

### **7.3 Concluding Remarks**

In this chapter it was firstly submitted that all countries do quest for recognition. This quest for recognition carries with it some moral overtones. On these grounds it was observed that International law stresses that the sovereignty of states should be recognised as a moral imperative. Thus states would feel offended when they are not recognised as sovereigns. It was observed in this chapter that the UN Security Council has encouraged liberal democracy to other countries whilst it refused to accept the ethos of recognition through liberal democratic practices. My argument in this regard was that, to restrict the quest for recognition to western liberal democracy as the political ethos which should be followed by the whole world amounts to ignoring political pluralism inherent in other world democracies. The practice of double standards undermines the ethical concept of equal

recognition in the sense that those P5 countries do not recognise the need to share the privileges they enjoy with those that are not members of the P5.

I argued that these P5 do not recognise the sovereignty of poor countries, especially when it comes to acquiring nuclear technology. Here specific reference was made to Iran nuclear technology as well as the deposition and the execution of President Kaddafi of Libya. I also observed that the concept of 'Super Power' was based on the idea of recognising those countries that possessed nuclear weapons and their capability to effect a situation of mutual total destruction. The struggle for recognition carries with it two implications, one amoral and another moral. The amoral implication was traced to the philosophical ideas of Thomas Hobbes, Nicole Machiavelli and Fredrick Nietzsche who advanced the thesis that human beings were evil by nature. According to these philosophers, violence or war was justifiable in as far as it enables one to attain his or her political aims. In our contemporary times some members of the UNSC such France and Russia have embarked on inflicting violence against their former colonies in their world quest for recognition. The USA has also embarked on establishing itself as the empire of the whole world in its quest for recognition. These empirical aspirations are being recognised all over globe through economic and political intrusive measures against sovereign states.

Another amoral dimension of recognition which is found in international relations comes in the form of misrecognition whereby political identities of poor countries are deliberately distorted by the Western world and its media empire. In this regard, misrecognition of poor countries carries with it a deliberate misrepresentation of facts with the aim of tarnishing the image of the targeted country which is usually seen as a foe to western interests. In order to promote misrecognition of another country the most effective tool for such a purpose is to lie about the target country in a way that creates a distorted image that will in turn help to nurture misrecognition in the psyches of many people. By way of example I have referred to the western and American media propaganda against Iraq before it was invaded by the

USA and the UK in 2013. I argued that misrecognition is usually motivated by some ulterior self-interested motives that are in most cases aimed at advancing national economic interests or settling some primordial grudge.

It was observed that related to misrecognition is the concept of Super Power which is used as a justification for permanent membership. This concept of Super Power gives the impression that the rest of the countries that are not among the P5 are inferior or that they should not be recognised as authentic countries who enjoy the privilege of sovereignty. It was part of the argument of this chapter that misrecognition comes in the form whereby the whole world gives precedence to western political and economic values. In this regard an example was inferred from the understanding of international law whereby the western understanding of rights has been made integral to international to the exclusion of none western cultures' conceptualisation of rights. I also applied the concept of reparations in which I demonstrated that African grievances against slavery and colonialism have not been recognised. The quest for equal recognition is also related to the ethical concept of mutual aid.

## **Chapter 8: A Critique of UNSC Double Standards Based on the Ethical Concept of Mutual Aid**

### **8.1 Introduction**

In the above discussion we have seen that one of the contributory factors to conflicts in the world is that those who are members of the UNSC take decisions on matters of peace and security in a way that does not recognise the contributions of non-members of UNSC in the promotion of world peace and security. In the preceding chapters we have seen that the UNSC undertakes its military interventions sometimes under false pretends - getting rid of Iraq's weapons of mass destruction (WMD) and of recent the reason that was used against Libya was Resolution 1973 which authorised the imposition of know fly zone in Libyan airspace. Some of these UNSC military interventions are actually carried out without the consent of the majority of the members in the UN Generally Assembly.

With the case of Iraq, the UK and USA took it upon themselves without the authorisation of the UNSC and the UN to undertake fateful destruction of Iraq, a destruction whose ghastly consequences are still lingering in Iraq up to the present day. In the previous chapter sceptical realists have maintained that the reason why nations can easily destroy other nations without any sense of remorse or concern for the wellbeing the citizens of those nations that are subjects for destruction actually arises from the fact that nations are amoral in their international relationships. It was also observed that sometimes members of the UNSC supports certain military interventions with the hidden motive of promoting their own national interests - even going to the extent of awarding World Bank National projects and money for development aid to non-permanent members of the SC with the aim gaining their support in the SC. Obviously such practices amount to bribery.

In this chapter, the ethical concept of mutual aid is based on the presumption that all countries of the world have a role to play in the promotion of peace and security in the whole world. The promotion of peace and security in the whole world should not be seen as a prerogative of a few

countries called the P5. Our human existence has been made in such a way that we remain in constant need for each other. Our wellbeing is tied up with the wellbeing of others, regardless of race, colour and country. The ethical concept of mutual aid is somehow implied in the UN principle which says that each country has the Responsibility to Protect - thus implying that issues of peace and security in the world are not the preserve of the UNSC alone.

This chapter is structured as follows: The first section will investigate the ethical concept of mutual aid from the perspective of African indigenous values. It is argued in this section that the concept of mutual aid is well embedded in the African concept of relationality as espoused in some of the proverbs which say that a person depends on the assistance that is rendered by fellow human beings for success. The second section investigates the concept of mutual aid in the light of the new sciences such as quantum physics and microbiology. In the light of these new sciences, it is thus observed that reality manifests itself in terms of relatedness and interrelatedness. In is this scientific relatedness and interrelatedness of reality that echoes the durability of mutual aid within the natural world. On these grounds it was argued that the concepts of 'Superpower' and 'National Interest' tend to undermine the reality of mutual aid among nations. These concepts are illusory because they fail to take into account the reality of mutual aid within the generality of existence. In this regard, the current structure of the UNSC is morally questionable, especially in the light of the ethical concept of mutual aid.

## **8.2 Mutual AID from an Afro-centric Perspective**

The concept of Mutual Aid which I am applying concurrently with equal recognition gives us a plausible ethical solution to the practice of double standards in its protection of peace and security. In Shona language they have an adage that says that *Nzaraimwehayitswanyinda* (one finger cannot squash lice). The moral message that is conveyed in this proverbial wisdom

is that one person on his or her own cannot succeed without being aided by others. The same adage is also found in a Zulu/Ndebele proverb which says *Izandlaziyagezana* (hands do wash each other). Again here the moral implication is that our human existence has been made in such a way that we are always in constant need for others. In traditional African culture if two different nationalities come to be neighbours which in Shona is called *Vavakidzani* (literally meaning those who build each other), everything possible was done to ensure that there is harmony in their existence as neighbours. In order to ensure that there was harmonious relationships they had to enter into a relationship called in Shona *Kudyidzana* (which literally means eating together). A genuine socio-political condition of *Kudyidzanais* based on the principle of reciprocity – which means, whatever is done to the other is usually reciprocated in kind. In Shona we have a proverb that says, *Varumekutsvakwendebvuvanodzimirana* (when their beards are burning men extinguish fire from each other). Again, such a proverb is based on the understanding that life is based on the principle of reciprocity. Thus from an African perspective altruism is fundamental to human existence.

From an Afrocentric perspective it is argued that our humanity is intrinsically tied to the humanity of others. For example, in Shona culture there is an ardent belief that a person exists in *Ukama*(relationality) with others. Unrelated persons can always address each other as relatives. In this regard, selfishness is regarded as an antithesis of life because life is only possible when it is shared with others. As shown previously, in Zulu/Xhosa there is an adage that says that *Umuntungomuntungabantu* – a person is a person through others. Within such conceptualisation of a person, the idea of a selfish gene as a microbiological explanation of what it means to be a person can best be regarded as illusory. If genes do not come to aid each other it is only logical that they can destroy each other, a scenario that is obviously a logical impossibility. In this regard, our understanding of human existence as originally based on mutual aid remains the most plausible explanation. NhlanhlaMkhize stated this Afrocentric understanding of humanity as follows, “*Ubuntu*, the process of becoming an ethical human

being is realised through relationships characterised by interdependence, justice, solidarity of humankind, respect, empathy and caring, Unethical conduct violates the orderedness of the cosmos” (Mkhize 2008: 35-36; see Touré 1979: 22-26). Through *Ubuntu*, we come to realise our humanity through others. This also affirms an African existential philosophy that says that as human beings we are not genetically coded with a selfish gene, rather we are genetically predisposed to be in solidarity with each other.

### **8.3 Mutual Aid in the Light of Social Biology**

However, some social biologists have maintained that those who sacrifice themselves for the wellbeing of others are actually making themselves maladapted in the struggle for survival. The argument that is proffered in this regard is that an animal that alerts others of the encroaching predator is most likely to draw the danger to itself. In this regard, the idea of self-sacrifice is seen as a threat to the individual’s survival. But this argument is countered by those who argue that society was brought into existence by cooperation (Maxwell 1990: 78). A naturalistic explanation on the origins of human ethics espouses the idea that human morality is based on mutual aid. In this vein, Peter Kropotkin had this to say,

Modern science has thus achieved a double aim. On the one side it has given to man [sic] a very valuable lesson of modesty. It has taught him to consider himself as but an infinitesimally small particle of the universe. It has driven him out of his narrow, egotistical seclusion, and has dissipated the self-conceit under which he considered himself the centre of the universe and the object of the special attention of the Creator. It has taught him that without the whole the ‘ego’ is nothing; that our ‘I’ cannot even come to a self-definition without the ‘thou’ (Kropotkin 1924: 4).

The above quotation implies that humanity has evolved into a consciousness that acknowledges the reality of its dependence and interdependence with other things in existence. In other words, human existence is contributed to by other constituencies of existence. For Kropotkin, science has imparted the lesson that as human beings we are all dependent and interdependent on each other. Thus an authentic existence should be that type of existence in which we aid each other’s wellbeing. Kropotkin premises the origins of

morality to solidaristic existence as the natural predisposition that is found among all creatures. As he puts it,

It also becomes clear, I will add, that *sociality*, [his italics] and its necessary accompaniment – mutual aid, characteristic of the vast majority of animal species and so much more of man, – were the source of moral sentiments from the time of the very first appearance of man-like creatures on the earth... (Kropotkin 1924: 233).

In the light of the above quotation, it is evidently clear that morality is indispensable from being social and willingness to help each other. Obviously this type of thinking is a contradiction to the theory of sceptical realism in international relations which transmutes individual egoism to national egoism.<sup>74</sup> According to Kropotkin, being moral implies that we have an inherent ability to feel for the other. Thus the concept of mutual aid contradicts the social Darwinian understanding of social existence as basically about a competition for existence. The theory of national interest is partly based on this social Darwinian understanding of human social existence. As we have seen in chapter 5, some scholars maintain that relations among countries are basically about the pursuit of national interests. In this regard, countries are presumed to have a naturally selfish approach in their relationships with each other. This selfish approach to international relations is thus seen as something that is naturally embedded in our genes.

Kate Distin maintained that “...gene theory tells us that natural selection consists in the differential survival of *replicators* – things that make copies

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<sup>74</sup>From a skeptical realistic perspective, Burton observed that, “The realistic fact is that the current international scene is characterized by a universal growth of nationalism, an increased value attaching to independence and sovereignty, and in addition a very large number of newly created States. In the circumstances, it is unreasonable to look to solutions of problems of peace and security which devalue sovereignty, and which assume a progressive extension of responsibilities by an international organization. It would be more realistic to work on the assumption that international organization will not extend beyond being „a forum within which national rivalries are adjusted through partly novel and partly historic political processes“. The cult of internationalism probably rests upon beliefs that the organization of Man [sic] will continue to progress from a tribal to a regional, to a national, to an international community. There is little to support this belief” (Burton 1967: 68). As noted in Chapter 5, this mode of thinking is based on the presumption that there is nothing which nations share in common besides the pursuit of competitive national interests. It was argued previously that this type of thinking has been the causal factor to the practice of double standards in the UNSC’s modus operandi.

of themselves. In the struggle for existence, replicators with 'longevity, fecundity, and copying fidelity' will have a better chance for survival than others, and it is now widely accepted that in biology those replicators are genes" (Distin 2005: 7). In other words, it is through the process of genetically multiplying itself that an organism guarantees its own survival. Here Distin was actually applying Richard Dawkins' theory as propounded in the *The Selfish Gene* in which he argued that our human survival is based on the existence of a selfish gene - that is a gene that is primarily concerned with its own survival rather than the survival of the other. Thus she writes,

A well-known example is biological altruism, when members of a species behave in ways that benefit other individuals at their own expense: the individual's behaviour may be detrimental to his *own* survival, but it promotes the survival of close members of his species - members who (because they are relatives, or just very much like him) share many of his genes. Thus his behaviour is 'altruistic' at the individual, but 'selfish' at the genetic, level' (Distin 2005: 8-9).

In other words, we can only be altruistic to those who are relatives to us and selfish to those who are not. The emphasis that is usually put on national interest in the UNSC can easily find a plausible explanation in this type of thinking. For example, there are instances when a particular nation appeals to myths and symbols such as a flag with the aim of creating a common national consciousness. In this regard, through the idea of nationalism, nations become selfish towards those who are seen as not belonging to the nation. At the individual level, the individual is altruistic to those who are his or her family members and selfish to those who are outside the family. This social biological way of thinking explains the reason why the practice of double standards is partly related to self-national interests.

As human beings we are endowed with a natural urge to belong. This idea is also echoed by Edward Wilson a world renowned proponent of social biology as follows,

Culture is created by the communal mind, and each mind in turn is the product of the genetically structured human brain. Genes and culture are therefore inseparably linked. But the linkage is flexible, to a degree still mostly unmeasured. The linkage is also tortuous: Genes prescribe

epigenetic rules, which are the neural pathways and regularities in cognitive development by which the individual mind assembles itself. The mind grows from birth to death by absorbing parts of the existing culture available to it, with selections guided through epigenetic rules inherited by the individual brain (Wilson 1998: 139).

What the above quotation implies is that at a microbiological level there is an inherent cooperation of genes which later on gives rise to human sociality. As human beings we are culturally conditioned in such a way that we inherit our genetic predisposition from our sociality. In other words, genes and culture share a symbiotic relationship as they co-evolve together rather than being in competition against each other. It is mainly on these grounds that the idea of the selfish gene is found wanting. In this regard it can be deduced that genes work effectively through their predisposition to mutual aid. It is mainly on these grounds that Wilson avers that,

As part of gene-culture coevolution, culture is reconstructed each generation collectively in the minds of individuals. When oral tradition is supplemented by writing and art, culture can grow indefinitely large and it can even skip generations. But the fundamental biasing influence of the epigenetic rules, being genetic and ineradicable stays constant (Wilson 1998: 139).

In the light of the above quotation evolution is enabled through a process of coevolution whereby the becoming of things is only possible through togetherness. Obviously the term togetherness in this regard implies mutual aid. A meaningful existence is that which is collective. Thus it is difficult to imagine an authentic existence that is based on solitariness. The above quoted microbiological way of thinking finds its equivalent in the Shona adage which says that *Nzwaraimwehaitswanyiinda* - one nail cannot crush a flea. In other words, an effective action can only be achieved through collective action. Within the concerns of this study, I am advocating the idea that the Security of the world can only be achieved through collective action or co-operation of member states - that is through states aiding each other in eliminating an identified security threat.

#### 8.4 A Lesson on Mutual Aid from the New Science

In this section I am more concerned with whether the world of physics has something to teach us on the concept of mutual aid. Some scholars make a distinction between mechanistic science and holistic science. Mechanistic science had its origins in Isaac Newton's laws of physics. Danah Zohar and Ian Marshall observed that,

The basic building blocks of Newton's physical world [75] were so many isolated and impenetrable atoms that bounce around in space and collide with one another like tiny billiard balls...Political thinkers of the time compared these colliding atoms and their interacting forces to the behaviour and interactions of individuals in society as they confronted each other in pursuit of their selfish interest. ...Still today, economists and sociologists who follow Rational Choice theory argue that individuals will always choose to act in pursuit of their own self-interest. Finding some way to balance all the conflicting interests that result in society has been the basis for adversarial democracy and the familiar confrontational style of modern political parties. Mechanistic physics became the touchstone for a whole world view, the central paradigm of the modern world (Zohar and Marshall 1994: 4).

The problem with a mechanistic outlook is that it thrives on seeing things within the generality of existence in terms of isolation or separateness. Thus things are understood as existing and functioning according to predetermined rules. For example, the theory of national interest is actually based on the presumption that nation-states are hermits that can only thrive

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<sup>75</sup>Isaac Newton (1642-1727) advanced the idea that gravity and motion were the main reasons as to why things follow regular laws. Newton "defined force as the cause of change of motion, i.e. of acceleration. He was thus able to enunciate his law of universal gravitation: „Everybody attracts every other with a force directly proportional to the product of their masses and inversely proportional to the square of the distance between them. From this formula he was able to deduce everything in planetary theory: the motions of the planets and their satellites, the orbits of comets, the tides" (Russell 1991: 520-521). After the wake of Newton, every social scientist in Europe has always aimed at showing how his or her theory resembles that of Newton. For example, in the field of economics Adam Smith saw that which was analogous to Newton's theory of motion as self-interest. In the sphere of politics, Hobbes reduced all human political source of motivation to power and glory. The main critique against mechanistic thinking is that it does not allow any room for the reality that things might not be what they seem to be. Some scientists have argued that apparent regularity is also accompanied by the reality of chaos. Jack Cohen and Ian Stewart stated that, "Chaos theory tells us that simple laws can have very complicated – indeed, unpredictable consequences. Simple causes can produce complex effects. ...And conventional reductionist science tells us that inside the great simplicities of the universe we find not simplicity but overwhelming complexity" (Cohen and Stewart 1995: 2). But the theory of chaos is also found in African indigenous knowledge systems in which it is said that one cannot predict what tomorrow will be like. For example in Shona they say, *Misihayigari pane imwe* (Days are not always the same). In other words, days or time is also attended to by an inherent element of irregularity.

on isolation from the commonality of existence - meaning that they can only relate to each other on terms of the pursuit of their selfish national interests. This type of thinking has for long dominated Western socio-economic thinking. It should not surprise us that most of the members of the UNSC have used this multilateral organisation as an arena for pursuing their selfish national interests.<sup>76</sup> The rationale of mechanistic thinking is that it reduces the vast picture of reality to a particular constituent - national interest. Within the sphere of economics, human consumption habits are also reduced to self-interest. Equally, in the western liberal democratic tradition human beings are presumed to be adversaries who exist in a perennial context aimed at the maximisation of political advantages to the selves. This type of thinking ultimately implies reducing human motivations to predictable rules. Mechanistic thinking does not accommodate the reality that reality is something that is transitory and complex. The idea of legitimising permanent membership of the SC on the basis of a European war that was fought some six decades ago is part and parcel of mechanistic thinking. It was demonstrated in the previous chapters that the very notion of the P5 alienates the contributions of other UN member states.

The quantum paradigm does allow the reality of an ethic of mutual aid within the UNSC by virtue of its embedded flexible or nondeterministic worldview. Zohar and Marshall stated this nondeterministic worldview of quantum physics as follows,

One of the most revolutionary ideas thrown up by quantum reality is that light is *both* wave-like *and* particle-like *at the same time*. This is known as the 'wave-particle duality'. Neither aspect of the duality - neither the wave-like properties nor the particle-like properties - is more primary or more real. The two complement each other and both are necessary to any full description of what light is (the Principle of Complementarity), and yet we are always condemned to see only one at a time [their italics] (Zohar and Marshall 1994: 20).

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<sup>76</sup> This is alluded to by IbboMandaza, as he pointed out that since national interests define international relations, the same national interests determine almost all the respective actions of the members of the P5. The respective members of the P5 can go to the extent of sacrificing the national interests of the smaller nations in an effort to safeguard and protect these interests (Interview with the author, Harare 11 January 2013.).

Within such a paradigm, a conservative outlook can only best be described as illusory because it side-steps the non-deterministic dimension of life. A conservative life outlook fails to realise the centrality of the Principle of Complementarity. It can be deduced from the quantum model of existence that nations exist by virtue of the existence of others where the ethic of mutual aid remains the unrecognised principle in international relations. The national interest theory of international relations tends to discount the Principle of Complementarity and mutual aid on the grounds that it reduces nations into individual egoists. From a quantum paradigm, Zohar and Marshall say that there is a quantum transformation whereby indeterminacy is the chief characteristic of reality (Zohar and Marshall 1994: 25). Thus according to this paradigm, the idea of something being permanent is realistically unsustainable. In this regard, I should like to submit that the contemporary scholarly agitation against the idea of P5 is based on the human instinct that there are no permanent realities in life, and that whatever is real has to be transitory. The notion of the transitoriness of reality can be discerned from the idea that what is real is enabled by a situation of possibilities whereby many events can happen simultaneously. This is only possible on the presumption that everything is related and interrelated to everything else whereby the issue of individuality cannot be fully understood in isolation. Quantum physics advocates the idea that reality should be seen in terms of wholeness. The implication of such a paradigm to international relations is that all countries should see their ultimate wellbeing as inseparably conjoined with that of the others. This trend of thought is well put by Zohar and Marshall when they said, "Our impulse to nail things in place in order to ensure the workings of the whole is an impulse to control. This impulse is related to the way in which power grips the mechanistic imagination. Things, and individuals, are perceived to be related through force, and force is an instrument of control" (Zohar and Marshall 1994: 88). This mechanistic way of thinking seems to dominate the UNSC in the sense that this multilateral organisation has been reduced to an arena for exercising power - hence the idea of characterising the P5 as 'Super

Powers' or victors of World War II is self-explanatory. The concept of a 'Super Power' cancels the idea that nations exist in a perpetual state of mutual aid.

### **8.5 The Undermining of Mutual Aid**

The concept of Super Power ignores the fact that these countries are economically parasitic on poor countries. In common language, being parasitic implies feeding on the blood of the host without giving anything in return. Some scholars have argued that some of the UNSC countries such as the USA actually go to the extent of economically sabotaging poor countries with the sole intention of advancing their own economic selfish interests. John Perkins advanced the idea that some of the economic woes that are faced by poor countries are deliberately caused by the so-called powerful countries. Perkins confessed that he was employed as an Economic Hit Man (EHM). As he puts it,

Because of EHM projects, Ecuador is awash in foreign debt and must devote an inordinate share of its national budget to paying this off, instead of using its capital to help the millions of its citizens officially classified as dangerously impoverished. The only way Ecuador can buy down its foreign obligations is by selling its rain forests to the oil companies. Indeed, one of the reasons the EHMs set their sights on Ecuador in the first place was because of the sea of oil beneath its Amazon region is believed to rival the oil fields of the Middle East. The global empire [USA] demands its pound of flesh in the form of oil concessions (Perkins 2005: xix).

In the light of the above quotation, it is evidently clear that the USA is parasitic to its neighbour Ecuador. The USA indebted Ecuador in a way that made it impossible for Ecuador not to sell its oil. In a parasitic international relationship, a country that benefits does succeed in achieving its national selfish interest by presenting itself as a benefactor. The most popular way where powerful countries succeed in being parasitic is through foreign aid. For this reason, Perkins deduced that foreign aid is not about alleviating poverty in Less Developed Countries (LDCs). In his reflection on foreign aid he had this to say, "...I pondered the nature of foreign aid, and I considered the legitimate role that developed countries (DC, in World Bank jargon)

might play in helping alleviate poverty and misery in less-developed countries (LCDs). I began to wonder when foreign aid is genuine and when it is only greedy and self-serving” (Perkins 2005: 40-41). From Perkins’s reflections as an Economic Hit Man (EHM), foreign aid was actually driven by imperialistic motives rather than altruistic ones. Foreign aid is used for political and economic prey on poor countries. The relationship between Britain and its previous colonies in the form of Common Wealth is not necessarily based on a spirit of benevolence but on maintaining its previous colonial parasitic tendencies. Through aid, powerful countries have managed to amass huge economic benefits from poor countries who are usually the recipients of the economic aid. Thus the practice of economic aid is used by those who are economically powerful to enable them to perpetuate their parasitic behaviour on poor countries. Whilst powerful countries claim to give development aid to poor countries, one wonders why is it that this aid has not succeeded in eradicating poverty among these poor countries.

Within the UNSC, as we have seen previously, development aid is also used as a mechanism for garnering votes in the UN General Assembly as well as among non-permanent members of the SC. For example, a country that receives a lot of American or Chinese aid will hardly vote against America or China in the UN General Assembly or in the SC. It comes across as an obvious fact when many scholars argue persistently that issues of world peace and security cannot be severed from the reality of poverty. Milburn Thompson (2003: 59-60) observed that, “During the Cold War most conflicts and revolutions in the Two-Thirds World were viewed by the United States and the Soviet Union through the prism of the East-West conflict, as a struggle between communism and democratic capitalism”. Thus the two members of the UNSC, the USSR and the USA reduced world conflicts to economic systems, namely communism versus capitalism. It is common knowledge that these two permanent members of the SC reduced economic aid and any other form of aid to these two economic ideologies. Thompson went on to say that, “Very often, once the ideological shell was stripped away, these conflicts represented a struggle by a poor majority of people for

justice and a better life”. Here it can be deduced that peace and security cannot be separated from a just world economic order. Whilst the USSR and the USA are permanent members of the SC whose main responsibility was the promotion and protection of world peace, they simultaneously promoted proxy wars centred on economic ideologies. Economic aid became lethal to its recipients as they were expected to take up arms in support of the foreign policies of the donor country.

Economic aid has created a world situation whereby poor countries are alienated from being partners in the promotion of world peace and security. In some instances economic aid is used to destabilise poor countries. The Democratic Republic of Congo conflicts are mainly instigated by powerful countries that have economic interests in the DRC minerals. It is on record that the USA and Belgium aided the overthrow of Patrice Lumumba’s leadership and installed their puppet by the name of Joseph Mobutu<sup>77</sup> whose leadership became that of aiding the USA and its allies to plunder Zaire’s resources (Twineyo-Kamugisha2012: 28). To give another example, a year ago the late President of Malawi, Bingu Wamutharika made some speech which was deemed to be anti-British and the British government stopped giving economic aid to Malawi. After this British punitive gesture, Malawi was engulfed by fuel shortages which led to political instability in the form of

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<sup>77</sup> Joseph Mobutu changed his name to Mobutu SeseSeko when he came into power. Mobutu’s coming into power in Zaire, now DRC was important to the USA with reference to its quest to stop the USSR’s influence in Angola. The former Angolan rebel, Jonas Savimbi was an important figure in this quest. Savimbi was helped by the USA for two reasons. The first reason was that the MPLA government of Angola was being supported by the USSR, hence the USA was to support Savimbi militarily so that he could frustrate the USSR’s political and economic interests in Angola. The second reason had to do with apartheid South Africa and its war against the Namibian liberation movement called South West African People’s Organisation (SWAPO). Under Mobutu, Zaire became a buffer state for the USA whereby the USA’s Central Intelligence Agency (CIA) provided Mobutu with weapons which were to be delivered to Savimbi’s rebel group called National Union for the Total Independence of Angola (UNITA). It is observed by Hilton Hamann that, “On 27 June 1975 the first planeload of American weapons left South Carolina for Kinshasa. It was to be the first of many shipments, but it was a drop in the ocean when compared with the armaments the Soviet bloc was supplying to the MPLA”. This planeload of weapons from the USA was followed by a meeting ordered by Vorster. As Hamann puts it, “...Vorster decided that haphazard aid to Unita was not suitable. He ordered the SADF to make a proper study of the assistance requirements of the pro-West movements in Angola. On 4 July 1975 Constant Viljoen and Gert Rothman of Boss flew to Kinshasa to meet with Savimbi, Roberto and Mobutu”. General Constant Viljoen said that, “During [Mobutu’s] reign – sometimes using methods that were not acceptable – he had more order and stability than there is now” (Hamann 2001: 19-23). Through Mobutu’s aid, the USA and its allies fermented a civil conflict in Angola in which many lives were lost in the process.

public protests. In this example, British foreign aid to Malawi undermined Malawi's sovereignty because the protests which created national public instability at the aftermath of the withdrawal of this aid demonstrated that Malawi could not provide her own basic needs without foreign aid. Foreign aid has inhibited the recipient countries to know their real economic capabilities - in terms of what they are capable of affording and that which they cannot. In a way, this aid helps to foster a spirit of irresponsibility to the recipient because relying on someone else for your own needs is a reflection of the fact that one cannot do things for oneself. Some scholars have observed that economic aid has been used by the donors in a way that is aimed at denigrating and humiliating its recipients.

Thus most western countries have established an anti-corruption aid for African countries. William de Maria (2009: 360-361) observed that according to westerners, "The democracy and 'terrorism' eras are considered co-terminous with the anti-'corruption' era. Much cross-referencing can be expected between the programmes that emerge separately here. For instance, Africa, seen during the cold war to harbour communists, is now seen as a host for 'terrorism'". According to most of the western countries, the cause of Africa's poverty is caused by corruption. In this regard, aid is given to African countries with the specific aim of combating corruption. There is also a suspicion that corrupt governments in Africa can easily harbour terrorism through corruption. In this regard, aid is given to African countries on the basis of salient western sinister motives. The main sinister motive in this regard arises from the presumption that Africans are poor because they are corrupt. According to De Maria some of the aid that is given to Africa on the basis of helping to fight African corruption is actually tied to the need to fight terrorism. Here the western salient argument is that a corrupt African state can easily be used by terrorists. This type of aid is thus aimed at advancing the donor country's national interest and not that of the recipient country. In support of the above argument De Maria argued that what is usually construed by the west as 'African Corruption' is in actual fact a misunderstanding of African cultural practices (de Maria 2009: 368).

In the light of the preceding discussion the above approach to aid is actually contrary to the ethical concept of mutual aid. In the above approach, aid is used for selfish national interest purposes. From the perspective of the ethical concept of mutual aid, it is argued by scholars that the idea of helping each other can be naturally justified. In this regard I should like to turn to Kropotkin where he said,

[Mutual aid] is a feeling infinitely wider than love or personal sympathy – an instinct that has been slowly developed among animals and men [sic] in the course of an extremely long evolution, and which has taught animals and men alike the force they can borrow from the practice of mutual aid and support, and the joys they can find in social life (Kropotkin 1972: 21).

Kropotkin's understanding of the concept of mutual aid was a radical departure from Darwinian life outlook that was based on the idea that all species exist in a state in which they are doomed to struggle for survival. In this struggle for survival, it was Darwin's belief that the weak were doomed to extinction whilst the strong would multiply *ad infinitum*. According to Kropotkin, mutual aid or our ability to support and collaborate with each other was the underlying factor within the generality of evolution. In the preceding chapters, we have seen that the idea of life as basically a struggle for existence has dominated western political thinkers whereby nations are understood as existing in a perpetual state of competition against each other. I have also argued that this Darwinian life outlook manifests itself in the emphasis that is given to the pursuit of national interests in the UNSC whereby national self-interest is dogmatically postulated as the main survival mechanism.

Kropotkin went on to say that sociability and mutual struggle are inseparable from each other. The fittest are not those that are always at war against each other, but those that have acquired the habits of mutual aid (Kropotkin 1972: 30). In other words, the most united are the strongest in the struggle for survival. This way of thinking is echoed in Shona with an

adage that says that, *Nzwaraimwehayitswanyinda* – (one nail cannot squash a lie). In Ndebele/Zulu the same adage is expressed as follows, *Izandlaziyagezana* (hands do wash each other). In other words, as human beings, our wellbeing is intrinsically tied up with the wellbeing of others. There is no individual or nation that is self-sufficient because interdependence is the ultimate nature of reality. All that exists can only find the explanation of its existence in terms of its interdependence with others. In this vein, Kropotkin states that,

The ants and termites have renounced the ‘Hobbesian war’, and they are the better for it. Their wonderful nests, their buildings, superior in relative size to those of man; [sic] their paved roads and overground vaulted galleries; their spacious halls and granaries; their confides, harvesting and malting of grain, their rational methods of nursing their eggs and larvae, and of building special nests for rearing the aphides their courage, pluck, and superior intelligence – all these are the natural outcome of the mutual aid which they practice at every stage of their busy and laborious lives (Kropotkin 1972: 36-37).

In the light of the above quotation, Kropotkin is denying the idea that the natural state of existence is about war and competition against each other. He argues that what is found in the natural world is the reality of mutual aid. In this regard, creatures such as ants and termites do not work in a way that is aimed at pursuing self-interests but the common good. In the light of the above analogy of bees and ants, we can infer that the current problem in the UNSC is that its *modus operandi* has alienated the majority of the members of the UN in pursuit of national self-interests. The political implication of mutual aid to the UNSC is that all countries should be involved in the security of the world regardless of their economic status in the world. The idea of P5 as mainly responsible for the security of the world alienates the majority of the members of the UN with regards to world security. With reference to the ethical concept of mutual aid, one gets the impression that aid is based on the principle of reciprocity whereby the aid giver and the receiver are valued as equally important. Kropotkin went on to say that, “...though a good deal of warfare goes on between different classes of animals, or different species, or even different tribes of the same species,

peace and mutual support are the rule within the tribe or species; and that those species which best know how to combine, and to avoid competition, have the best chances of survival and of a further progressive development” (Kropotkin 1972: 83). Whilst there can be warfare among species, it is the ability to support each other or to co-operate with each other that guarantees victory. In other words, competition or the pursuit of self-interest amongst species is self-defeating. Co-operation instead of competition was the main cause of the survival of species. Kropotkin refuted the Hobbesian theory of social existence as basically a contract. I have stated in chapter 5 that the Hobbesian theory of social existence was based on a sceptical view of human nature. Within such a sceptical view of human nature, it was postulated that our human tendency to socialise with others was just something superficial. Contrary to Hobbes’ theory of sceptical realism, the ethical concept of mutual aid is premised on the idea that human beings are social by nature. A sceptical outlook towards human nature seems to have originated in European literal thought. For example, a Germany anthropologist by the name of Kolben described the Hottentots as follows,

Their word is sacred...They know nothing of the corruptness and faithless arts of Europe. They live in great tranquillity and are seldom at war with their neighbours. They are all kindness and goodwill to one another. ..The integrity of the Hottentots, their strictness and celerity in the exercise of justice, and their chastity, are things in which they excel all or most nations in the world (cited in Kropotkin 1972: 93-94).

In such anthropological observations one gets the idea that first peoples were social by nature, and they lived under strict moral norms as opposed to European corruptness and scepticism. The idea that a human being should not be trusted is originally a European one which took world prominence due to the spread of European literal thought all over the globe. As we have seen previously, this sceptical outlook towards the individual was later on transferred to international relations whereby it became dogmatically believed that nations should not trust each other (Morgenthau and Thompson 1985: 12; Burton 1967). In this way of thinking, it is presumed

that states cannot have a moral relationship with each other. Whatever help they might render to each other, it is argued from this trend of thought that such help is done for other self-interested motives that have nothing to do with altruism. From the perspective of mutual aid, presupposes that states have a moral relationship with each other. This shared international morality can be deduced from international law. Under international law, states respect each other's sovereignty and the appropriate behaviour which should be adopted by states towards prisoners of war and refugees.

Mary Maxwell maintained that mutual aid among nations is undermined by the following factors, "group morality, the self-aggrandizement of groups, the weakness of altruism toward strangers, the lack of visible struggle of the powerless, the 'acceptability of evil', and the slipperiness of moral language" (Maxwell 1990: 132). In other words, Maxwell sees nationalism and territorialism as the stumbling block to the development of internationally shared moral values as well as an internationally shared moral language. Peter Singer said that tribal moralities have the tribe as the main focus. He writes, "Obligations are limited to members of the tribe; strangers have very limited rights, or no rights at all Killing a member of the tribe is wrong and will be punished, but killing a member of another tribe whose path you happen to cross is laudable" (Singer 1981: 111). The implication of this type of thinking to an ethic of mutual aid is that as human beings we are most likely to help those who belong to the same tribe with us than those who do not. But this tribal moral outlook originated from the west. Among the Greeks it was prohibited to a Greek to enslave another Greek. In the antiquity of the Roman Empire, barbarians were used to kill each other as some form of public entertainment in the Colosseum. In their encounter with Africans, Europeans believed that Africans were not proper humans, hence slavery and colonialism were practices that were justifiable in the European world (Singer 1981: 113; Declé 1974). It is in the light of this reputation that most African scholars have questioned the whole practice of humanitarian aid. As Mazrui puts it,

Qualifications need to be made here, especially in regard to the western response to humanitarian appeals, which bring us to the imperial factor behind African suspicions of pure humanitarianism. The growth of individualism in Western Europe did indeed result in the rhetoric and sometimes in the practice of humanitarianism. However, the humanitarian impulse in a liberal Europe took the form of imperial expansion and a racialistic assumption of responsibility for the colored races of the world. The concept of spreading the gospel as enunciated by Christian missionaries was in turn a case of Christianising humanitarianism. Both these themes in the history of Western Europe are inseparable from the history of imperial expansion. In other words, the whole phenomenon of colonial annexation, an imposition of white power on colored races, was legitimated in history partly by reference to humanitarian and Christian principles (Mazrui 1981: 177-178).

Because of a strong tradition of the ethic of individualism, people of European origins can hardly be genuine humanitarians. Evidence to this claim can be deciphered from the fact that historically humanitarianism was used by Europeans for imperial expansive purposes. European humanitarianism was the handmaid of colonial annexation whereby vast tracts of lands and mineral resources were illegally taken (stolen) as part of European possessions. The idea of creating borders or territories in Africa by Europeans was in itself an expression of the ethic of exclusion. Before the advent of colonialism, African people used to move from place to place freely without a sense of trespassing any boundaries. Up to the present, it is generally agreed that people of European descent have a hostile attitude towards strangers.

However, in African culture, what it means to be human is usually based on the ability to welcome strangers. Previously I have observed that the African concept of *Unhu/Ubuntu* (humanness) sees our human existence as originally based on the life principle of belongingness. Hence to be human is to belong to others as well as assisting each other. MlulekiMunyaka and MokgethiMotlhabi observed that the values of *Ubuntu/Unhu* “are underpinned by respect - or recognition of a common humanity - and all that follows as a corollary. In previous epochs, African attitudes towards strangers or foreigners were characterised by tolerance and benevolence”

(Munyaka and Motlhabi 2009: 75). In the light of the African ethic of *Ubuntu/Unhu*, the problems that were identified by Maxwell as impediments to the ethic of mutual aid are problems that are prominent in western culture, especially when one takes into account the prominence that is given to national self-interest in most of the western political literature. The African all-embracing moral outlook contradicts the national self-interest political theory of international relations. Munyaka and Motlhabi went on to say that in traditional African morality,

Travellers or strangers were served with food unreservedly. Their presence was seen as more of a blessing than a burden and, as a corollary, brought joy to children as they knew that the best meals would be served. This aspect of hospitality may explain why, among the Batswana people, there is a saying which states, *Moenggoroga re je kawena* (Come visitor so that we can feast through you). This proverb is a call to be ever generous to the stranger. It is also a revelation about the attitude one should have regarding using one's resources. Giving food to strangers was about more than just satisfying their physical hunger. It was a challenge to open one's boundaries and be receptive and generous (Munyaka and Motlhabi 2009: 76-77).

In the light of the above observation in African traditional culture, mutual aid is not simply about helping or being generous to those who are close to you, rather it implies being generous or helpful even to those who are strangers. Being welcoming to those who are strangers is thus regarded as the pinnacle of morality. A morality that is inward looking such as that of national self-interest is not a morality at all because it inevitably excludes those who are seen as not belonging to the nation or group. Contrary to this, in African culture, one finds that hospitality and generosity to strangers or travellers were the most cherished virtues. Thus in Shona there is a proverb which says *Muyeni haapedzidura* (A visitor will not finish the granary). A visitor or a stranger was held in sacrosanct such that everybody in the family was expected to put up their best behaviour during the duration of the stay of the visitor. When it comes to making visitors feel that they belong, Africans are more of extremists. For example, in Shona culture there is a concept of *Ukama* (relationality) whereby total strangers can easily address

each other as relatives in intimate terms such as *mukuwasha*, *mbuya* or *sekuru*(son-in-law, grandmother or grandfather' *et cetera*). In *Ukama* there is an inherent presumption that to be fully human one has to belong and feel that they are welcome. In the light of the main concern of this thesis, the ethic of double standards thrives on the premise that the P5 have adopted a discriminatory attitude towards those they perceive not important or threats to their national interests. In this regard, the ethical principle of inclusivity is sacrificed. One can hardly be ethical without having an inclusive world outlook.

Some ethicists have argued that being ethical implies expanding the circle of ethical concern. Peter Singer maintained that as human beings we are endowed with a tendency that shows a predisposition to reciprocal altruism whereby we naturally feel that what is received must be returned in kind. Singer writes, "Reciprocal altruism may be especially important within a group of beings who can reason and communicate as humans can, for then it can spread from a bilateral to a multilateral relationship. If I help you, but you do not help me, I can of course cease to help you in the future. If I can talk, however I can do more" (Singer 1981: 41). In reciprocal altruism we are naturally inclined to help those who have helped us and decline to those who did not help us. Singer went on to argue that reciprocal altruism can easily degenerate into some form of enlightened self-interest.<sup>78</sup>Enlightened

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<sup>78</sup>The concept of enlightened self-interest is related to the idea that one must take into account the implications of one's actions to one's personal wellbeing. The western political and economic classical interpretation of self-interest was based on the idea that one should always act in accordance with that which is to one's self-interest. David Hume was politically pragmatist when he said that a national constitution should be based on the assumption that every person "ought to be supposed a *knave*, and to have no other end [in all their actions] than private interest. By this interest we must govern him, notwithstanding his insatiable avarice and ambition, co-operate to the public good" (Hume 1882: 117). This understanding of self-interest constituted unenlightened self-interest because it presumed that every person in society was basically untrustworthy. During the early development of economics as a discipline it was enunciated by the Dutch Physician by the name of Bernard de Mandeville that vice, lust and vanity were the main cause for the flourishing of wealth, hence public benefits were the outcomes of private vices instead of virtues. In his *Fable of the Bees* he poetically characterized trade in the liberal economy as follows, "Thus every part was full of Vice, Yet the whole Mass a Paradise, To enjoy the world's conveniences, Be famed in war, yet live in ease, Without great vices, is a vain. Utopia seated in the brain" (Mandeville 1924: 36). For Mandeville, the main cause for economic enterprise was greed. But acting out of greed is usually associated with being irrational and morally deplorable. In the development of economics as a discipline, the idea of greed was substituted by the term, self-interest. The father of classical liberal capitalism, Adam Smith in *The Wealth of Nations*

self-interest means that one has to take into account the implications of one's present actions to the future of one's wellbeing. Thus Singer observed that most of our behaviour is based on group altruism. He writes, "Our ethical codes reflect our group feelings in two ways, corresponding to the difference between group altruism manifested as a preference for altruism directed toward individual members of one's own group, and group altruism manifested as loyalty to the group as a whole" (Singer 1981: 51). According to Singer, group altruism manifests itself in our tendency to give more help to people of our nationality and less help to those who come from other countries. Group patriotism is related to group selfishness because members of those who belong to that group prioritise their interests before the interests of those who do not belong to the group. Some scholars such as Ali Mazrui who are advocates of the New World Order theory are more inclined to see group patriotism as illusory because in a globalised world groups or nations are in a perpetual state of intercourse in such a way that we end up having a situation of "reciprocal influence" (Mazrui 1976: 87). As human beings we are endowed with a sense of curiosity which drives us to want to know and relate with those who do not belong to our own group. In our curiosity for the wellbeing of the other, we are bound to want to do something that can alleviate their existential predicament.

The sense of curiosity which I am alluding above can be discerned from the example of the colonisation of South Africa. European settlers indulged in sexual activities with African people despite of group differences such as culture, colour and religion. Human beings are endowed with the capacity to go beyond group altruism. Some scholars have advocated that they should like to be seen as citizens of the world instead of a nation-state. This was the case with those scholars who advocated a new world order as we have seen

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made the transition from greed to self-interest as follows, "It is not from the benevolence of the butcher, the brewer, or the baker, that we expect our dinner, but from their regard to their self-interest. We address ourselves not to their humanity but to their self-love, and never talk to them of our own necessities, but of their advantages (Smith 1976: 26-27). According to Smith, business relations are based on the pursuit of self-interest by both parties involved in the transaction. This postulation presumes that all parties to the transaction are rational and calculative. It is the element of being calculative that makes self-interest „enlightened self-interest“ in the sense that it is a self-interest that is informed by reason.

in chapter 6. In this regard their patriotism is dedicated to the whole world. Taking their clue from the new science and globalisation, it is argued that it is time that people who are endowed with some reason should feel a sense of responsibility to the whole world. But is such type of patriotism and world citizenship feasible? In answering this question I should like to revert to the position of sceptical realists who maintained that there cannot be a common ruler for the whole world because our human commitments and originally territorial and not universal. However, the idea of being patriotic to the whole world has some appealing security features. Firstly, it commensurate with the concept of International Law. This type of law is based on conventions and agreements between states. As Jackson Ralston puts it,

Nations agree among themselves on the formation of rules of navigation, treaties of naturalisation, recognition of trademarks and of copyrights, extradition, postal conventions, and an immense number of minor conventions which involve no abstract right as a rule, but are the arrangement of relations upon matters usually morally indifferent. In each instance there is created a *modusvivendi* from which no one nation has any sufficient reason to depart. The rule is universally observed just as a like rule is followed within the State, and may lead to no material international differences. Aside from convention, there also grows up what may be called the minor common law of nations regulating their intercourse of courtesy (Ralston 2012: 12-13).

In the light of the above quotation, International Law is there to foster mutual aid by fostering legal standard norms for all nations. Secondly, the idea of international law is also aimed at creating common standards which are agreed upon by all nations. Ralston went on to say that, "The unit of International Law will be a nation and not an individual, and its purposes will be to preserve justice between nations. This, it will finally discover, can best be accomplished by following the highest ethics of which we will be able to conceive" (Ralston 2012: 24-35). Here Ralston was more concerned with the future development of International Law. The primary object of International Law is the nation and not the individual. Here it can be inferred that International Law helps nations to aid each other on matters pertaining

to justice and peace. Ralston lamented the fact that war has been treated as something acceptable in International Law. He writes, “When we have met in Hague Peace Conferences, as in 1907, we have passed six times as many Conventions concerning the warlike relations of States as we have concerning their peaceful relations, so legitimate is war. We never proscribe it, limit it, punish it” (Ralston 2012: 31). A subtle point which is being made by Ralston is that International Law should prohibit war. Obviously Ralston’s approach to International Law was based on a pacifist perspective. The pacifism of Ralston is more nuanced when he said, “We must, as a nation, treat war as abhorrent and to be stamped out. We must never again send a representative to a Peace Conference to write the laws of war” (Ralston 2012: 33). Pacifists believe that the ultimate purpose of human existence is to foster peace in human society as well as among nations. As for Ralston, International Law should abolish war. This type of thinking presupposes that there is harmonious existence among nations.

The ethical concept of mutual aid can also be inferred from the political concept of sovereignty which we discussed in chapter 5. It was observed that the concept of sovereignty implies that within its borders the state is a supreme authority which should not be interfered with from without. According to Grotius, “The Sovereign power is one whose acts are independent of any other superior power, so that they may not be annulled by any other human will” (cited in Ralston 2012: 39). The underlying principle within the concept of sovereignty is that states should refrain from interfering into each other’s internal affairs. A situation whereby states interfere into each other’s internal affairs can only create international anarchy. From the vantage point of the concept of sovereignty, any aid that is given should be aimed at strengthening a particular country’s sovereignty rather than making it vulnerable to attacks from without.

## 8.6 Concluding Remarks

In this chapter I have applied the ethical concept of mutual aid as yet another concept that can provide the UNSC with an ethical model in its transformation agenda. I started by discussing the concept of mutual aid from an Afro-centric perspective where it was shown that this concept is integral to African concepts and proverbs that espouse the idea of relationality as the founding principle in human relations as well as within the generality of existence. The gist of my argument in this regard was that the Security of the world can only be achieved through collective action or co-operation of member states - that is through states actively aiding each other in eliminating an identified security threat. Thus idea of seeing the security and peace of the world as a preserve of the UNSC remains pathological in the sense that it discounts the would-be contributions of UN member states who are not within the SC.

With the intention of demonstrating that the current organisational structure of the UNSC is pathological, I have argued that the new science is espousing a world view of relatedness and interrelatedness whereby everything that exists contributes towards the existence of everything else. In the light of the worldview that is being espoused by the new science, it was submitted that the idea of legitimising permanent membership of the SC on the basis of a European war that was fought some six decades ago is part and parcel of mechanistic thinking. The quantum paradigm does allow the reality of an ethic of mutual aid within the UNSC by virtue of its embedded flexible or nondeterministic worldview. When each country is seen as contributing to the wellbeing of all other countries as advocated in the new sciences and the ethical concept of mutual aid, the notion of national interest becomes unintelligible because one country's national interest cannot be disentangled from the interests of others.

It was also argued that the current understanding of economic aid is used by rich countries as a way of dominating poor countries. Thus I have argued

that economic aid is the antithesis of the ethical concept of mutual aid. Through aid, powerful countries have managed to amass huge economic benefits from poor countries who are usually the recipients of the economic aid. Thus the practice of economic aid is used by those who are economically powerful to enable them to perpetuate their parasitic behaviour on poor countries. In this regard, I have argued that economic aid is related to rich countries' attempt to pervert the ethical concept of mutual aid for national selfish interests. Economic aid has created a world situation whereby poor countries are alienated from being partners in the promotion of world peace and security. For example, it was argued that poor countries are expected by their benefactors to promote the national interests of rich countries at whatever cost.

With reference to the ethical concept of mutual aid, one gets the impression that aid is based on the principle of reciprocity whereby the aid giver and the receiver are valued as equally important. One of the impediments to the ethic of mutual aid arises from western culture, especially when one takes into account the prominence that is given to national self-interest in most of the western political literature. My argument in this regard was that, a morality that is inward looking such as that of national self-interest is not a morality at all because it inevitably excludes those who are seen as not belonging to the nation or group. It was thus argued that in African culture, one finds that hospitality and generosity to strangers or travellers are the most cherished virtues.

Some ethicists have argued that being ethical implies expanding the circle of ethical concern. These scholars maintained that as human beings we are endowed with a tendency that shows a predisposition to reciprocal altruism whereby we naturally feel that what is received must be returned in kind. The concept of reciprocal altruism is also related to being patriotic. It was argued that the idea of being patriotic to the whole world has some appealing security feature in the sense that it commensurate with the concept of International Law which is usually based on conventions and

agreements between states. International Law is there to support the sovereignty of states, hence it was argued that any aid that is given to another country should not be aimed at undermining the sovereignty of the recipient country.

## **Chapter 9: General Conclusion**

### **9.1 Overview of the Study**

This chapter provides a conclusion to this dissertation. The chapter should be understood as providing a comprehensive summary of the whole study. The problem that was identified for investigation was as follows, why is it that a multilateral body such as the United Nations Security Council which is mandated to promote and protect peace in the world ends up acting in ways that undermine its founding objectives by being committed to double standards? The UNSC's prior commitment to double standards in its protection of world peace and security inevitably undermines the moral integrity of this multilateral organisation.

Since conclusions have been provided in each chapter, the main thrust of this chapter is to succinctly provide with conclusions by way of reiterating the observations that were already made in the respective chapters the study. It should be stated from the outset that this chapter is not going to discuss new ideas, but to give a summary of the ideas that were discussed in the preceding chapters with specific reference to the ethic of double standards in the UNSC. It is also in the light of the discussions that were provided in the preceding chapters that recommendations on the transformation of the UNSC shall be inferred.

However, this chapter shall be structured as follows: The first section will discuss chapters 2 and 3 because these chapters were mainly aimed at providing us with a historical background on the UNSC and the subsequent evolution of double standards in its modus operandi of maintaining world peace and security. The main argument that is proffered in this section is that the formation of the UNSC was already flawed from its embryonic stages because it failed to be an inclusive organ of the UN. Those countries that are known as the P5 are there to pursue their selfish national-interests instead of promoting world peace and security.

In chapter 4 The UNSC military interventions in Iraq and Libya vividly raises the issue of double standards within this organ of the United Nations. It shown that the concept of a 'no fly zone' was also used by the UNSC - namely in Iraq and Libya. The conventional understanding of this concept was that if the aerial support should be used in order to reframe the military planes against civilians. Double standards here can be discerned from the fact that that were planes that were deployed by NATO In all those instances, the aim was to degrade the military capability of Gaddafi. In the light of the above examples scholars have argued that Iraq and Libya have currently become more vulnerable security wise because the intervention that was auctioned by the UNS.

Many scholars who argued in favour of UNSC reform do argue maintain that the concept of superpowers that was used as a determining factor to P5 membership is in actuality a defunct concept because some countries who are currently enjoying this status are weak states. For example, it is demonstrated that France and Britain are weak states when compared to Germany and Japan.Reformists main argument was that the UNSC lacks moral grounds when it comes to promoting security and peace in the world.

Chapter 5 was a critique on the dominance that is given to national interests at the UNSC. It equally demonstrated that the pursuit of national self-interests within a multilateral organisation such as the UNSC is the main contributory factor in to the practice of double standard.It was noted that the sceptical realist theory states that nations do only relate to each other only on the basis of pursuing national self-interest is also based on the idea that their relations are based on their quest for power. Reformists for the UNSC are arguing that the UNSC has to be transformed in a way that reflects the new world order within a currently globalised world.

Chapter 6 was mainly based on the idea of instilling the idea of equal recognition within the UNSC. All the countries of the world would like to have their dignity to be recognised among nations. The very notion of P5

fails to do justice to the idea of equal recognition in the sense that all countries should be recognised as equal partners in the maintenance of peace and security of the world. It was argued that the ethic of equal recognition do go hand-glove with the ethical concept of mutual aid on the grounds that all countries should be seen in egalitarian grounds when it comes to the promotion of world peace and security.

## **9.2 The history and Founding Principles of the UN Security Council**

Chapter 2 was mainly about the founding principles of the UNSC. In chapter 2 I have shown that the UN was found partly on the principles that were used in the League of Nations. It was also argued that the UNSC was established mainly on the principle of the League of Nations - establishing a peaceful world order after World War One. Nations relied on war in their attempts to settle disputes and in pursuit of national self-interests. The formation of the League of Nations was aimed at avoiding reliance on war as a way of settling political disputes. A war the broke out between Germany and other European countries 1914 contributed to rethinking of the effectiveness of the League of Nations in promoting world peace and security. For this reason a Covenant was formed for the League of Nations. In accordance with the spirit of the Covenant, disputes among states were thus to be submitted to the League of Nations for arbitration.

It was shown that some nations supported the idea of the formation of the League of Nations purely on the idea that it provided a suitable arena for the pursuit of their own national self-interests. For example, those countries that owned colonies did not support the idea of equality among states as entrenched within the Covenant of the League of Nations. Already from its very inception the League of Nations was practising double standards. An example that was given to support this claim was that of Italy's invasion of Ethiopia and Britain and France sided with Italy in contravention of Article 11 of the League of Nations' Covenant. The colonised countries were not seen as members of the League of Nations. However, later on the study went on to investigate whether the UNSC has transcended the founding values of

the League of Nations. It was also shown that the formation of the League of Nations originated from the fear of wars in Europe. Similarly the UNSC was formed around the same fear. After the Second World War, the UNSC was formed as an organ of the UN whose main purpose was to maintain world peace and security. Five members, United States, Russia, China, Britain and France became permanent members of the SC in accordance with (Chapter V, Article 23). Scholars argued that while the P5 were not democratically elected, the idea that they came out of World War II as victors was taken unilaterally as the deciding factor for P5 membership.

It was shown that from the very beginning of the formation of UN, the role of poor countries in the safeguarding of world peace and security remained very much obscure. The UN Charter was drafted as an expanded version of the League of Nations. The General Assembly were never involved in the election of the P5. Rather it is the P5 that requested the General Assembly to elect six members of the UN as non-permanent members of the SC. The election of these six non-permanent members to the SC was based on the criteria of their ability to contribute to world peace. The UN was also found on the concept of the sovereign equality of all member states. It was noted that some scholars have argued that the UN was founded on the principle of unequal sovereignties because an organisation that is comprised of weaker and stronger states as members cannot plausibly claim equal sovereignty for all its members.

The UN moral and political presumption was that all states were endowed by equality and dignity as universal characteristics that exist among them - and that they were sovereign within their territories. In other words no other country had the authority to invade another country. The study went on to show that African traditional political system was also based on the idea that kingdoms should always exist in state of mutual respect for each other. It was shown that it was within the developments in western modern philosophy that some scholars such as Thomas Hobbes developed a contractarian theory of human existence. In other words, Hobbes believed that

human beings were evil by nature, hence any authentic existence was supposed to be based on contracts because what is right and wrong is territorial, and not universal. However, it was shown that the Preamble to the UN Charter diverted from the sceptical political outlook by advocating that there was a need for world unity that should help all nations to avert the scourges of war that were experienced twice in human history. For this reason, it was shown that the main mandate of the UN was to maintain world peace and security. Whilst the maintenance of world peace and security was supposed to be the responsibility of UN General Assembly, it was shown that the UN Charter accorded the UNSC more powers than the UN General Assembly. Some scholars have argued that being a member of the UNSC provides one's country with a golden opportunity to advance one's national interest. Voting on issues of world security is thus restricted to the P5 to the exclusion of the UN General Assembly.

It was also observed that the spirit behind the formation of the UNSC was partly based on the concept of Collective Security. The concept of Collective Security implied all members of the UN should safeguard the security of each other even though states were allowed to defend themselves in cases of aggression from other states. The idea of self-defence led to most of the members of the UNSC to amass huge amounts of nuclear weapons under the banner of self-defence. For this reason, the concept of self-defence undermined the doctrine of Collective Security as enshrined in the UN Charter.

### **9.3 Membership of the UN Security Council and the Veto Controversy**

In chapter 3 I have argued that one of the controversies that have beset the UNSC is related to the veto system and the transformation of the SC as a whole. With regards to the veto, my main argument was that the practice was completely undemocratic and it usually aimed at serving national-self-interests of members of the SC instead of those of the UN General Assembly. It is not clear in the evolution of the UN as to who actually voted for the P5. The main explanation which one finds in academic books is that they were

mandated with the security of the world on the grounds that they were the victors of World War II. The argument that was levelled against this way of thinking was that it is irrational to create a permanent organisation on whose existential justification is based on a war that was fought six decades ago. It was also argued that the UNSC has failed to take into account the socio-political changes that have taken place in the world since the end of the Second World War.

Scholars who argue for the transformation of the UNSC maintain that this organ of the UN mainly serves western interests. Most countries from the developing world have been excluded from being permanent members. Members of the UNSC have not been given the power to veto by the UN General Assembly - rather they accorded themselves this power. It was also shown that the whole concept of human rights is mainly Euro-centric. This Eurocentricism came up sharply when it was discussed comparatively with the OAU Charter on Human Rights. From this comparative analysis it was shown that within the African context, the community is the bearer of rights and that the individual is understood as basically subsisting within the community.

Scholars such as Theodore von Laue argued that the United Nations was an organisation that was founded on the Westernisation of the world. Thus the main characterisation of the UN and the UNSC is power politics. This makes transformation of the UNSC something difficult, if not unimaginable to attain. The most notable transformation act that was undertaken by the UNSC and the UN was the denunciation of colonialism. Some members of the UNSC who owned colonies were not interested in decolonisation. The issue of the then Rhodesia and Britain's reluctance to decolonise it was given as an example. Whilst the UNSC had requested Britain to undertake the decolonisation of the then its colony Rhodesia, it argued by other scholars that Britain was very much reluctant to doing so.

It was also demonstrated that the French colonial system somehow made decolonisation impossible because most Africans were regarded by France as its own citizens. This practice was some form of cultural imperialism. For an African to be regarded as an educated people, the French instilled it in the minds of the citizens of their colonies that they should be educated in France and speak French fluently. Through the example of the recent political crisis of Ivory Coast, the former French colony it was argued that it was unethical for the UNSC to allow France to intervene militarily in her former colony.

With specific reference to the UNSC reform debate and the veto system, it was argued that having former colonisers as veto wielding permanent members of the UNSC, a message is sent to the world by the UN that colonialism does not count as a crime against humanity. This practice amounts to practising double standards whereby the UNSC rebukes some countries for practising oppression whilst at the same time condoning actions of former colonial powers. Scholars such as Richard Falk have argued that the P5 members of the UNSC are a law unto themselves because in practice they do not necessarily follow international law. It is most of the poor countries of the UN membership which is expected by the UNSC to abide by international law. The P5 have always projected themselves to the whole world as guardians of democracy in the sense that power should be rotated but ironically they themselves have been P5 members for 67 years. I have argued that such a practice is another instance of the UNSC prior commitment to double standards with regards to democracy. Justification of permanent membership in the SC on the basis of 'being super power' has become problematic because recently Germany and Japan are economically more powerful than Britain, France and Russia. The P5 are mainly in the UNSC in order to pursue their own national interests - hence scholars such as Mazrui have argued that the P5 are not necessarily guardians of world peace and security because in most cases they are the main suppliers of weapons to those countries that are involved in political conflicts.

Whilst the UN General Assembly has called for the reform of the UNSC in terms of increasing membership of the UNSC, the ethos of the veto makes the prospect of reforming this UN organ redundant. It was shown that within such a scenario, the UN is faced with a situation whereby a minority dictates to the majority. The UNSC's understanding of peace keeping is mostly regional based. The interests of P5 are usually regional interests. Finally, another obstacle for reform which was observed by other scholars is that the P5 members of the SC exercise some control over the World Bank and IMF and they use their influence in these multilateral financial institutions to buy support from the temporary members of the SC. The P5 do this with the aim of advancing their own national self-interests within the UNSC and the UN General Assembly.

#### **9.4 A Critical Review of the UNSC Military Interventions in Iraq and Libya**

This chapter was mainly aimed as a practical example of the predominance of double standards in the UNSC in its interventions for world peace and security. With reference to Iraq, the UNSC authorised war over Kuwait was mainly aimed at securing cheap oil for the developed countries. The pretext that was used by the UNSC for war against Iraq over Kuwait was that the war primarily aimed at restoring the sovereignty of the Kuwait people. On closer scrutiny some scholars such as Vaux argued that there was no moral justification for such a war because it mainly driven by the USA and the West's insatiable quest for oil. In this example, the issue of double standards in the UNSC comes out more clearly especially when one takes into account the fact that when Iraq invaded Iran the UNSC never complained that Iraq had violated Iran's sovereignty and international law. Rather, most of the members of the UNSC were supporting Iraq's acts of aggression against Iran. On the face of such blatant double standards it was observed that by scholars such as Tripp that the UNSC sowed the seeds of mistrust between itself and Iran. It logically followed that Iran could no longer have faith in the UNSC as a world body that is there to protect international peace and security. From such an observation I stated that the response of the UNSC

which was mainly characterised by double standards might have encouraged Saddam Hussein to invade Kuwait later on.

Saddam Hussein's invasion of Kuwait was met with swift military action by the UNSC whilst on the case of his invasion of Iran no military action against him was ever mentioned or contemplated against him by the same SC. Whilst an invasion of another country has been characterised by the UN as a threat to world peace, there has been many cases where some countries invaded other countries and the UNSC did not respond or condemned such invasions as a threat to world peace. It was argued that the USA sought the military mandate from the UNSC against Iraq's invasion of Kuwait for national self-interested purposes. After the expulsion of Iraq from Kuwait, a series of resolutions that undermined Iraq's sovereignty were passed by the UNSC. It was observed that these resolutions were actually a radical shift from the UNSC's original mandate of driving Iraq out of Kuwait because the expulsions of Iraq from Kuwait was followed by other intrusive measures the undermined Iraq's sovereignty were put in place. For example it was observed that no-fly zones over northern and southern Iraq were an outright breach of the sovereignty of Iraq.

Other scholars such as Malone argued that the war over Kuwait was also aimed at removing Saddam Hussein from power. For example, it was argued that the post removal of Iraq from Kuwait was followed by an unproven allegation that Saddam Hussein had weapons of mass destruction. The idea that Saddam Hussein had weapons of mass destruction (WMD) was meant to provide the justification for the USA and its allies' invasion of Iraq. There is a strong scholarly opinion that the USA and its allies lied about Iraq having (WMD). Such type of behaviour by prominent members of the UNSC was a threat to world peace and security.

It was shown that a tendency to manipulate the UNSC by member states creates a fertile ground for double standards. In this regard it was observed by way of example that there are historical instances whereby countries

such Israel, South Africa and Rhodesia had invaded and occupied other countries but the UNSC did not take any military action against them. However, the post-Gulf war invasion of Iraq by USA and Britain under a deliberate false pretext that Saddam Hussein had weapons of mass destruction was also another instance of double standards in the sense that Iraq was condemned invading Kuwait and militarily expelled from Kuwait with the approval of the UNSC but USA and Britain did what Iraq had done to Kuwait and yet the UNSC did nothing about this invasion. After the invasion of Iraq by USA and Britain, this country has remained in a state of low intensity civil war in which thousands of civilians are dying each year.

Another example which I have selected to demonstrate the predominance of double standards in the UNSC is that of Libya. Whilst Libya had an historical tumultuous relationship with members of the UNSC such as Britain, France and the USA, the UNSC imposed sanctions on Libya on the grounds of the accusations that were made by these same members of the UNSC against Libya. The same members of the UNSC who were in a perennial historical conflict with Libya who deliberated on it in the UNSC and passed resolutions against it. The argument I have made in this regard was that when you are a part to the conflict it becomes a violation of natural justice to deliberate about the opponent in an arena such as the UNSC and pass resolutions against your opponent without the opponent's active participation in the process. When civil the 2011 civil unrest occurred in Libya, the UNSC acted a way that undermined the sovereignty of Libya's sovereignty by imposing Resolution 1973 which basically imposed a no-fly zone. As it was the case with Iraq, the concept of no-fly zone was a euphemistic term that implied foreign invasion of a sovereign state. Some journalists such as Milne have argued that the no-fly zone led to the death of thousands of civilians under NATO's air strikes. The main goal for this no-fly zone was not to protect civilian lives in Libya but to remove Gaddafi from power. The UNSC has in this regard failed to protect world peace and security. The Libyan tragedy raises the issue of the moral integrity of the UNSC as an organ of the responsible for maintaining peace and security in the world. The execution

of Gaddafi was yet another example of the UNSC's double standards because it ultimately showed the UNSC's 'no-fly-zone' was mainly aimed at ending Gaddafi's life.

### **9.5 The Contribution of National Self-Interests to the Ethic of Double Standards in the UNSC's Modus Operandi**

It was demonstrated that in the western world, the idea that human beings behave in the way they do because of self-interest. Classical political theorists such as Niccolò Machiavelli argued that within the sphere of politics there should not be any moral considerations when dealing with people. The study observed that the Machiavellian political theory is known as sceptical realism. This Machiavellian political theory of sceptical realism was echoed by Thomas Hobbes who maintained that human social existence was contractarian by nature. Hobbes went further in his sceptical realism and argued that since there was no common power on the international political arena, international relations are anarchical. The implication here was that there is no nation which is concerned with the wellbeing of another nation, but its own national self-interest, hence there is no common power that can enforce the rules to be complied with by all nations internationally. Some of the members of the UNSC have from time to time sponsored anarchy against other states. Countries that are members of the UNSC such as the USA, UK and France are currently being accused of supplying weapons to mercenaries who are fighting the government of Syria. In pursuit of their national self-interests members of the UNSC do always find it rational and morally justifiable to destabilise other countries.

It was also observed that within the western world, the notion of pursuing national self-interest is related to the idea that all human relations are a manifestation of a ruthless struggle for power. The struggle for survival implies that people or nations behave in ways that are amoral towards each other. For Fredrick Nietzsche morality was dangerous because it was used by the weak to subdue the strong. In the same vein, Hans Morgenthau maintained that since politics was about struggle for power, each state was supposed to act in a way that promotes its own national interest. As for

Morgenthau, the pursuit of national interest was a mechanism for advancing the power of one's own nation. Scholars such as Maersheimer have maintained that the predominant rationale among powerful states is that multilateral institutions such as the UN are valued in so far as they can help powerful states to advance their national self-interests at a global scale. In this regard, national interest is amoral because it actually encourages aggression, deceit, and other vices that are related to politics and economics. Mary Maxwell argued that one cannot enter into an intelligible debate about the UNSC reform because the national interest theory of political realism automatically forewarns that such reforms are simply not feasible because they compromise the national interest of the P5. I argued that this type of thinking is based on the presumption that international relations are based on anarchy.

The study showed that scholars such as Terry Nardin argued that we should understand the world as an international society. According to Nardin, the term international society implies that states do relate to one another in terms of common practices, customs and rules which provide the basis for judgement for just and unjust international conduct. Within an international society, peace and security is something that should be enjoyed in common by all citizens of the world. The idea of international society was contradicted by the fact that states exist as sovereigns by virtue of their own moral values that are not commonly shared among states. Thus the relations among states were based on the pursuit of national-self-interests. It was argued that national self-interest remains the main challenge to the idea of seeing the world as an international society. The pursuit of national self-interests within the UNSC undermines the main mission of the UNSC which is mainly about the maintenance of world peace and security. In pursuit of their national self-interests, powerful countries can easily overthrow weak governments or rule them indirectly without their concern. It was also observed that rich countries do use economic aid with the explicit aim of advancing their own national interests in a way that undermines poor countries' national sovereignty.

However, some scholars are arguing against the doctrine of national sovereignty on the grounds that it is based on the western philosophical doctrine of atomic individualism. They go on to say that it is the individual who should be seen as sovereign rather than the state. I have traced this type of thinking to postmodernity as an era that espouses hyper individualism in the sense that the philosophical outlook of postmodernity advocates the idea that there is nothing that binds people. Advances in information technology and the evolution of transnational companies and corporations are seen as signs that point to the end of nation-state sovereignty.

Some scholars have argued that nationalism has contributed a lot towards disharmony in the international community. Nationalism is inseparable from the idea of race consciousness. As a result of colonial oppression, nationalism advocated that each nation had a right to self-determination. The concept of self-determination implied that each nation had to determine its own economic, political and cultural future without outside interference. Scholars such as Francis Fukuyama argued that nationalism was parochial and transitory in nature. Karl Marx and Fredric Engels argued that capitalism was anti-nationalism because it was an economic system that was basically promiscuous in such a way that this economic system was not committed to any nationalistic bonds. Another argument against nationalism is that many countries are not composed of homogenous communities that share the same cultural values. Some scholars have maintained that current developments in communication and information technology have reduced the world to a global village, hence there was a need to transcend nationalism and think in terms of a new world order.

#### **9.6 UNSC Reform with Reference to the New Global Order**

This chapter argued that democratic values are based on assumption that there should not be any monopolisation of power. Since the end of the Cold War the UNSC has been advocating a culture of political democracy. Such a call remained ironic because the UNSC has remained the most undemocratic

institution in the world. The UNSC has remained unrepresentative of the demographic nature of the world. Since most of the members of the UN are not included in the decision making process of this organ, it means they are logically excluded and their concerns are not represented in the UNSC. Thus without genuine regional world representation the decisions of the UNSC on peace and security cannot be taken to be representative of other world regional groupings outside the P5. This lack of democratic representation also comes in a different form where violation of democratic principle of representation is a perennial feature of the UNSC. For example, non-permanent members of the UNSC are elected by the General Assembly with the requirement of two-thirds majority for two terms whilst the P5 who have never been elected possess absolute power in the decision making process of the SC. It was noted that other scholars such as Hans Köchler the UN is faced by the problem of legitimacy because sometimes the UNSC has a tendency of circumventing some of the provisions of the UN Charter. Related to the argument of the crisis of the UN legitimacy is the veto system which is continuously used by some members of the UNSC to undermine collective decisions of UN General Assembly.

An argument was advanced by Thomas Weiss to the effect that the veto remains the major obstacle to the UNSC reform. For example, it was demonstrated that the power to amend the UN Charter has been left entirely in the hands of the SC to the exclusion of the General Assembly. The P5 have the power to reject or accept amendments to the Charter provided their national self-interests are not compromised by such amendments. Those who argue for the maintenance of status quo of the UNSC do maintain that the P5 are most likely to make swift decisions to any threat to world peace and security when they are few as compared to when they are a more expanded SC. Against this type of thinking it was argued that the UNSC has not been swift or proactive in its protection of world peace and security. Wars of liberation that were fought in some parts of world and the Rwandan genocide are concrete examples that undermine the idea that the P5 are

swift in responding world threats to peace and security when their membership remains as it is.

The chapter also argued that the UNSC's commitment to democracy is highly questionable. They reduced the conceptualisation of democracy to Western conceptualisation. What remains as the most surprising factor is that the UNSC calls for the existence of democracy all over the world whilst it remains the most spectacularly undemocratic organ of the UN. Thus scholars such as Weiss observed that the role that is played by national self-interests and power within the UNSC implies that democratic reform for the SC remains infeasible. But more specifically Weiss observed that any reform within the UNSC can only be acceptable when such reform does not threaten the USA's national interests. However, the pursuit of national self-interest within a multilateral organisation is utterly undemocratic because one of the main principles of democracy is that any authentic political decision must be made with the support of the majority. The study also demonstrated that the undemocratic nature of the UNSC is reminiscent of that of colonialism whereby in the colonies a few white people were expected to vote with the explicit aim of determining the future of the majority of the colonised. Thus there is some resemblance between colonial reform practices and the UNSC's reforms. During colonialism a white minority government was constitutionally empowered to overrule any decision that came from the African majority when it was deemed a threat to white privileges.

The quest for the UNSC reform also comes in the form of a call for a new global order from an array of disciplinary perspectives – for example from the new natural science perspective, political theory of international relations, economics, religious and ethical perspectives. Some scholars such as Teilhard de Chardin read the discoveries in new science as implying that the world was evolving towards a convergence that would ultimately lead to a unity characterised by collective human consciousness. Thus human solidarity was to be based on the laws of nature through participation. For

this reason, proponents of a new world order argue against excessive nationalism in international relations.

Social scientists such as Anthony Giddens went as far as saying that the new sciences and communication systems are naturally cementing the reality of interconnectedness among states. However, the question that equally arises has to do with the kind of political system that should ultimately characterise this new world order. The west has responded to this question by trying to impose its own type of democracy as the only viable political system which should be followed by whole world. This western crusade for democracy has been criticised on the grounds that it was being done for western national self-interest purposes. There are also those scholars who advocate the need for a new world order from presumption that the whole world should embrace neo-liberal capitalism as the only viable economic system. It is an historical fact that attempts to conflate neo-liberal capitalism have come in the form of Structural Adjustment Programmes (ESAPS) that were imposed by the IMF and the World Bank to all poor countries of the world.

In the course of the discussion it was observed that the neo liberal capitalistic ontology of a person is not culturally universalisable. Scholars such as John de Gruchy argued that premising the new world order on western political liberalism and neo-liberal capitalism is simply an imposition of western cultural imperialism. Against the background of the conflation of the new world order with western cultural imperialism, some African scholars and politicians have argued that African societies have their own forms of democracy. Here the main argument was that the idea of a new world order should not be moulded under the hegemony of western cultural and economic imperialism, rather, all societies should be seen as active participants in the creation of such a new world order. The study also noted that some Eurocentric scholars such as Theodore von Laue who argue that the world was evolving and revolutionising towards the universal acceptance of western culture. In this way of thinking, we have seen that the

contribution of other non-western cultures towards the emergence of a new world order is completely not taken into consideration. For example the idea which came from many African scholars and politicians to the effect that there are many different forms of democracy have been completely ignored within this western dominated new world order discourse,

Most of the UNSC's declarations on human rights are mainly based on western understanding of human rights. Scholars such Zvobgo and Okere have argued that current UN understanding of human rights was based entirely on the western ontology of a person. Some scholars such as Samuel Huntington went as far as seeing the new world order as mainly about a conflict between religious beliefs whereby Islam will align itself with Confucian civilisation against western civilisation. An example that was given by Ali Mazrui is the UNSC has acted a way that shows some prior commitment to double standards when it comes to interventions in the Muslim world. Sometimes western countries have intervened in the western world with the explicit aim of protecting their own national interests. In this regard some scholars have argued that the idea of the new world order is based on USA and European political and economic national interests that are usually based on the idea of trying to shape the world according to their own economic and political ideologies such as neo-liberal capitalism and their own democratic theory of politics.

### **9.7 A Critique of UNSC Double Standards based on the Ethical Concept of Equal Recognition**

The main concern in this chapter was that the practice of double standards can be countered within the UNSC if only it adopts an ethic of equal recognition. International law advocates that all nations should be recognised as sovereigns. Scholars such as Francis Fukuyama have argued that the history of humanity can be summed up as a struggle for recognition. Thus the call for UNSC reform is also motivated by the struggle for recognition. Currently the UNSC has instituted that it can only recognise those countries that follow western type of democracy. Some scholars such

as Wiredu and SékouToué have maintained that democracy was context specific. Kwasi Wiredu argued that within Africa democracy was based on consensus whereby the views of the minorities were taken into account before making a political decision. In other words, the western liberal democracy does not recognise the voices of minorities when it comes to decision making, the African notion of democracy by consensus allows the participation of the majority whereby voices of all people are taken into account. Charles Taylor has argued that equal recognition has currently taken the form of culture and gender.

A distinction was made between amoral struggle for recognition as opposed to a moral one. Scholars such as Thomas Hobbes, Nicole Machiavelli and Fredrick Nietzsche advanced that human nature competes for power in order to be recognised, and that human nature is intrinsically evil. The need to have a common power is mainly motivated by the need to avert a universal war. Some powerful countries who are members of the UNSC do use poor countries for personal gain. The USA is on record for doing this. Sometimes aid has been used as a means of interfering in the domestic affairs of a sovereign county. Russia and France have sometimes bombarded their former colonies as a way of gaining world recognition. Misrecognition can also come in the form of representation of poor countries in which the main aim is to create misrecognition of the targeted country. Before members of the SC launch an attack against a particular country they usually undertake a campaign of misrecognition against the targeted country. It was observed that some of the Resolutions (687, 707, 715) that were passed by the SC insisting that Iraq had was hiding weapons of mass destruction was completely false. The aim of the USA and Britain was mainly to effect what they called regime change in Iraq. By nurturing misrecognition about a targeted country, the aim is to create a distorted image of that targeted country. The recent revolts that have gone on in the Arab world have been characterised by the western media as the 'Arab Spring' - implying that the Arab world is yearning for something new politically. Most of the western countries, including the USA do not recognise most the governments in the

Arab world. Here it can be asserted that misrecognition is closely related to the idea of undermining the legitimacy of a government of a particular state.

Misrecognition is also related to some national selfish interests or sometimes aimed at settling some primordial grudge. In the case of Libya we have seen that Libya's nationalisation of its oil under Gaddafi was something detrimental to western oil companies. From thereafter, the campaign of misrecognition of Libya was carried out by the USA and its NATO allies. The UNSC passed Resolution 1973 which stated that a No Fly Zone should be implemented in Libya with immediate effect. This No Fly Zone was actually an allowance for NATO and the USA to destroy Libya's entire security infrastructure. The aim was not necessarily to protect civilians, but to help the NATO and USA sponsored rebels to overthrow the Gaddafi government. Whilst the destruction of Libya was going on, the majority of the members of the UN protested to no avail. In this regard, it can be deduced that the world struggle for recognition can only be ethical it needs to be based on mutual recognition. Without a culture of mutual recognition, the UNSC will remain entangled in the ethic of double standards. As an example, the post Gaddafi USA ambassador to Libya was assassinated and there was a worldwide condemnation of this heinous act from all the western countries and the USA but when Gaddafi was killed by the rebels his body was paraded in the streets like a common criminal. This example shows a systematic failure of the part of the UNSC to recognise Gaddafi as a head of state.

The concept of equal recognition as a moral imperative in international relations was discussed. Scholars such as Charles Taylor have argued that within a world that is characterised by multiculturalism, the demand for recognition in our day to day politics becomes imperative. Globally, each culture demands to be recognised within the plurality of world cultures. Other scholars such as Ali Mazrui saw the possibility of mutual recognition when governments start seeing the world in terms of a federation of culture where no single country presents its culture is the ideal culture for the whole world to emulate. Colonialism and imperialism in whatever form are usually

based on presenting the colonial or imperial power as the only genuine reflection of humanity in its ontological and cosmological fulfilment. In Africa, most African scholars who went through western education have resented this education in the sense that it failed to recognise the authenticity of an African person within the world. A lot of scholarly effort has been put by many African scholars trying to articulate a history of African people before the advent of colonialism. It was stated in this chapter that MagemaFuze and Aeneas Chigwedere are typical examples of such efforts.

Misrecognition can cause a great harm to a person or state. As persons we want to be recognised as a people with a history and identity. It was shown that some scholars such as Burton have advocated for a balance of power so that there can be a world situation of collective security under universal law and order. The concept of Collective Security has the potential of doing away with the idea of dividing countries into alliances which since the inception of the UNSC has divided countries into power groups.

It was argued that another arena where equal recognition can be achieved is through international commitment to international law based on general consent by the international community. The enforcement of international law should not be based on protection of national interests whereby this international law ends up being applied selectively. The UNSC has practised a selective application of international law whereby it applied it more effectively against weak countries whilst doing nothing against members and allies of members of the UNSC who violated international with impunity. Again, the application of international has shown the UNSC's prior commitment to double standards. Another example which have cited was that the application of international law does not recognise past injustices that were committed during the eras of colonialism and slavery. A theory of rights that is anchored on the philosophy of individualism cannot address these injustices. The current Eurocentric global society does not recognise those who were denied justice in the past. In other words, wrongs such as

colonialism and slavery need to be recognised actively in the form of reparations. The UNSC recognises wrongs that were done to people of Caucasian races but not to Africans. Sometimes the tendency has been that of blaming victims of slavery and colonialism. The chapter that followed was based on the need to promote an ethic of mutual aid in the UNSC. The concepts of equal recognition and mutual aid do complement each other as we shall see in the following discussion.

### **9.8 A Critique of UNSC Double Standards based on the Ethical Concept of Mutual Aid**

The concept of Mutual aid is the opposite of double standards in the protection of peace and security in the world. In Shona and Zulu/Ndebele proverbial wisdom there is a philosophy which says that one cannot succeed on their own without being aided by others. As human beings we have been created in such a way that we are meant to be there to each other's aid and this aid has to be reciprocated in kind. One can also say that from an African moral outlook, altruism is the bedrock of what it means to be ethical. Scholars such as Peter Kropotkin maintained that humanity has evolved into a consciousness that acknowledges the reality of dependence interdependence within the generality of existence. Thus mutual aid implies that all creatures express solidaristic existence as their natural biological predisposition. The ethical concept of mutual aid comes across as a sharp contradiction to the theory of sceptical realism in international relations in the sense that we have an inert ability to feel for each other.

A contrary theory to mutual aid comes in the form of the selfish gene theory as propounded by Richard Dawkins and Kate Distin. This theory is based on the idea that all creatures are endowed with a gene that makes them selfish to those who do not share the same biological properties with them. This type of thinking provides a rational explanation on the emphasis that is put on national interests in the UNSC that are often dovetailed by double standards. Against this type of thinking the study argued that from an Afro-centric perspective our humanity is tied up with the humanity of others. In this regard I made some reference to the Shona cultural concept of

*Ukama*(relationality) and the Zulu/Xhosa/Ndebele adage which says that *Umuntungomuntungabantu* - a person is a person through others. On the basis of this Afro-centric perspective the study went on to deduce that the selfish gene theory should be seen as illusory because from an Afro-centric perspective our humanity is inseparable from the humanity of others. This implies that we are not genetically coded to be selfish but to be in solidarity with each other. We inherit our genetic predisposition from our sociality. Genes and culture do share a symbiotic relationship in such a way that they co-evolve together. From this insight deduced that this co-evolution implies that genes and culture exist in a perpetual state of mutual aid. The other deduction made from this observation was that the Security of the world can only be achieved through collective action among member states of the UN whereby they come to the aid of each other whenever there is a security threat.

In this chapter, my other observation was that the ethical concept of mutual aid is also echoed by the new science. The study contrasted the new science with the old mechanistic science and concluded that the current UNSC modus operandi was based on the old Isaac Newton's mechanistic thinking in which things operate and function according to predetermined rules. In this regard, national self-interest was the predetermined rule that governs relations among states. It was also deduced that the notion of justifying permanent membership of the SC on the basis of a war that was fought six decades ago was another clear reflection of mechanistic thinking. In order to go beyond mechanistic thinking, the study resorted to the quantum scientific paradigm which espouses the reality was flexible and nondeterministic because everything in existence complements each other. If reality complements each other, it implies that the national interest theory of international relations commits a fallacy of reducing nations into individual egoists. Thus the idea of something being permanent such as the P5 is realistically unsustainable because what is real in actuality has to be transitory.

It was also part of the argument of this chapter that the concept of Super Power is none realistic because it undermines the ethical concept of mutual aid. Those countries that identify themselves as superpowers do so on the basis of their ability to be economically parasitic on poor countries. These countries can go as far as sabotaging poor countries economically in order to advance their economic selfish interests on the pretence of providing poor countries with foreign aid. In the UNSC economic developmental aid is sometimes used as a way of garnering support in the UN General Assembly. During the Cold War, poor countries were economically supported on the basis of their economic ideological affiliation. Economic aid has created a world situation whereby poor countries are alienated from being partners in the promotion of world peace and security. In this regard the case of conflict between the late Malawian president BinguWamutharika and the British government demonstrated how foreign aid to poor countries is used to undermine their sovereignty. William de Maria argued that western countries' provision of aid to Africa is self-serving. Western countries provide aid to African countries with the aim of safeguarding their own national selfish interests.

Mutual aid is based on the moral instinct that a genuine morality must be based on reciprocity. This is a practice that is even found among wild animals. Those that succeed in life or the fittest are those that are not in war against each other, but those that practice mutual aid. The political implication of mutual aid to the UNSC is that all countries should be actively involved in maintaining peace and security of the world. The idea that nations should not trust each other is a European one which gained prominence due to the spread of European literally thought. Mutual aid presupposes that states have a moral relationship with each other. The study showed that some authors attribute this shared moral outlook among nations to international law whereby states are expected to respect each other's sovereignty.

However, it was observed by scholars such as Singer and Maxwell that mutual aid is untenable of the prominence that is given existential factors such as group morality, the weakness of altruism towards strangers and the tendency to accept that which is evil. Human beings are most likely to help those who belong to the same group with them than those who are strangers. In their encounter with African people, Europeans did not believe that Africans were humans and the study supported this claim with examples such as colonialism and slavery. Europeans were mainly responsible for the drawing of borders for their colonies - a practice that implies an unwelcoming attitude. Contrary to such an attitude, African culture premised what it means to be human on the ability to welcome strangers. From the Western perspective, the pursuit of one's national interest is considered as the most trustworthy guide in relations among states. In this light of these concluding remarks the study shall commit the following chapter to recommendations towards an authentic transformation of the UNSC.

## **Chapter 10: Recommendations for an Ethical Reform of the UNSC**

### **10.1 Introduction**

In the discussion pertaining to the ethic of double standards in the UNSC, there was a general agreement among the critics that such a practice was not compatible with the politics that should guide the 21<sup>st</sup> Century. It was shown that the membership of the UNSC has come under heavy criticism, especially when one takes into account that there are only 5 permanent members. The practice of double standards in the UNSC in the keeping of world peace security undermines the confidence which the whole world is supposed to have in this multilateral organisation. From an ethical perspective, an institution or organisation that behaves in a way that portrays double standards cannot be trusted in what it says and does. It was shown in this thesis that the invasion of Iraq and Libya by the USA and NATO countries violated the sovereignty of these two countries. It was also a violation of international law which the UNSC purports to respect and protect.

The other concern in this study was related to the contribution of national self-interests to the practice of double standards in the UNSC. It was observed that the invasion of Iraq was mainly motivated by American and Western strategic reasons for accessing cheap oil in the Gulf. Within a multilateral organisation such as the UN, the use of such a multilateral organisation in pursuit of national self-interests becomes unethical because it amounts to abusing of trust. The pursuit of national self-interests within the UNSC undermines the integrity of the UNSC as an organ of the UN. This pursuit of national-self-interest within the UNSC is also an abuse of the mandate of protecting world peace and security which has been given to this organ by the UN since its inception. The other argument was that by virtue of the fact that the UNSC still consists of P5 members of six decades ago, it shows that it is not democratic though it purports to promote democracy all over the world as a means of promoting peace and security in the world. Neither does it reflect the reality of the 21<sup>st</sup> century new world order.

A critique of the practice of double standards in the UNSC was partly based on the ethical paradigm of equal recognition. The ethical paradigm of equal recognition comes across as an antithesis of the practice of double standards in the UNSC in the sense that this ethical paradigm advocates that all states should be recognised as equal members. If it is one of the fundamental principles of the UN that all nations should be regarded as sovereigns, then the principle of sovereignty should not be violated on the pretext of protecting national interests. The reality that some of the members of the UNSC have invaded sovereign states on the basis of advancing their own national interests has led to the idea that this organ of the UN is partly a danger to the promotion of peace and security in the world.

The study also critiqued the practice of double standards in the UNSC from the ethical paradigm of mutual aid. It was observed in this regard that the concepts such as 'Superpower' and 'National Interest' do undermine the ethical paradigm of mutual aid. In this regard my main argument was that when we subject these concepts to the paradigm of mutual they become unintelligible because nations will always need the support of each other. Even within the generality of existence everything that is real dependence on the existence of others. It is in the light of the observations that were made in this study about the UNSC and the practice of double standards that the study shall make my recommendations for the reform of the UNSC as an organ of the UN.

### **10.2 The Need for Finding a New UNSC for the 21<sup>st</sup> Century**

The current UNSC was found some six decades ago as a result of the Second World War, and some of the values that shaped the current UNSC were based on the values of the then League of Nations. The values of the League of Nations were mainly Eurocentric, hence they were not inclusive. As an organ of the UN, it is ethically imperative that the UNSC should transcend double standards by being inclusive. The UNSC should see itself as subsisting within the UN and not above the UN. What the UNSC decides about peace and

security in the world should be subjected to the approval of the UN. In chapter 2 it was observed that no one elected the P5. In the 21<sup>st</sup> century, all nations are sensitive to issues of getting legitimacy through a process of periodical elections. It is recommended that for us to solve the problem of the legitimacy of the UNSC Chapter V, article 23 should be amended in such a way that it should stipulate that UNSC members are to be elected by the UN General Assembly. The guiding principle for being elected to the UNSC should be based on regional representation because currently P5 membership has remained predominantly Eurocentric for six decades.

The current situation where the UNSC has more power than the General Assembly and the General Secretary must be rescinded by amending Article 12 of the UN Charter which partly says that, “the General shall not make any recommendation with regard to that dispute or situation unless the Security Council so requests”. This type of thinking is unacceptable because it is archaic to a democratic ethos of the 21<sup>st</sup> century which advocates that the minority should not make a decision without the mandate to do so from the majority. Here my recommendation is that the SC should request permission from the UN General Assembly when it comes to enforcing peace and security in the world. Chapter V (Article 23, 2) reads that, “The non-permanent members of the Security Council shall be elected for a term of two years. In the first election of the non-permanent members, however, three shall be chosen for a term of one year”. This article should be removed from the charter because it is discriminatory. A recommendation in this regard is that all members of the UNSC should be elected by the UN General Assembly periodically, say for a tenure of 5 years. In this way, the idea of permanence and non-permanence should be done away with. Article 25 which says that, “The Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter” should be removed from the Charter. Since the SC is an organ of the UN, the study would recommend that the SC’s mandate should be that of carrying out decisions that come from the General Assembly.

The main concern for the above recommendations arises from my conviction that within the 21<sup>st</sup> century where the whole world and societies are clamouring for democracy through participation, an undemocratised SC can be a threat to world peace and security. The UNSC nurtures the ethic of double standards when it talks to the world about good governance as something synonymous with democratic practices whilst it remains the most undemocratised UN organ in the world. Related to this concern is the observation that the ideas of having some members of the UNSC as P5 can no longer stand to reason in the 21<sup>st</sup> century. To derive the mandate for permanence from a war that happened six decades ago is to ignore the fact that the mandate to be a member of the UNSC should derive its mandate on the basis of the security challenges of the 21<sup>st</sup> century. In the light of the above recommendations my underlying presumption is that the UN Charter is not some revealed sacred text, rather it should be revised and changed according to peace and security challenges of the 21<sup>st</sup> century.

### **10.3 Envisioning Membership of the UNSC and the Veto Practice**

The P5 members of the UNSC tend to enjoy an unprecedented monopoly of power and prestige in the world with reference to issues of peace and security for the whole world. In this regard they have alienated the majority of the members of the UN General Assembly with regards to the protection of peace and security in the world. The idea of P5 members does not necessarily serve the common good of the UN General Assembly, but prestige and the pursuit of national-selfish interests of these P5. In the light of the discussion in the previous section, the study observed that the idea of membership to the UNSC is rather scandalous and to that effect the study recommended the need to revise the UN Charter with the aim of correcting this anomaly. It is a mockery to participatory democracy to have a situation whereby P5 members decide the fate of the whole world. It is also hypocritical when the same P5 members deliberate about deteriorating democratic situation in other parts of the world or countries. The current P5 members have no moral authority to do so because they have never been democratically elected by the UN General Assembly. In democratic terms

they can be characterised as an illegitimate organ of the UN. To wield the power whereby a single P5 member can veto decisions agreed upon by the majority is a clear example whereby the UNSC P5 are at liberty to undermine the democratic value that puts primacy on decision making through the consent of the majority. The veto system serves national self-interests of the P5 members in the sense that a country which is regarded by one of the P5 as an important strategic partner is most likely to commit all sorts of crimes against humanity without being censured by the UNSC's resolutions. The P5 ally of an offending country can easily block the decision of the majority within the SC by simply resorting to the veto power. In this regard, the veto power is used for power politics and safe-guarding of national self-interests of UNSC member states.

In the light of the above summary of the current problems that have beset the issue of UNSC membership and the veto system, the study firstly recommends that the veto system should be dropped and UNSC decisions should be reached deliberations in the UN General Assembly. Instead of taking decisions on peace and security of the whole world among themselves, the UNSC should implement what has been agreed upon by the UN General Assembly. Secondly, it is recommended that in the 21<sup>st</sup> century the promotion of world peace should be seen as the responsibility of the UN because we cannot entertain the idea that the P5 were mainly responsible for the maintenance of world peace and security because some these P5 members are the main sponsors and instigators of wars and civil unrests in some parts of the world. In the light of the veto system, here the study should like to echo the previous recommendation and add that in the 21<sup>st</sup> century the veto system can only be successfully eliminated if the composition of the UNSC membership is based on the principle of regional representation. On presumption that the membership of the UNSC should be based on the principle of regional representation, it is further recommended that this membership should still be rotated among member states within each region. In the light of this recommendation, it logically follows that the

concept of permanent SC membership will automatically cease to exist in the UN Charter.

#### **10.4 A Case Study on Authorised UNSC Military Interventions in Iraq and Libya**

Chapter 4 made a review of the UNSC's authorised military interventions in Iraq and Libya. My main conclusion in this regard was that these interventions were mainly based on the practice of double standards. The example of the UNSC prior commitment to double standards came out clearly with an example where it was observed that when Iraq invaded Iran, the same UNSC members helped to fuel the conflict by supplying both sides with weapons. Whilst the UNSC resolutions were that Iraq should pull out of Kuwait to which the Iraq government complied with after a military campaign by the allied forces, other resolutions that carried with them some intrusive measures against Iraq's sovereignty were put in place - inspection of weapons of mass destruction and the implementation of no-fly zone within Iraq. Even though Iraq pulled out of Kuwait, the sanctions against it which were previously put in place as a punitive measure against Iraq's invasion of Kuwait were not lifted. It was also observed in this chapter some member countries of the UNSC had the overthrowing of Saddam Hussein's Iraq government as their main goal. Without the authorisation of the UNSC some members of the SC such as the USA and Britain went on to invade Iraq on the false pretext that they were disarming Saddam Hussein of weapons of mass destruction. The chapter established that there is a scholarly consensus that the invasion of Iraq on the basis that Saddam Hussein had weapons of mass destruction was based on a lie. The main motive behind such a lie was to have free access to Iraq's vast oil fields, thus serving national selfish interests.

The same commitment to double standards by the UNSC was also committed against Muammar Qaddafi's government of Libya. Libya's sovereignty was undermined when it attempted to control civil unrest within its own territory. In the same manner as the UNSC had done in Iraq, a no-fly zone was imposed on Libya through Resolution 1973 (2011). Some of the

members of the UNSC such as the USA, UK and France were enemies of Muammar Qaddafi's Libyan government but they participated actively and voted for Resolution 1973. My argument against their participation was based on the idea that simple justice requires us to see such actions as unethical for one to be a judge in a case that involves one's foe. After taking a vote, the UNSC authorised that states as individuals or regional groupings should implement the no-fly zone. NATO as a regional grouping went on a bombardment campaign against all of Libya's security infrastructures. Some scholars observed that NATO's implementation of the UNSC's no-fly zone resulted in the death of many civilians. In the unfolding of events in the NATO's military campaign against Libya, just as it was the case with Iraq, the main aim was to depose Gaddafi from power as well as creating future western and USA access to the vast Libyan oil fields. The lesson that was deduced by other scholars was that foreign intervention does not promote freedom and neither does it protect lives.

In relationship with the findings of this chapter, the study shall make five recommendations. Firstly, the invasion of a sovereign state should not be allowed because it is a violation of international law. Hence the UN should find some mechanisms to dissuade foreign invasions.<sup>79</sup> Secondly, on discussing political crises of particular countries, it is recommended that members of the UNSC should disclose their previous and current relations with the country under UNSC discussion so that it can be determined fully whether the participation of that particular UNSC member(s) would serve the interests of justice and fairness. My third recommendation is that if a resolution has been passed for a particular action intended to promote peace and security, the UNSC should act on that particular resolution without diverting from it. Fourthly, I recommend that the UN should endeavour to

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<sup>79</sup> In the view of BaffourAnkomah, developing nations or small nations (sic) should come together and speak with one voice at giving the UN the necessary pressure to avoid such invasions. Developing countries must not expect international news agencies such as CNN and BBC to assist them in their lobby for international ethical quest for peace and security. Social media should play a significant role in as far as the swaying of public opinion in favour of the developing nations' efforts at making the UN and more specifically the UNSC a reformed international with the prime duty of maintaining global peace and security. Interview with author, Harare 07 may 2013.

make sure that its organ for security, the UNSC should not act in ways that shows a prior commitment to double standards. Lastly, my fifth recommendation is that the UN should make it part and parcel of the ethic of the UNSC that those who serve as members in this organ do not use it as an arena for pursuing national self-interests.

### **10.5 The Relationship between Double Standards and National Self-Interests in the UNSC**

The practice of double standards in the UNSC arises from the pursuit of national interests under the guise that the members of the UNSC's decisions are motivated by the urge to promote world peace and security. Chapter 5 provided a detailed discussion on national self-interest as it is embedded in the political theory of sceptical realism. The political theory of sceptical realism was based on the idea that human beings were evil by nature; hence their relationships are only sustainable through contracts. Western philosophers such as Hobbes advocated the idea that there cannot be a common covenant among different nations because there is no common power that enforces the rules. What is implied in the political theory of sceptical realism is that a common morality cannot exist among nations because of the lack of a common power. In this regard, it was observed that most of the decisions of the UNSC members are based on a calculative approach to national self-interests. It was equally observed that the argument that nations behave in a way that is amoral towards each other has remained irrefutable, especially when one takes into account the externally sponsored wars that going on in the Middle East.

The pursuit of national self-interests was also related to struggle for power and dominance. National self-interest was a mechanism for promoting the power of one's own nation. From this observation it was argued that the presumption behind the political theory of sceptical realism is that the international scene is basically imbued in a state of anarchy where there are no common rules that should regulate international conduct. It is partly for this reason that sceptical realists insist that the survival of each state on the

international scene is enabled by the pursuit of national interests. I have also argued that the concept of nation-state sovereignty is constructed around the assumption that states should not interfere in the domestic affairs of each other. Such an assumption implies that the relations of states towards each other should be based on the principle of equality.

However, the study went on to show that the pursuit of national self-interests has resulted in the P5 members subordinating world peace and security to their own national self-interests. The veto is also a mechanism whereby the P5 protect their own national self-interests and those countries they perceive to be their allies. In the light of this observation, it was observed that the P5 do abuse the UN and its Charter for selfish reasons and not the common good of humanity as a whole. It was shown that there are other scholars who are arguing that instead of seeing the world in terms of competing national interests, we should rather promote global citizenship. However, it was shown that the current international relations that are characterised by economically and weak states make it impossible for global citizenship because those states that are powerful will always impose their will on weak states. Some scholars went on to argue that currently the USA is globally behaving like an empire. As an empire, the USA is prone to violate the sovereignty of other countries. This world state of affairs undermines the sovereignty of other states, especially those that are economically poor. Another argument that militates against world citizenship is nationalism. It was also shown that some scholars who belong to the school of thought of neo-liberal economics argue that with the developments in information technology and the globalisation of capitalism, it is the individual who is sovereign instead of the nation-state.

In the light of the observations that were made in this chapter, the study should like to make three recommendations. Firstly, that the pursuit of national self-interests within a multilateral organisation such as the UN should promote the interests of the whole world. This recommendation implies that the use of the UNSC permanent membership for national self-

interests is unethical because it perpetuates an ethic of double standards. My second recommendation is that the doctrine of sovereignty which is entrenched in the UN Charter (Article 2) should be the guiding principle in international relations. This recommendation is based on the observation that the UNSC commits double standards when it talks about sovereignty, and the invasion of Iraq and Libya are examples. Thirdly, it is the study's recommendation that power politics within the UNSC should not be allowed because it can only lead to the practice of double standards.

### **10.6 Reforming the UNSC under the Paradigm of the New World Order**

In chapter 6 it was observed that a quest for UNSC reform is usually made on the basis that the whole world has democratised. It was argued that the UNSC's commitment to democratisation remains questionable because the current P5 membership is not representative of the UN membership. The current P5 membership does not reflect UN membership as reflected in the General Assembly. It was also shown that the role of non-permanent members in the SC remains overshadowed by the veto wielding P5, regardless of the fact that the non-permanent members are democratically elected by the General Assembly whilst the P5 have never been elected. A concern that was raised in this chapter was that of the legitimacy of the UNSC because the P5 have imposed themselves on the UN. Through the veto system, the P5 violate democratic procedures with impunity. Some scholars have argued that the veto system remains a stumbling block to UNSC reform. This veto is not necessarily used by the P5 for the common good of the UN, but for their own national interests.

In defence of the P5, some scholars presented an argument that says that a small SC will act swifter to threats on world peace security than what would be the case with an enlarged SC. It was argued that such an argument does not have concrete evidence to support it because many conflicts which resulted in the loss of millions of lives have raged on in many parts of the world whilst the SC looked on or either passed on resolutions which parties to the conflict have ignored with impunity. Some members of the P5 act

swiftly when their national interests are threatened. As an organ of the UN, the SC has remained undemocratic; hence it has no moral grounds to talk to other nations about values of democracy. The idea of the P5 members dictating to the UN on what should be the composition of the UNSC undermines the democratic value of decision making through the consent of the majority. The study compared the current UNSC process of decision making to colonialism whereby a few white colonialists made decisions for the vast majority of the colonised without their consent.

The argument for UNSC reform was based on the premise that in a world that has globalised, there is a need for a new global order. This new world order should be based on the reality of our global dependence and interdependence on each other, and that there is a plurality in the understanding of democracy among various nations of the world. It was observed that the current UNSC understanding of democracy is predominantly based on the Eurocentric understanding of law and the human person. Those scholars who are proponents of the new global order have gone as far as asserting that attempts should be made to reflect on what should constitute a global ethic. This new global order is to be based on the principles of plurality and inclusivity. The practice of the ethic double standards in the UNSC remains an impediment to the new global order in the sense that in most cases the UNSC, especially US and NATO allies intervene in places of conflicts where their Euro-American interests are at stake.

In the light of these observations the study shall proffer three recommendations which I deem indispensable to a new global order. The first recommendation is that the UNSC should be reformed through a process of authentic democratisation of its membership. Authentic democratisation means that those who serve in the UNSC should be democratically elected by the General Assembly in collaboration with the world regional geographical regional representation. Secondly, the veto system should be abolished and replaced by the practice of decision making through consensus. In motivating this recommendation the study should like to say that the veto

system was a mockery of democracy in the sense that the vetoing country usually applies its veto privilege mainly on the basis of calculating its own selfish national interests in relationship to the issue brought before the SC. Thus a veto system is an abuse of the UN for the purposes of national self-aggrandizement. Thirdly, the study recommends that the UNSC should seriously take into consideration the need to reform in the light of the efforts that are being made globally to create a new global order based on promoting moral principles of plurality and inclusivity in the values that should characterise this new global order.

### **10.7 Ethical Paradigm of Equal Recognition as a Panacea to Double Standards in the UNSC**

In chapter 7, my critique of double standards was based on the argument that all countries thrive to be recognised in terms of equality as a sovereign among other sovereign nations. The International Law of Nations stipulates that the issue of sovereignty should be recognised as a moral imperative that guides international relations. Scholars such as Francis Fukuyama have stated it more pragmatically when they said that the struggle for recognition is related to human quest for democratisation of societies and institutions. It was also pointed out that the call for the UNSC reform is inspired by the quest for recognition. In this quest for recognition, it was observed that African politicians and scholars have argued in their various ways whereby they have relativised the issue of democracy to their specific socio-economic and political cultural contexts. This was a deliberate attempt aimed at undermining the idea of equating world political recognition to western liberal democracy.

However, the main challenge to the UNSC with specific reference to equal recognition is that this organ of the UN as remained undemocratic in the sense that there is virtually no participation of the majority members of the General Assembly in the decision making processes of the UNSC. Sophistry in weapons seems to have been the contributory factor which dominates recognition within the UNSC. It was for this reason that the study made a

distinction between amoral and moral struggle for recognition. The former was based on the idea that international relations are based on suspicions and mistrust on the intentions of each member state. In this regard, the quest for recognition has taken the form of competition for global dominance whereby countries such as the USA assert their economic and political will all over the world in a way that is reminiscent of the old Roman and British empires. The USA's imposition of its will on poor countries has come in two mechanisms, namely, economic aid and military threats. These two mechanisms perpetuate a situation of misrecognition of poor countries. The misrecognition of poor countries has manifested itself in the political destabilisation of those poor countries that are deemed hostile to their interests under a euphemistic term called by the USA and her NATO allies as 'Regime Change'. It was observed that misrecognition is closely related to double standards in the sense that peace and security is not considered as an absolute values to those who do not subscribe to the national interests of some of the members of the UNSC.

The later was a moral form of recognition which is based on the perception that other countries as complementary partners in the promotion of peace and security in the whole world. Scholars such as Ali Mazrui advanced the idea that there is a need to see the world as consisting of a federation of cultures where all cultures of the world are seen as contributing the well-being of the whole world. Moral, recognition implies that all nations are equal before the Law of Nations, hence there has to be some universal order that is supposed to be observed by all nations. International Law implies that all nations should be seen as equal before the law. This is only plausible in the absence of double standards in its application. It was observed that there has been a practice of appealing to international law when violated by weak states as opposed to when the same law is violated by powerful states. The concept of Collective Security as espoused in the UN Charter implies that issues of world peace and security cannot be seen as the prerogative of the P5, but the responsibility of all nations of the world. Another form of moral

recognition manifests itself in the discourse on reparations for the victims of slavery and colonialism.

In the light of the above succinct recapture of chapter 7, the study should like to make three recommendations. Firstly it is recommended that the democratisation of the UNSC should be taken seriously and implemented by the UN. The rationale behind this recommendation is that the UN should spearhead the implementation of the UNSC democratic reforms because one cannot expect the P5 to reform themselves in a way that dilutes their power, especially the power of the veto which they currently enjoy. Another reason for my advancing the above recommendation is that the UNSC has to see itself as one of the organs of the UN and not the other way round; hence the mandate of this organ is to serve the interests of the UN and not the national interests of particular members of the UNSC P5.

My second recommendation is that all UN members should be recognised as sovereigns through their participation in the peace and security decision making processes of the UNSC through a rotational periodical regional representation in a reformed UNSC. Here this study should like to motivate this recommendation by saying that the concept of Collective Security implies that the economic duality of north as opposed to south in terms of economic dominance of the north and the dependency of the south has to be superseded by a world UN governance sensitised to the idea that the participation of all member states of the UN in promotion of peace and security of the world is most likely to promote an ethic of equal recognition -thus promoting an enduring world peace and security. When it comes to issues of world peace and security, it should be bone in mind by all members of the UN that their national interests are ultimately intertwined with the interests of the whole world.

Thirdly, it is recommended that the reformed UNSC should enhance the promotion of the new world order that is based on the appreciation of religious, political and cultural diversities that characterise the generality of

our human existence through the practice of participatory democracy in its decision making processes. The reasoning behind this recommendation is that the Law of Nations should be a law that applies to all nations without discrimination. It is in the application of the law of nations without discrimination that all member states of the UN can enjoy equal recognition in their relations with each other. In this regard, the UN should not be seen as an international organisation that legitimises historical injustices as well as those that are going on. The issue of equal recognition is also echoed in the ethical concept of mutual aid.

### **10. 8 Pursuing the UNSC Reform through the Ethical Paradigm of Mutual Aid**

Chapter 8 advanced the ethic of mutual aid as an ethical concept that is closely related to the concept of equal recognition. In this discussion of mutual aid, attention was given to the meaning of mutual with reference to the researcher's African Shona/Ndebele cultural background. From the proverbial wisdom of this indigenous background it was shown that human existence is made plausible by the help which people give to each other or through acts of reciprocity whereby altruism remains the bedrock of African indigenous values. Such an ethical outlook was echoed by some western scholars who argued that the natural world was based on mutual aid. But here it was also shown that there are some social Darwinists who maintain that species as individuals have been endowed with a selfish gene, and that gene makes them behave in a selfish manner in their relationships with those who are deemed not to belong to the group. It was shown that this type of thinking is contradicted by the Afrocentric way of thinking which advocates that our own humanity is tied up with the humanity of others. It was shown that this reality of interdependence is found at the scientific level of genetics whereby genes co-evolve with each other in a way that is based on the pre-existence of a symbiotic relationship. This was another way of saying that at a microbiological level, genes exist in a state of mutual aid. It is this reality of mutual aid which brings about a common culture. It was thus deduced that the security and peace of the world can only be achieved

through collective action from UN member states in their effort to eliminate the identified threat.

The other concern in this chapter was on whether the ethical concept of mutual aid is a reality which we can decipher from the natural world. In this regard, recourse was made to physics with reference to what it can teach humanity about mutual aid. Within the domain of physics, it was observed that a distinction is made between mechanistic and holistic scientific world outlooks. In the light of this scientific distinction, it was argued that the idea of using the UNSC as a platform for the pursuance of national self-interests originates mainly from a mechanistic thinking. Within this mechanistic thinking, international relations are reduced to predictable rules of national interest as the driving force in interstate relations. Within the domain of mechanistic thinking, the UNSC reduced the characteristics of the SC to predictable features and rules such as 'the veto', 'super power', 'victors of the Second World War' and 'permanent membership' without taking into consideration the reality of the complexity that has accompanied the ever evolving world of today. On the other hand, it was argued that the quantum world does support the reality of mutual aid in the reformed UNSC by virtue of its flexible and nondeterministic worldview. Obviously such a worldview is against a deterministic and conservative life outlook. It also implies that a deterministic and conservative life outlook fails to take into account the principle of Complementarity which is the bedrock of an ethic of mutual aid.

The idea of having the P5 in the UNSC goes against the quantum physics proposition that says that there are no permanent realities in life, and that whatever is real has to be transitory. The notion of transitoriness of reality implies that all genuine or authentic organisations are subject to the rule of change because the wellbeing of an individual country is inseparable from the wellbeing of others. The human impulse to control and to use force is part and parcel of mechanistic thinking. Thus the study went on to show that the ethical concept of mutual aid undermined economic aid, especially in those instances where economic aid is used to undermine the sovereignty of

poor countries. In chapter 3 it was argued that some of the members of the P5 use economic aid as a way of getting support from non-permanent members when voting on issues in the UNSC. In this regard, the argument was that mutual aid implies that nations in the UN and its SC should see themselves as equal partners in the promotion of peace and security in the world. In support of this claim, recourse was made to African indigenous proverbial wisdom which emphasise mutuality and reciprocity as the underlying principles which show that our wellbeing is inseparably conjoined to the wellbeing of others. Peter Kropotkin echoed this African proverbial wisdom when he said that the natural world works on the basis of mutual aid. An ethical paradigm based on mutual aid calls forth for an all-embracing ethical outlook which goes beyond, individual, group or national self-interest.

In the light of the above points that were discussed in this chapter, the study shall offer four recommendations. Firstly, before undertaking any military intervention, the UNSC should make efforts to get moral support as well as material support from the UN. As a way of motivating this recommendation the study would say that getting support from the UN is critical in the fostering the ethic of mutual aid. It is not a matter of an economically and militarily powerful country's ability to carry out a military intervention on its own, but a question of getting moral support in the form of mutual aid which is critical to the legitimacy of UNSC military interventions.

Secondly, the study should like to recommend that issues of peace and security should be subjected to comparative scientific and cultural studies with reference to what the whole world can learn about mutual aid. In motivating for this recommendation the study should like to say that sometimes scientific and cultural backgrounds play a pivotal role which can either help us or dissuade us from giving attention to the attention that is supposed to be given to mutual aid in the promotion of peace and security in the world.

Thirdly, it is recommended that without any prejudice, the UN should determine whether a particular form of action that is done by the SC in its pursuit for the promotion of peace and security in the world is done for the pursuit of mutual aid or selfish national-interests. As a way of motivating this recommendation, in the light of the observation made in this chapter, it is unethical for the P5 members of the SC to use multilateral organisations such as the IMF and the World Bank in giving loans and developmental projects to temporary members of the SC as a way of encouraging them to trade their votes when it comes to critical decision making. Humanitarian aid which is given on the basis of pursuing national self-interest by the giver undermines mutual aid.

Fourthly, the study's recommendation here is that within a multilateral organisation such as the UN, the ethic of mutual aid can only be fostered by promoting interregional peace and security cooperation. The study should like to motivate this recommendation by saying that interregional cooperation on matters of peace and security will help to do away with the dichotomous global outlook characterised by the powerful North versus the poor south. What is required in this regard is to foster an ethic of mutual aid where matters of peace and security are globalised in such a way that they are seen as problems for the whole global village.

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## APPENDICES

### Appendix 1: Letter of Informed Consent to Participants



#### Letter of Informed Consent

Dear Participant

My name is Mr Chiwenga C.G and I am a student in the school of Religion, Philosophy and Classics pursuing PhD studies in the Department of Ethics studies at the University of KwaZulu-Natal, Republic of South Africa. My thesis is titled;

**The predominance of an Ethic of Double standards in the United Nations Security Council Humanitarian Intervention Missions: A Critical Study based on the Ethical theories of Mutual Aid and Equal Recognition.**

Many scholars, politicians, international organizations and states are increasingly critiquing the United Nations Security Council on the grounds that this multilateral organization is caught up in practicing an ethic of double standards with regards to its humanitarian intervention missions. One of the common criticisms is that the United Nations Security Council is not democratic in the sense that its membership consists of five countries with permanent membership to the exclusion of the majority of other countries. Since each permanent member of these five countries has a privilege of vetoing a decision that might have been agreed by the majority in the Security Council, the argument has been that there was a need to transform the Security Council by doing away with the veto and increasing the number of permanent Security Council members. Whilst it is believed

that the United Nations Security Council is there to promote democratic values, the paradox behind such a belief is that this Security Council has remained undemocratic in its membership and modus operandi. The UN Security Council is usually understood as a multilateral organization that aims and promoting and protecting democratic values but the permanent members within this organization seem to undermine the democratic value of competition for power. On the basis of such observations it is also observed that the permanent members of the United Nations Security Council are mostly interested in protecting their national interests instead of the interests of all countries of the world which they are purported to protect.

For example, the United Nations military intervention in Iraqi against the Kuwait invasion in 1990 involved the participation of most of the countries in almost all the regions of the world. In this regard such a United Nations Security Council military intervention is ethically justifiable on the basis of transcultural representation. However, while the original decision for military intervention against Iraq invasion of Kuwait was morally justifiable, what later on became morally questionable was the overriding of Iraqi sovereignty by curving up a Kurds territory against the wishes of the Iraq government as well as other intrusive measures. In this regard one of the United Nations Security council founding ideal of protecting the sovereignty of states against external aggression was ignored with impunity. What raised a lot of ethical questions in the Kuwait invasion episode is the role that was played by the United States of America when Iraq was driven from Kuwait. The United States of America, because of its economic and military mighty dominated the whole United Nations Military intervention exercise.

However, it remains a common fact that the moral grounds of the United Nations Security Council as a guardian of world peace have been strongly compromised by the United States, economic and military capabilities. Many times the United States has declared that its participation in United Nations Security Council military interventions is premised on its own national

interests. In other words, if United States national interests are not at stake then it will not support any military intervention under the auspice of United Nations Security Council. The United States will not allow the United Nations Security Council to deter it from acting when its interests are compromised. Such a situation implies that the military interventions of the United Nations Security Council remain entangled in an ethic of double standards in the sense that one expects that no member state of the Security Council should take a unilateral decision of military intervention outside the mandate of the united Nations security council.

Whilst the United Nations Security Council has been harsh towards those countries that are attempting to catch up with nuclear technology, its commitment to an ethic of double standards can be deduced from the fact that all of the five permanent member states of this Security Council have nuclear weapons. These permanent member states are extremely advanced in terms of manufacturing and selling weapons to areas that are infested by political conflicts in the various parts of the world. These areas of conflicts are not usually seen as undesirable areas of the world, but lucrative markets for their weapons. The idea that these nations are the suppliers of weapons to many areas of conflicts and guardians of world peace constitutes the predominance of an ethic of double standards in the United Nations Security Council.

The objectives of this study are as follows:

- i. To investigate the modus operandi of the United Nations Security Council (UNSC) with the ethic of double standards
- ii. To establish whether democratic reform is feasible in the UNSC in the light of its veto practice and to investigate the extent to which this veto practice violates democratic practices.
- iii. To find out the role of national interests in the decision making process among the members of the UNSC
- iv. To provide an ethical and practical solution commensurate with a democratised UNSC

- v. To come up with an ethical paradigm which can serve as a moral campus for a fully transformed United Nations Security Council

You are being requested to participate in the interview process because you are one of the well-established politician, scholar or previous employee of the United Nations Security Council and I hope to learn more from you with specific reference to the above stated objectives of this study. The interview will last around 45-60minutes. I will be asking you a few questions and request that you are as open and honest as possible in answering these questions. If you feel uncomfortable with some of the questions, you may choose not to answer such questions. I will also be asking some questions that you may not have thought about before, which involve thinking about the past and the future. Please be informed that there is no right or wrong answers.

I will be taking down notes during the interview process in order to help me in gathering your views on the topic, so that I can carefully analyse the information collected and write it down in a more detailed presentation. Your participation is voluntary and you can choose to withdraw from the interview at any time. There will be no penalties if you wish to withdraw.

The results of this study may be published in a journal article and presented at the postgraduate conference. The university may also use the findings for future studies of similar interest but confidentiality will be maintained by not referring to you by your real name. No personally identifying information will be released in any form and the interview scripts will be kept securely in a locked room and will be destroyed after five years once data capture and analysis has been completed.

If you have any questions regarding any aspect of this study, you may contact the researcher at the University of KwaZulu-Natal, school of Religion Philosophy and Classic, contact number (+27731631241), or you may also contact Dr Munyaradzi Murove at the University of KwaZulu-Natal, school of Religion, philosophy and classics, contact number (+27332606056).

Your participation will be highly appreciated

Sincerely

Constantine Chiwenga

If you have any queries, contact

**Researcher**

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**Consent**

I(Full names of respondent)

Hereby confirm that I understand the contents and the nature of this study and I agree to participate. I understand that I am participating freely and without being forced to do so. I also understand that I can withdraw from this interview at any point should I not wish to continue.

I understand that my name will remain confidential.

Signature of Respondent ..... Date .....

Signature of Researcher..... Date.....

## Appendix 2: Questionnaire

### Questionnaire for Academics, Politicians, Political analysts, Security Practitioners and Analysts

Sir/madam, please kindly provide analytical answers to the questions.

#### Section One (1)

1.1 Kindly state your designation

- a). Professor
- b). Senior Lecturer/Researcher
- c). Politician/Political analyst
- d). Security practitioner/Analysts

#### Section two (2)

##### *Objective One*

To investigate the modus operandi of the United Nations Security Council (UNSC) with the ethic of double standards.

2.1 What is your comment in regards to the claim that the modus operandi of the UNSC has been characterised by double standards?

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2.2 In your view which specific case studies has the UNSC practiced double standards and what do you think have been the rationale behind such practice?

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##### *Objective Two*

To establish whether democratic reform is feasible in the UNSC in the light of its veto practice and to investigate the extent to which this veto practice violates democratic practices.

2.3 In your view, why has the UNSC remained undemocratised through its membership?

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2.4 In your view, what is the likelihood of having the UNSC democratised in the near future?.....

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2.5 In your view, what have been the effects of the veto system on the ethic of UNSC double standards?

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2.6 With reference to notable case studies where the aspect of veto has been practiced by members of the UNSC, how has this violated the democratic practices in the UN?

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2.7 In your opinion, what are the challenges likely to be encountered in the global efforts at reforming the UNSC?.....

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**Objective Three**

To find out the role of national interests in the decision making process among the members of the UNSC.

2.8 With reference to the five permanent members of the UNSC can you briefly outline the national interests of each of these members in relation to the modus operandi of the UNSC in efforts at promoting global peace and security

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2.9. In your view is there a relationship between the veto practice in the UNSC and the persistent of an ethic of double standards?.....

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2.10 In your view, how have the respective national interests of the five permanent members of the UNSC impacted in one way or the other on the ethic of double standards in given conflict areas around the globe?

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2.11 In your opinion, what is the likelihood of having the respective national interests of the P5 transformed into general global interests that will be meant for the promotion of world peace and security?.....

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**Objective Four**

To provide an ethical and practical solution commensurate with a democratised UNSC.

2.12 In your view, what can be done at global level to transform the respective national interests of the P5 to generally incline towards the promotion of world peace and security?

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2.13 In your view what can be done at political, economic and security level to democratically reform the UNSC so that it become globally representative?

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2. 14 In your opinion what approach should developing countries adopt to make the democratic reform of the UNSC a success?

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## **Appendix 3: List of Interviewees**

### **Democratic Republic of Congo (DRC)**

HE President Joseph Kabila Kabange,

Hon Senator Yerodia Ndombasi, (former foreign affairs minister), 08 June 2013, Kinshasa, DRC

Professor Kaumba, (Director of Cabinet, Ministry of Home Affairs 01 June 2013, Kinshasa, DRC

Gen (Rtd) Dieudonne Kayembe (former commander of the DRC Armed Forces), 03 June 2013, Kinshasa, DRC

Mr P Hobwani, (Charge d' Affaires Embassy of the Republic of Zimbabwe in DRC), 04 June 2013, Kinshasa DRC

### **Ethiopia**

Ambassador Mtetwa (Zimbabwe's Ambassador to Ethiopia) , 20 July 2013, Addis Ababa, Ethiopia

Dr Ato Kwamena Onoma (Head African Centre for Peace and Security Training Institute of Security Studies, 22 November 2013, Addis Ababa, Ethiopia

HE Ald-El Nadar Belaid, (Algeria's Ambassador to Ethiopia), 23 November 2013, Addis Ababa, Ethiopia

HE Ambassador Peter Isoa Iyamabo (Nigeria's Ambassador to Ethiopia) 23 November 2013, Addis Ababa, Ethiopia

Amb Luis Joubertt Mata (Amb Extraordinary Plenipotentiary Embassy of the Republic of the Bolivarian Republic of Venezuela Addis Ababa

Mr Emmanuel A Namah (Minister (Humanitarian & Social Affairs) Embassy of the Federal Republic of Nigeria Ethiopia

HE Amb Abd-El nadir Belaid (Algerian Amb to the AU)

HE Amb Girma Asmerom (Permanent Rep of the State of Eritrea to the African Union

Amb Peter Isoa Iyambo (Deputy Head of Mission)

Mr Issac Moyo, (Executive Secretary, CISSAAU), 24 November 2013, Addis Ababa, Ethiopia

Mr Simon Badza, (Political Officer, African Union Peace and Security Council), 24 November 2012, Addis Ababa, Ethiopia

### **France**

Dr Boutros Boutros Ghali, 05 September 2012, Paris, France

### **Malaysia**

HE Dr Mahathir bin Mohamad (Honorary President Perdana Leadership Foundation Malaysia, 25 November 2012, Kuala Lumpur, Malaysia

### **Namibia**

HE Sam Nujoma, (Founding President of independent Namibia) 20 July 2013, Windhoek, Namibia

Hon Dr Theo Ben Gurirab (Speaker of the National Assembly), 18 September 2012, Windhoek, Namibia

Hon Andimba Toivo ja Toivo (Chairman Namibia Former Robin Island Political Prisoners Trust), 17 September 2012, Windhoek, Namibia

### **South Africa**

Dr Jao Mahlatini Laimone Ndlovu (SADC Amb Addis Ababa) Ndlovu, 4 September 2012, Pretoria, South Africa

Gen (rtd) Paulino Macarique, (Former Commander, Mozambique Defence Forces), 4 September 2012, Pretoria, South Africa

HE Ambassador AWellie Hlapo, (Special Envoy Great Lakes Region) 4 September 2012, Pretoria, South Africa

HE Ambassador S G Nene (Deputy Director General), 4 September 2012

HE Dr Carlos SERSALE di CERISANO, 11 September 2012, Pretoria, South Africa

Reverend Frank Chikane, (Former Director in the Presidency, Government of the Republic of South Africa), 4 September 2012, Pretoria, South Africa

### **South Sudan (4 to 5 July)**

Colonel Philip Aguer (Spokesman Sudan People's Liberation Army)

Dr. Barnaba Marial Benjamin (Minister of Information)

Dr Virginia Chitanda (International Legal Expert United Nations Mission in South Sudan)

Gen James Hoth Mai (Chief of Defence Staff Sudan People's Liberation Army)

Professor Lokulenge Lole (Chairman Triangle Concept of Life Consultancy)

### **Tanzania**

Ambassador, Dr Mohamed O Maundi, 01 August 2012, Dar es Salaam, Tanzania

Dr Salim Ahmed Salim, (Former OAU Secretary General), 01 August 2012, Dar es Salaam, Tanzania

Dr Getrude Mungira, (former diplomat), 02 August 2012, Dar es Salaam, Tanzania

Dr O Maundi, (Director, Tanzania Center for Foreign Relations), 01 August 2012, Dar es Salaam, Tanzania

HE Benjamin William Mkapa, (Former President of Tanzania), 03 August 2012, Dar es Salaam, Tanzania

### **Zambia**

HE Dr Kenneth Kaunda, (Founding President of the Republic of Zambia, Questionnaire

### **Zimbabwe**

Dr Charity Manyeruke, (Lecturer of Political Science) 31 December 2012, Harare, Zimbabwe

Dr Ibbo Mandaza, (Political analyst and Executive Director, SAPES Trust), 11 January 2013, Harare, Zimbabwe

HE Robert Gabriel Mugabe, (President of the Republic of Zimbabwe, 22 December 2013, Harare, Zimbabwe

Hon Mr Justice G Chidyausiku (Chief Justice), Questionnaire

HE Ambassador Chris Mutsvangwa, (Former Zimbabwe Ambassador to China), 31 December 2012, Harare, Zimbabwe

HE Ambassador Mike Bimha, (Permanent Secretary, Ministry of Foreign Affairs), Questionnaire

HE Mohamad Nizan Mohamad (Charge d' Affaires Embassy of Malaysia in Zimbabwe)

Hon Simbarashe Mumbengegwi, (Minister of Foreign Affairs), Questionnaire

Lt Gen (rtd) Louis Matshwenyego Fisher (Former Commander of the Botswana Defence Force BDF, member of the African Union Panel of the Wise, now Botswana Ambassador to Nigeria) 20 July 2012, Harare, Zimbabwe

Mr Baffour Ankomah, (Editor New African), 07 May 2013, Harare, Zimbabwe

Mr George Charamba (Presidential Spokesperson and Permanent Secretary in the Ministry of Information Media and Broadcasting Services), 07 May 2013, Harare, Zimbabwe

Mr Greg Linnington, (University of Zimbabwe Senior Lecturer in Constitutional Law and Politics) 09 January 2013, Harare, Zimbabwe

Professor John Makumbe (late), (Professor of Political Science), 02 January 2013, Harare, Zimbabwe

Professor Jonathan Moyo, (Minister of Information Media and Broadcasting Services), 02 January 2013, Harare, Zimbabwe