

An Evolving Collective Security Order in the Last Seventy-Seven Years: Its Impact in the Fields of International Conflict Containment

Benson, G.H (Associate Prof. /Ph.D.),

Director for the Centre for Conflict, Human Rights and Peace Studies, University of Education, Winneba-Ghana;
ghbenson@yahoo.com

Abstract

The United Nations (UN) is the second model of the Collective Security concept after the League of Nations. Its original mandate as captured under the UN Charter is the restoration and maintenance of international peace and security. In spite of the fact that the world body's operations in its seventy-seven years of existence have shown a slight shift from its original focus, international conflict containment remains the UN's primary role. To this end, the begging question that is often asked is how far has this mandate been fulfilled. Whilst the cynics have insisted it has been one failure after another, results on the ground regarding the UN's performance in terms of its original mandate and other areas, show remarkable phenomenal achievements notwithstanding the challenges. This paper in explicating the concept of collective security, also evaluates the impact of the UN's operations regarding the broader term of global conflict containment, as the embodiment of the notion over time. Further, the thrust of this modest study not only assesses the challenges but also examines reforms within the UN system in respect of the world body's performance in other respects. The paper is a content analysis exploration that mainly draws from secondary and tertiary sources in the form of books, journals, working documents of the UN, magazines, and international legal documents, *inter alia*. The study discovered that reforms within the new order have not only enhanced international conflict resolution and management but also brought about positive changes in the well-being of world citizens through encompassing policies such as the Millennium Challenge Goals. To that extent, the author calls for consensus building within the UN Security Council and member-states for that matter, as well as, their fullest commitment and contributions towards the realization of the UN's aims and objectives. Finally, several scholarly arguments are highlighted in this paper that aim at informing practitioners in particular, on lessons and concerns that are inimical to the realization of the set goals of the collective security architecture of which, the UN is the main vehicle.

Key words and expressions: Collective security architecture, conflict containment, evolving, impact, reforms, and the United Nations.

DOI: 10.7176/DCS/13-2-05

Publication date: February 28th 2023

Part I: Introduction

The Collective Security concept was first given expression by the creation of the League of Nations in 1919, and then later with the formation of the United Nations in 1945 (Thakur, 2006). Purposively and significantly, each of these two organizations was borne out of the exigencies of the two World Wars. The idea of the concept is summarily captured within the slogan, 'One for All' and 'All for One'. The two devices are created mainly to promote international cooperation that seeks to achieve international peace and security (Kennedy, 2006). To that end, member-states of the fraternity are to take collective enforcement actions against any state or non-state entity that attacks any member of the intergovernmental organization (Kant, 2008).

The implementation of the noble idea follows several stages of consultations among international statesmen and was also significantly influenced by the writings of many scholars (Danchin & Fischer, 2010). The creation of the League of Nations *via* the Paris Peace Conference instrument in 1919 provided a system in Article 16 of the League Charter that sanctioned collective action against entities that attacked any member of the fraternity as such has breached the peace (Claude, Jr., 1975; Morgenthau, 1985). However, the optional principle that gave freedom to member-states to ignore or uphold decisions of the League regarding collective actions against wrongdoers in itself weakened the spirit behind collective enforcement. It is therefore instructive that in its short lifespan, all the collective actions instituted by the League were woeful failures, eventually leading to its termination as it also failed to prevent the World Wars (Danchin & Fischer, 2010).

However, its successor the United Nations (UN) has to a large extent, achieved its primary goal of maintaining international peace and security as explicitly stipulated in the preamble of the UN Charter (Wallenstein, 2011). Throughout its 77-year lifespan, the UN on average has successfully navigated the numerous violent conflicts that the world body, and for that matter humanity, had to contend with, including the Cold War tensions, Middle East crises, the Syrian conflict, and the current Russian-Ukraine conflict (Runde & Flanagan, 2013).

Indeed, this accomplishment is primarily attributable to the varied international conflict regulatory mechanisms that the UN has adopted for all these years, beginning with soft regulators such as the use of diplomacy, and hard regulators including enforcement measures. More specifically, these mechanisms include peacekeeping operations, peacebuilding, conflict resolution mechanisms, conflict settlement, conflict transformation, the use of good offices and diplomacy, peace-making, and international sanctions, *inter alia* (Benson, 2019; Lindley, 2004).

Nonetheless, numerous challenges befuddling the world body have in large part, hampered the effective delivery of its primary role of restoring and maintaining global peace and security. To that extent, global peace sustenance in its fulfilled state within the current circumstances is not an absolute one (Ebegbulem, 2011). These challenges include financial constraints, non-commitment of member-states, power struggles within the UN structure itself, and the occasional usage of ineffective conflict control mechanisms, *inter alia* (Klabbes, 2005).

Invariably, the challenges have ignited the emergence of a new collective security order in the 21st century, where the focus is no longer exclusively on the maintenance of global peace and security but has also come to include human security, environmental protection, and the socio-politico-economic development of nations, *etcetera* (Danchin & Fischer, 2010). Within this context, the UN will be capable of fulfilling these additional mandates only through attendant structural and organizational reforms (Bodtker & Jameson, 2001).

In essence, this study explores the level of dynamism with which the UN manages and resolves intractable international conflicts under the umbrella term of international conflict containment in relation to the ever-changing character of international conflicts, and as well, examines factors that led to the emergence of the new global order within the context of collective security.

Part II: An Evolving New Order of the Collective Security Device

Evolution of the Collective Security Concept

The concept and practice of collective security is one that is deep in history, dating back to the League of Nations architecture. According to Wight (1977), the device remains the most effective approach regarding the maintenance of global peace and security to date, its evolution having occurred in stages and precipitated by noble international statesmen and revered scholars.

To start with, Cardinal Richelieu as early as 1629, proposed a scheme for a collective security device that was to have an influence on the 1648 Westphalia Pact, which was later outlined in Immanuel Kant's work, *'Perpetual Peace: A Philosophical Sketch'* (Kant, 2008; Reichard, 2006). In this work, Kant suggested the formation of a league of nations that is mainly premised on the control of interstate conflicts and the promotion of global peace among architectures of the notion and members of the organization (Claude, 2006; Kant, 2008). To be sure, not only scholars and political leaders but also religious leaders including Mirza Masroor Ahmad of the Ahmadiyya Islamic movement and Bahauallah of the Bahai Faith both ascribed to the collective security concept (Skirbekk & Gilje, 2001).

Following these earlier ideas, there emerged an international cooperation under the auspices of the Concert of Europe where continental wars were avoided, within the scope of a collective security system (Reichard, 2006; Rapport, 1995). A further boost was given to the concept with the establishment of the Geneva Convention on Humanitarian Law, and The Hague Conventions of 1999 and 1907, which governed the rules of war and the peaceful settlement of international disputes between states (Bouchet-Saulnier, Brav & Oliver, 2007; Kupchan & Kupchan, 1995; Northedge, 1986).

The formation of the Inter-Parliamentary Union (IPU), which is the forerunner to the League of Nations, came as a watershed to the establishment of a collective security model (Kennedy, 2006; Klabbes, 2005; Lowe, et al. 2010). The final stage of the implementation of the collective security idea came with the formation of the League of Nations on January 10, 1919 (Kennedy, 2006; Macmillan, 2015). The predecessor of the United Nations was the first international organization established by states to promote international cooperation and achieve international peace and security. Lastly, the aftermath of World War II saw the birth of the United Nations Organization, the most successful collective security device in record time.

Conceptualizing Collective Security

The definition of the concept of collective security very much like democracy, rule of law, or human rights, is a difficult one; this explains why varied definitions have been given to the concept among scholars and practitioners. A one-time American political historian, Stromberg (1963), defined collective security as a plan for maintaining peace through an organization of sovereign states, whose members pledge themselves to defend each other against attacks of an aggressor. As noted, the keywords in this definition are the maintenance of peace, institution of sovereign states, and the collective repulsion of attacks by members of the fraternity. Some of these ideas were later corroborated by Schwarzenegger (1980) who asserts that collective security is the machinery for joint action by members of a fraternity that prevents wars, and is ready to counter any attacks against an established international political order. Danchin and Fischer (2010:41) see the concept as '*an*

institutionalized universal or regional system in which States jointly agree in a treaty to meet any act of aggression or other illegal use of force resorted to by a member State of the system". On his part, Macmillan (2015) avers collective security as an international arrangement in which, states pledge to defend one another when an international order is breached. Lindley (2004, pp. 244-246) gives the most encompassing definition that is in keeping with current notions on the subject matter, by saying that, *'...it is an institution where necessary policies, responsibilities, and strategies are put in place so as to ensure the physical security, fundamental freedoms, and sustainability of communities'*. In all of these definitions, three basic ideas come up – the setting up of legal institutions by states with a common purpose that is premised on collective security, collective action in times of aggression against any member of the fraternity, and the commitment of members to support the system.

However, evolving events of the moment have had the definition of collective security expand beyond matters of state security to include human security issues, effective resource management, and equitable development of countries, *inter alia*. To that extent, the author argues that the device cuts across political, regional, or global spaces, where members recognize that their individual security needs and that of their subjects are the collective responsibility of all members of the fraternity, and commit to counter any threat or breach of the peace of any one of the members.

To illustrate, the concept is likened to the situation where State 'A' threatens State 'B's security, thereby precipitating collective action of all other members of the arrangement, States 'C', 'D', and 'E' against the aggressor State 'A', as though their own security States 'C', 'D', and 'E' were equally threatened. Danchin and Fischer (2010), posit that collective security is a hybrid system that sits between 'balance of power' and 'global government', whilst functioning as a dialectical notion of 'order without government'. The idea though similar to that of collective defense, Benson and Adzahlie-Mensah (2018) argue that collective security differs as it is based on a formalized treaty architecture committed to supporting and defending member-states against not only external aggressors but also aggressors within the fraternity. Examples of major security alliances and arrangements outside that of collective security include:

- i. The North Atlantic Treaty Organization (NATO) (an intergovernmental military alliance between 29 North American and European countries signed in France on April 4, 1949;
- ii. The Common Security and Defense Policy (CSDP), and European Union Common Foreign and Security Policy (CFSP), both European Union defense pacts in the fields of defense and crisis management; and,
- iii. The Collective Security Treaty Organization (CSTO), an inter-military alliance signed on May 15, 1992, between six post-soviet states (Green, 2017; Yost, 1977).

The 1990s witnessed a significant and needful paradigm shift regarding the original focus of the phenomenon of collective security as manifested in the operations of the UN captioned, 'the maintenance of international peace and security', through the adaption of multilateral engagements (Benson, et al., 2018). In particular, the UN Security Council expanded its original interpretation of the 'threats to peace' that consensually consisted of enforcement actions (Chapter VII measures), to include human security, humanitarian and environmental issues (Danchin & Fischer, 2010). These moments were in large part, precipitated by two major events – the ebbing of the Cold War in the 1980s and the unanimous condemnation of the Iraqi invasion of Kuwait by a revitalized Security Council in the 1990s. The September 11, 2001, terrorist attacks on the United States where 2,977 people died have also helped in this redefinition. Hours after this bastardly event, the UN Security Council adopted an unequivocal Resolution 1368, condemning the attacks as a 'threat to international peace and security', while duly recognizing the inherent fundamental rights of individuals and the collective self-defense of member-states in accordance with Charter provisions. A Chapter VII Resolution 1373 adopted by the Council further sought to combat global terrorism through the cooperation of member-states in a wide range of areas from harboring to the financing of terrorists, within a comprehensive legal framework (Green, 2017). The Iraqi invasion of Kuwait and the subsequent US-led enforcement sanctions in Iraq that brought divisions within the Security Council prompted the creation of a high-level panel by Secretary-General Kofi Annan to rethink the very idea of collective security (Chesterman, 2006).

Consequently, a new collective security order has emerged with the turn of the new century that emphasizes not only matters of global security but also humanitarian crises, the socio-politico-economic development of nation-states, the concept of responsibility, and adherence to fundamental human rights of people, *inter alia*. These elements are discussed in detail in the challenges and reforms section of this paper.

Prototypes of the Collective Security Architectures

The League of Nations

Two main intergovernmental international organizations have so far given expression to the notion of collective security namely, the League of Nations and the United Nations Organization (Thakur, 2006). The creation of the League of Nations through the Paris Peace Conference instrument in 1919, followed the aftermath of World War

I (Claude, Jr., 1975). From the very outset, the League of Nations was not universal as membership excluded powerful nations notably, the United States (Benson, 2014). It was constituted by three main organs – the Assembly (which consisted of 58 members by the time it was dissolved in 1934), the Council (which consisted of 4 permanent members including Britain, France, Germany, and Japan, and 4 elected non-permanent members) and a permanent Secretariat (which was the administrative wing of the organization, housed in Switzerland).

The Covenant of the League of Nations provided a system for decision-making and for collective action, albeit a weak one as compared to the Charter of the United Nations (Benson, et al., 2018; Green, 2017). In the words of Morgenthau (1985), Article 16 of the Covenant of the League of Nations remained the focal point upon which the League as a collective security device, did revolve around, even though it failed to lay down corresponding penalties in the event of violations of the peace. Article 16(1) as described as the sanction article reads:

...should any Member of the League resort to war in disregard of its covenants under Articles 12, 13, or 15, it shall *ipso facto* be deemed to have committed an act of war against all other members of the League, which hereby undertake immediately to subject it to the severance of all trade or financial relations, the prohibition of all intercourse between their nationals and the nationals of covenant-breaking State, and the prevention of all financial, commercial or personal intercourse between nationals of the covenant-breaking State and the nationals of any other State, whether a Member of the League or not.

Moreover, Article 10 called for assistance to member-states that experience aggression. According to Morgenthau (1985), there are four effects with regard to Article 16 in the event that there was a violation of the peace. In those circumstances first, the aggressor was deemed to have committed an act of war against all other members of the League. Second, members were obliged to isolate the aggressor through a complete boycott, or from any other kind of intercourse. Third, the Council was under a duty to recommend the use of force by military means in situations in which, the cooperation of all members was obligatory. Lastly, members were under a legal obligation to provide both economic and military assistance, in the course of collective actions. That said, the ‘sanction article’ so to speak, was bereft of efficiency, as it was only applicable in the event where there was a resort to war in complete disregard to Articles 12, 13, and 15 (Chesterman, 2006; Morgenthau, 1985). Any breach of the law was insufficient to warrant sanctioning of the wrongdoer, besides each member had the freedom to ignore or uphold a real situation that called for action or the application of sanctions (Morgenthau, 1985). That way, the optional rather than the mandatory principle provided for under Article 16, weakened the spirit of collective enforcement against common enemies or aggressors of the League.

For these reasons, almost all the collective actions undertaken by the League were failures, notably the Manchurian crisis between Japan and China, and the Italo-Ethiopian dispute of 1935 between Abyssinia and Italy. In both cases even though the League passed resolutions that were geared toward the resolution of these conflicts, the results were woefully unsuccessful. Consequently, the weak actions and some inactions of the League led to the eruption of World War II which heralded the death of the first-ever collective security model (Danchin & Fischer, 2010).

The United Nations Organizations

The second and most successful large-scale attempt by the international community to establish a collective security system was the creation of the United Nations on October 24, 1945, coming after the ashes of World War II. The UN Charter itself by far contains stronger provisions for decision-making and collective action than its predecessor did, in respect of conflict management (Danchin & Fischer, 2010; Klabbes, 2005). Be that as it may, the structure of the Charter is in itself short of a complete model of collective security, as it stands as a balance between the collective action of member-states and the action of the state system where great powers play a major role in that respect (Benson, et al., 2018; Wilson, 2016). That said, the greatest feat that the UN has chalked since its inception has been the prevention of a third World War, even though many times the world had come very close to it (Koskenniemi, 1996).

The UN Charter nonetheless, largely includes a system of collective security that is designed to address international crises that arise from ‘threats to the peace, breach of the peace and acts of aggression’ (Article 39 of the UN Charter). Under this provision, the UN through the Security Council is tasked with wide-ranging duties ‘to save succeeding generations from the scourge of war, to protect fundamental human rights, establish justice, and promote social progress among member states’, as spelt out in the preamble of the Charter. These provisions are outlined within the Charter to give meaning and affirmation to the organization’s principal purposes of maintaining international peace and security, and the development of friendly relations among Nations (Article 1 of the UN Charter). To these ends, the UN acts in accordance with the sovereign equality of all member-states that prevent them from the use of force against the territorial integrity of other states as set out in Article 2 of the Charter.

The organization has six principal organs established under Article 7 of Chapter III of the Charter (Thakur, 2006). They are the General Assembly (where all members are represented) and the Security Council (with 15 members, five of which are permanent members namely, the USA, Britain, Russia, France, and China,

and the remaining 10 non-permanent members who are elected on a rotational basis, charged specifically with the maintenance of international peace and security). The others are the Economic and Social Council (which oversees global socio-cultural and economic issues), the International Court of Justice (the judiciary organ of the organization that settles disputes between state actors), and the Secretariat (the administrative wing of the organization which is based in New York to implement decisions of the organization as headed by the Secretary-General). The Trusteeship Council is the sixth organ, which is almost defunct at this stage but has been given the responsibility of overseeing colonies, transitional territories, and governments.

Chapter VII of the Charter lies the heartbeat of the collective security architecture, that gives 'real teeth' to the Security Council to take mandatory military or economic actions against aggressors of the fraternity, which member-states are obliged to uphold (Benson, 2021; Koskeniemi, 1996; Wilson, 2016). However, just like its predecessor, the UN's sanction system is weak. Three basic procedures are to be followed before the application of sanctions: it must have been affirmed that aggression or threat to peace exists; the guilty party must have been identified; and there must be unanimity among all five permanent members of the Security Council that the given circumstances warrant collective action (Eriksson, 2011).

Before the invocation of Article 41 of the Charter which, calls for pacific and economic sanctions, and Article 42 which institutes military actions or enforcement measures, Article 39 provides that the Security Council must have determined the existence of 'threats to peace', 'breach of peace' and 'acts of aggression' (Lowe, et al. 2010). The definition of threats to peace, breach of peace, and acts of aggression were, however, not provided for by the Charter, making their determination problematic (Coombes, 2017; Wilson, 2016). In brief, this is the clearest reflection of how the UN operates within the context of collective security.

Part III: Dynamics of the Conflict Containment Role of the United Nations

The international community is faced with a wave of new conflicts, which when taken together amount to nothing less than an epochal watershed--a time that future historians may describe as the moment when humanity seized or failed to seize the opportunity to replace obsolescent mechanisms for resolving human conflicts (Renner, 1999). The typology of conflicts has gone through major evolutions--ranging from 'international conflicts' to 'intrastate wars', 'interstate wars', 'violent disputes', and 'terrorist activities', *inter alia*. In this trajectory of events, the conflicts usually come with their unique features that call for attendant approaches to their containment by the international community (Benson, 2015). The generic term international conflict containment is used in this study to describe conflict management, conflict resolution, conflict transformation, and conflict prevention.

For emphasis, the primary objective of the United Nations is the maintenance of international peace and security. It does this using many conflict regulatory tools notably; peacekeeping operations, peace support initiatives, peace education, mediation, negotiation, and peacebuilding, *inter alia*. The international community as spearheaded by the UN adopts specific conflict control methods depending on the dynamics of the conflict in question (Renner, 1999). Any miscalculation in the choice of conflict control approach may come with devastating consequences; hence, a practitioner must always strive to hit the target with the right 'bullet' and at the right time, so to speak. To that extent, intractable conflict situations that are hard and difficult to resolve call for very strong control mechanisms including military interventions, whereas milder conflicts involve milder methods such as the use of diplomacy and good offices (Benson, 2019). In these respects, the UN has always implored the use of varied approaches, depending on the complexity of the conflict at hand.

First, the UN has used peacekeeping as a conflict management tool across the globe on 73 occasions, most of which have been successful operations. The conflict management approach usually does not address the root causes of conflicts but rather aims at reducing the conflict dynamics and suffering among disputants and the local populations. Traditionally, peacekeeping involved the inter-positioning of peacekeepers between combatants, aimed at enforcing cease-fires, but has now come to involve multifunctional activities such as election monitoring, policing, humanitarian activities, and economic support, amongst others (Bellamy and Williams, 2010). Through the peacekeeping approach, the UN has so far successfully negotiated over 172 peaceful settlements, including the Liberian Civil War (UNMIL), Haiti, Sierra Leonean, and Cambodian crises (Barash & Webel, 2002). Currently, the world body is using the same approach in managing the Western Sahara conflict (MINURSO), the Sudanese Civil War (UNMISS), the Kashmir conflict between India and Pakistan (UNMOGIP), the Cyprus dispute (UNFICYP), and the Israeli-Lebanon conflict (UNFIL).

Second, the UN has applied the preventive conflict tool in many situations using peace education, peacebuilding, preventive diplomacy, and preventive disarmament (UN, 2011). Conflict prevention mostly involves the use of diplomacy, good offices, and other political maneuvers on specific tasks such as mediation, negotiation, or fact-finding; with the objective of circumventing the escalation of intra-state and inter-state disputes. Early warnings are an essential component of these processes, as the UN Security Council and the Secretary-General are enabled to respond swiftly to situations where threats to international peace and security exist, thereby preventing conflicts (Bendana, 2005;). Conflict prevention involves such activities as conciliation

(where an informal communication link is provided between antagonists), negotiation (where through facilitation the conflicting parties resolve to settle their differences themselves), and mediation (where a third-party intervention assists conflicting parties to reach the voluntary settlement of disputes (Fisher & Keashly 1991).

Agencies of the UN notably the United Nations Educational, Scientific and Cultural Organization (UNESCO) do support peace education sessions in schools and communities that are conflict-prone. Peace education involves processes where people acquire values, knowledge, attitudes, skills, behavior, and a culture of peace to live in harmony with themselves, others, and the natural environment (Jager, 2014; Pages, 2008).

Peacebuilding activities sometimes take the form of preventive measures. In recent times, the UN has developed a new approach with an overarching goal of strengthening the capacities of conflict-prone societies toward the achievement of communal security and sustainable human security (Bendana, 2005; Lederach, 2005). Peacebuilding tends to underpin the work of peacemaking, peacekeeping, and conflict resolution by addressing structural issues as well as the establishment of long-term relationships between disputants. One such peacebuilding mission under the cloak of peacekeeping is the United Nations Assistance Mission in Afghanistan (UNAMA) set up in 2002 (Paris & Sisk, 2009; UN, 2011).

Third, peacemaking measures as adopted by the UN are used to address progressive conflicts, involving diplomatic action that seeks to bring hostile parties to a negotiated agreement. In this instance, the Secretary-General could use his 'good offices' to navigate the resolution of conflicts as envisaged in Article 33 of the UN Chapter on the 'peaceful settlement of disputes' (Article 33). This approach has been used in many instances to broker peace with great success involving countries such as Haiti, Sierra Leone, and the Middle East regarding the Israeli-Palestinian dispute. The approach is ongoing in the current Russian-Ukraine conflict.

Fourth, peace enforcement measures that involve the application of a range of coercive measures, including the use of military force under the authorization of the Security Council, have been used in the Kuwait-Iraqi crisis against Iraq. These measures are always applied with measured caution and as the last resort. While some operations are successful others have been counterproductive as the Iraqi case comes to mind.

Fifth, the application of sanctions by the United Nations in an effort to restore peace in conflict situations dates far back to the 1950s when the Organization was just at its cradle stages. These are collective coercive measures that states within a security set-up will take against recalcitrant or aggressor state with the aim of not only punishing it for the wrongdoing but also making sure the aggressor state conforms to laid down law and principles (Benson & Adzahlie-Mensah, 2018). Conceptually, sanctions are viewed as a broad spectrum of corrective measures that range from 'soft' techniques such as diplomatic, moral, and political sanctions through economic and financial sanctions that come mid-way and end at 'hard' techniques involving physical threats, limited force and the use of force (Brown-John, 1975). Several of these undertakings have been authorized by the Security Council for various purposes including the restoration of the sovereignty of Kuwait after its invasion by Iraq (1991), the establishment of a secured environment for humanitarian relief operations in Somalia (1992), and the protection of civilians in Libya (2011).

Sixth, arbitration is one of the institutionalized processes that are in high practice. The UN has set up many arbitration bodies including the Netherland-based International Criminal Court (ICC) that investigates and tries individuals charged with the gravest crimes of concern to the international community such as genocide, war crimes, crimes against humanity, and the crime of aggression. So far, the Court has tried and sentenced high-profile individuals including Al Mahdi and Charles Taylor, a former Liberian President on the charges of war crimes and crimes against humanity. Individuals who are currently standing trial include Abd-Al-Rahman charged with counts of war crimes and Al Hassan charged with war crimes and crimes against humanity.

Additionally, the International Court of Justice (ICJ) founded in 1946 as an Organ of the UN, is the lead organ of the world body in respect of the judicial settlement of disputes (Article 33 of the Charter). As of date, the Court has sat on over 150 cases including the popular Expenses case, which decisions have enhanced the legal capacity of the United Nations. The dispute over the ownership of the oil-rich Bakassi peninsula (including the whole land and sea boundary) between the Republics of Nigeria and Cameroon, was also settled by the Court in a spectacular manner (Adebajo, 2011). Further, in 1980 the Court had to settle a political upheaval between the United States and Iran over the seizure of the former's embassy and detention of its staff by the authorities of the latter. Finally, the Court plays an advisory role to the UN and its agencies.

Seventh, currently the UN has embarked on an agenda of building peace through the socio-politico-economic development of nations, in furtherance of the UN Charter's pledge of promoting higher standards of living, full employment, and conditions of economic and social progress and development under Article 55 (UN, 2011). It is the conviction of the founders of the Organization that, lasting international peace and security is achievable only under circumstances where the economic and social needs of the people are met by governments (DeChurch & Marks, 2001; Galtung, 2000; Khun & Poole, 2000). The UN has since resolved to consolidate peace through the development agenda through its agencies including the International Monetary Fund (IMF), United Nations Development Program (UNDP), World Food Program (WFP), and United Nations Children's Fund (UNICEF). The Millennium Development Goals (MDGs) are another vehicle through which the UN

intends to bring equitable development to nations in its quest to consolidate global peace and security (Runde & Flanagan, 2013).

Eighth, conflict transformation is a process that addresses the underlying factors that give rise to a conflict, thereby ensuring sustainable peace in a conflict situation. It is usually applied to ethnic conflicts and as such attempts at reshaping social structures and the dynamics that ignite conflicts. Conflict transformation, which is similar to conflict resolution, transforms relationships, group interests, and societies into an enduring lasting peace. The UN through its agencies and member-states is engaged in conflict transformation activities in conflicts that are of cultural orientation.

Last but not the least, the conflict resolution mechanism as used by the UN involves mediation, negotiation, conciliation, and facilitation processes that address the root causes of protracted conflicts. Conflict resolution involves the reduction, elimination, or termination of all forms of conflicts, mostly used in situations where conflicts are culturally generated and communal in form (Burton, (1990a). Further, the resolution approach usually prescribes an outcome derived through a mutual problem-sharing overture between the disputants, thereby bringing them to cooperate in areas that redefine their conflict and relationship (Fisher, 2010; Azar, 1990). The conflict resolution approach is the first call in the list of UN conflict control mechanisms and is wide in usage including efforts at resolving the Middle East crises (Maill, 2004).

Part IV: Challenges and Needful Reforms within the United Nations

The United Nations since its inception as a collective security device is bedeviled with many challenges. Challenges that reach the very foundations of its structures and operations. The multifaceted challenges primarily include the failure of the Organs and Agencies of the United Nations to effectively implement decisions and resolutions of the world body, power struggles among the 5 Permanent Members (P-5) of the Security Council, the non-commitment of member-states towards the achievement of UN objectives and purposes, and financial constraints on the UN that hamper the funding of peace operations (Benson, 2021). Further, rather than preventing the rapid occurrences of conflicts, the UN is confronted with conflicts of varied degrees across the globe amid human insecurity (Danchin & Fischer, 2010; Wilson, 2016).

To these ends, there is a clarion call to review the operations of the world body that will reflect the exigencies of the new century in relation to the maintenance of global peace and security (Lyons, 2010). The incompatibility of two visions in the early years of this century prompted calls for reforms within the United Nations structure namely; the aged notions of multilateral cooperation within collective security systems, and the imposition of an imperial political morality by the sole superpower on the rest of the world (Simpson, 2004; Orakhelashvili, 2011).

The sharp divergence inspired former Secretary-General Kofi Annan's idea to constitute a 'High-Level Panel of Eminent Persons' in 2003 to assess current threats to global peace and security, and as well, evaluate existing policies and institutions in the field of global security. The Panel was tasked to make recommendations for the strengthening of the UN in its quest to provide collective security in the new century (High-level Panel/UN Secretary-General, A/59/565, December 2, 2004, para.3). Earlier in his famous address to the General Assembly following the invasion of Iraq by the US-led coalition forces, Kofi Annan argued that the international community had come to a 'fork in the road', thereby calling on peoples of the world to work together in order to overcome the numerous security problems that confronted humanity (Danchin & Fischer, 2010; Wilson, 2016). For him, the only way out was that the international community would take decisive steps in those trying moments to provide collective security for all, in line with the aspirations of the United Nations. That way, UN operations would become more effective.

In March of the following year, another important initiative of the Secretary-General namely, 'In Larger Freedom: Towards Security, Development, and Human Rights for All report'; was launched, linked fundamental human rights to pre-existing security and development agendas. Previously, a related ambitious development agenda dubbed, 'Investing in Development: A Practical Plan to Achieve the Millennium Development Goals (MDGs) had been set in place (Danchin & Fischer, 2010). Subsequently, the September 2005 World Summit of Heads of State and Governments held in New York, also selectively adopted some of the proposals of the High-Level Panel of the Secretary-General (UN Doc. A/Res/60/1,2005).

First, the Panel called for normative reforms within the world body. As stated already, the 'Panel's Report and the 'In Larger Freedom' document made very important recommendations some of which found their way into the 2004 World Summit Outcome document (Danchin & Fischer, 2010). These two documents emphasized the interconnectivity between international security on one hand and economic and social issues on the other. In that regard, the Secretary-General replicated the Panel's endorsement of the Millennium Development Goals in the following areas: the target of 0.7 percent of gross national income for developed countries was to be applied to the development needs of the developing world by the year 2015; the need for a new round of multilateral trade negotiations; reduction in agriculture subsidies by developed countries; *inter alia* (High-Level Panel,

para.64). It goes without saying that, poverty alleviation and food security formed important aspects of the 'Panel's proposals for normative reforms.

The 2005 Summit Outcome finally endorsed the MDGs amidst fierce protestation in the US (Danchin & Fischer, 2010). Further, the role of the UN in ending intra-state civil conflicts came up strongly in the report. At the time, intra-state conflicts did dominate international discourse to which end, the Panel suggested that the International Criminal Court (ICC) could be used to prevent or minimize future intra-state and inter-state conflicts. The Panel as well suggested mechanisms in respect of the prudent management of natural resources within conflict-ridden states, while at the same time recommending the effective control of small arms proliferation (Danchin & Fischer, 2010; Wilson, 2016). Regrettably, the Summit Outcome failed to endorse many of these important recommendations. That aside, the Outcome failed to reach an agreement on disarmament and non-proliferation of weapons of mass destruction (WMD), despite calls from both the Secretary-General and the Panel (Hoge, 2005).

Second, the Panel also made several proposals in the area of institutional reforms, but as was expected, most of them were shot down by the Outcome. These proposals include the following: the reshaping of the Economic and Social Council (ECOSOC) that will build around the MDGs rather than continuing in its original administrative role (High-Level Panel, paras. 275-279). The Outcome simply reaffirmed ECOSOC's original role as the primary body for coordination, policy review, policy dialogue, and the implementation of international development goals (Danchin & Fischer, 2010). Further, another important recommendation in the area of institutional reforms was the Panel's call for the realignment of operations of the General Assembly that will depart from the yearly organization of repetitive and hollow debates by representatives of member-states. The Panel accordingly suggested the introduction of smaller and more focused committees that will be empaneled to shape and enhance resolutions of the Assembly. Again, the Summit rejected this novel idea and reaffirmed the primary deliberative role of the Assembly (High-Level Panel paras. 149-150). Moreover, the Panel also did recommend two highly significant institutional initiatives, both of which were endorsed by the Summit Outcome with moderations--the setting up of a new Human Rights Council to work alongside the Security Council, and the replacement of the discredited Commission on Human Rights by a new Peacebuilding Commission (Danchin & Fischer, 2010). However, it is regrettable to state that the Panel woefully failed to make far-reaching proposals for reforms within the Security Council, though it agreed the Council needed expansion regarding membership to accommodate regional balance (Danchin & Fischer, 2010).

Third, the Panel called for measures that are geared towards addressing challenges of the collective security system in the 21st century, through the fashioning of a broader definition of the collective security phenomenon. One whose purposes, objectives, and responsibilities are more encompassing than they are in their current state. Per the recommendations, the new collective system should have the capacity to implement strategies that guarantee international peace and security and the realization of its vision through its effective institutions and member-states. Within this context, there is a need for the expansion of the definition of what constitutes a 'threat to peace' as outlined in Article 39 of the UN Charter (Danchin & Fischer, 2010). The Panel accordingly expanded the meaning of the term to include, 'any event or process that leads to large-scale death or lessening of life chances' (High-Level Panel report, 2004). The report identified six clusters of threats: economic and social threats such as poverty, infectious diseases, and environmental degradation; inter-state conflicts; intra-state conflicts such as civil wars and genocide; weapons of mass destruction including nuclear, radiological, chemical and biological weapons; terrorism; and transnational organized crime (Danchin & Fischer, 2010; High-Level Panel Report, 2004).

In line with this vision, the Panel tasked states with the responsibility of protecting vulnerable populations in the event of genocide, ethnic cleansing, and violations of international humanitarian law rather than leaving such matters to individual countries to handle (Danchin & Fischer, 2010). It rejected the notion that global security is best preserved by either a balance of power or by any single benightedly motivated superpower (High-Level Panel para. 203). This recommendation was readily endorsed by the 2005 World Summit, *albeit* in its diluted form (Danchin & Fischer, 2010). Interestingly, the Outcome also resolved to amend some provisions of the UN Charter namely, Articles 53, 77, and 107 (World Summit Outcome, para. 177). Lastly, the Panel called for reforms within the sanctions regime, one that is capable of carrying all member-states along, in times of need.

To some extent, it is regrettable to note that, the implementation of these laudable proposals regarding UN reforms, has been anything but window-dressing, as the UN itself is reluctant and uncommitted towards their implementation (Benson, 2015). To that end, the new collective security regime is only slowly evolving, representing a slow departure from the status quo.

Part V: Conclusions and Recommendations

A new collective security device is slowly emerging in the 21st century, one that slightly departs from its original mandate since the days of the League of Nations and as expressed in the present United Nations system. In

essence, the traditional task is the maintenance of international peace and security, which has now expanded to include issues of human security and environmental protection, amongst others under the new evolving order (Paris & Sisk, 2009). More than at any other time in human history, the world is befuddled with complex violent conflicts that call for equally complex measures. In the given milieu, the UN has adopted varied conflict control mechanisms that come with varied achievement levels and efficacies. It is the view of this paper that, the collective security system as embodied in the UN, has positively impacted global peace and security over the years using its numerous conflict containment measures.

Regrettably, the UN is faced with several challenges that hamper the attainment of its principal mandate of maintaining global peace and security (Pages, 2008). Additionally, many of these challenges have impacted negatively on the operations of the UN, thereby affecting the prompt attainment of other Charter objectives and goals. This paper further argues that some of these challenges are traceable to institutional failures that can only be addressed through far-reaching reforms within the UN system as corroborated by Bendana (2005) who avers that for the UN to be an efficient vessel of global peace, it needs overhauling. In keeping with this notion, Danchin and Fischer (2010) have also advocated for a more effective and result-oriented collective security system, where its original objectives have to undergo expansion through institutional and normative reforms.

To that end, the study makes the following recommendations:

- (a) The numerous proposals that are contained in documents produced by eminent UN platforms such as the High-Level Panel and the 2005 World Summit, as well as, scholarly insights in this area, must receive the needed attention and implementation (Lederach, 2005).
- (b) Member-states of the UN must subsume their individualistic national interests in the collective interests of the international community, embracing initiatives that will promote international peace and security since the world cannot afford to go through the ashes of a Third World War again (Enrico, 2017).
- (c) To further the ideals of collective security in the new century, an effective sanctions regime must be put in place by the UN Security Council, which all member-states are obliged to undertake in times of need (Benson & Adzahlie-Mensah, 2018).
- (d) There is a need for an evaluation, reformation, and modification of the numerous UN conflict control strategies to reflect the dynamism of current global conflicts (Benson, 2021).
- (e) There is a need for the adoption of more pragmatic methods that include objective assessment and the regular monitoring of ongoing conflicts (Benson, et al., 2018).

References

- Adebajo, A. (2011). *UN Peacekeeping in Africa: From the Suez Crisis to the Sudan Conflicts*. Lynne Rienner Publishers.
- Azar, E (1990). *The Management of Protracted Social Conflict: Theory and Cases*. Dartmouth.
- Barash, D. P., & Webel, C.P. (2002). *Peace and Conflict Studies*. Sage Publications.
- Bellamy, A. J., & Williams, P.D. with S. Griffin (2010). *Understanding Peacekeeping*. Polity Press.
- Bendana, A. (2005) 'From Peacebuilding to Statebuilding: One Step Forward and Two Steps Back?' *Development* 48(3): 5-15.
- Benson, G.H. (2021). Peacekeeping Operations in Africa: Liberian Lessons, a Platform for Deepening Future UN Peacekeeping Engagements. *European Journal of Conflict Management*, Vol.2, Issue 1, pp.1-21.
- Benson, G.H. (2019). An Emerging New Collective Security Order in the 21st Century: Addressing Challenges through Needful Reforms. *Issues in Conflict, Human Rights and Peace*; Vol.1, No.1, pp.46-66.
- Benson, G.H. (2015). International peacekeeping and conflict management: the impact of current challenges on peacekeeping operations. *The Social Educator*, Vol. 4, Issue 3: 144-167.
- Benson, G.H., Adzahlie-Mensah, V., Frempong, P. S. (2018). Reflections on the collective security device and the dynamics of conflict management strategies by world bodies. *Journal of Innovation in Education in Africa* (JIEA); Vol. 2, No.2: 56-69.
- Benson, G.H. & Adzahlie-Mensah, V. (2018). Reflections on International Sanctions as Conflict Management tools within the Collective Security System. *Global Journal of Arts, Humanities and Social Sciences*, Vol.6. No.7: 53-66.
- Bodtker, A. M. & Jameson, J. K. (2001). Emotion in conflict formation and its transformation: Application to organizational conflict management. *The International Journal of Conflict Management*, 3: 259-275.
- Bouchet-Saulnier, F., Brav, L. and Oliver. C. (2007). *The Practical Guide to Humanitarian Law*. Lanham, Maryland: Rowman and Littlefield Publishers.

- Brown-John, C. L. (1975). *Multilateral Sanctions in International Law: A Comparative Analysis*. Praeger Publishers.
- Burton, J. (1990a). *Conflict Resolution and Prevention*. Macmillan.
- Chesterman, S. (2006). Reforming the United Nations: Legitimacy, Effectiveness and Power after Iraq. 10 Singapore Yearbook of International Law 1: 2.
- Claude, I. L. Jr. (2006). Collective Security as an Approach to Peace in: Classical Readings and Contemporary debates in International Relations ed. Donald M. Goldstein, Phil Williams, and Jay M. Shafritz. Belmont CA: Thomson Wadsworth.
- Claude, Jr. (Winter 1975). An Autopsy of Collective Security. *Political Science Quarterly*, 90.
- Coombes, K. (2017). The United Nations and Collective Security. *Journal on the Use of Force and International Law*, Vol.4.Issue 1.
- Danchin, P., & Fisher, H. (2010). *United Nations Reform and the New Collective Security*. Cambridge University Press.
- DeChurch, L. A. & Marks, M. A. (2001). Maximizing the benefits of task conflict: The role of conflict management. *The International Journal of Conflict Management*. 12:4-22.
- Ebegbulem, J. C. (2011). The Failure of Collective Security in the Post-World Wars I and II in International Systems. *Journal of Humboldt-Universitat Zu Berlin*.2.
- Enrico, C. (2017). *The evolution of UN Sanctions: from a tool of warfare to a tool of peace, security and human rights*. Rickard-Martin, Loraine, Meister, Shawna, Cham, Switzerland: Springer.
- Eriksson, M. (2011). *Targeting Peace: Understanding UN and EU Targeted Sanctions*. Ashgate.
- Fisher, N. (2010). A better way to manage conflict. *Political Quarterly*. 81(3): 428-430.
- Fisher, R. J. & Keashly, L. (1991). The Potential Complementary of Mediation and Consultation with the Contingency Model of Third Party Intervention. *Journal of Peace Research*: 28-42.
- Galtung, J. (2000). The Transcend Method at a glance: a one-page version (page 5) in: *Conflict Transformation by Peaceful Means* (the Transcend Method)-Participants'/Trainers' Manuel. United Nations.
- Green, J. A. (2017). The Additional Criteria for Collective Self-defense: Request but not declaration. *Journal on the Use of Force and International Law*, Vol. 4. Issue 1.
- Hoge, W. (September 14, 2005). "UN Adopts Modest Goals on Reforms and Poverty", New York Times.
- International Court of Justice Report (1962). Articles 170 and 171.
- Jager, U. (2014). *Peace Education and Conflict Transformation*. Berghof Handbook for Conflict Transformation. Berghof Foundation.
- Kant, I. (2008). *Perpetual Peace: A Philosophical Sketch*. Mount Holyoke College.
- Kennedy, P. (2006). *The Parliament of Man: The Past, Present and the Future of the United Nations*. Vintage Books.
- Khun, T., & Poole, M. S. (2000). DO conflict management styles affect group decision making? *Human Communication Research*, 26:558-590.
- Klabbes, J. (2005). Two Concepts of International Organization. *International Organizations Law Review* 2: 277-293.
- Koskenniemi, M. (1996). The Place of Law in Collective Security. *Michigan Journal of International Law* ,17: 455-490.
- Kupchan, A. C. & Kupchan, A. C. (1995). The Promise of Collective Security. *International Security* 20: 52-53.
- Lederach, J. P. (2005). *The Moral Imagination: The Art and Soul of Building Peace*. Oxford University Press.
- Lindley, A. (2004). Human security now: Protecting and empowering people. *Journal of Refugee Studies*, 17: 244-246.
- Lowe V., Roberts, A., Welsh, J. & Zaum, D. (2010). *The United Nations Security Council and War: The Evolution of Thought and Practice since 1945*. Oxford University Press.
- Lyons, G. M. (2010). A New Collective Security: The United Nations and International Peace. *The Washington Quarterly*. Vol. 17, Issue 2.
- Macmillan, P. (2015). *Global Politics*. Palgrave Macmillan
- Miall, H. (2004). *Conflict Transformation: A Multi-Dimensional Task*. Berghof Handbook for Conflict Transformation.
- Morgenthau, H. (1980). *Politics Among Nations*. (The Struggle for power and peace)(6th ed). Alfred, A. Korpff.
- Northedge, F. S. (1986). *The League of Nations, Its Life and Times 1920-1946*. Leicester University Press.
- Orakhelashvili, A. (2011). *Collective Security*. Oxford University Press.
- Pages, J.S. (2008). 'Chapter 9: The United Nations and Peace Education'. In Monisha, B. (ed.), *Encyclopedia of Peace Education*. Information Age Publishing: 75-83.
- Paris, R. & Sisk, T.D. (2009). Understanding the Contradictions of Postwar Statebuilding. In

- Paris, R. & Sisk, T.D. (eds), *The Dilemmas of Statebuilding: Confronting the Contradictions of Postwar Peace Operations*. Routledge.
- Rapport, A. (1995). *The Origins of Violence: approaches to the Study of Conflict*. Transaction Publishers.
- Reichard, M. (2006). *The EU-NATO Relationship: A Legal and Political Perspective*. Ashgate Publishing, Ltd.
- Renner, M. (1999). *Ending Violent Conflict*. Worldwatch Institute.
- Runde, C. E. and Flanagan, T. A. (2013). *Becoming a conflict competent leader: how you and your organization can manage conflict effectively*. Jossey Bass.
- Schwarzenberger, G. (1980). *International Law*. Macmillan.
- Simpson, G. (2004). *Great Powers and Outlaw States: Unequal Sovereigns in the International Legal Order*. Cambridge University Press.
- Shirbekk, G. and Gilje, N. (2001). *A History of Western Thought: from Ancient Greece to the Twentieth Century* (illustrated ed.). Routledge. Retrieved October 17, 2010.
- Stromberg, R. (1963). *Collective Security and American Foreign Policy, from the League of Nations to NATO*. Frederick A. Praeger.
- Thakur, R. (2006). *The United Nations, Peace and Security: From Collective Security to Responsibility to Protect*. Cambridge University Press.
- United Nations (2011) *Basic Facts about the United Nations*. United Nations Department of Public Information.
- United Nations (1945). *Charter of the United Nations*. UN Department of Information.
- United Nations Secretary-General Document (2004). High-Level Panel on Threats, Challenges, and Change, A More Secure World: Our Shared Responsibility (Report of the High-Level Panel on Threats, Challenges and Change, December 1, 2004, UN Doc A/59/565).
- Wallensteen, P. (2011). *Peace Research: Theory and Practice*. *Routledge Studies in Peace and Conflict Resolution Series*. Routledge.
- Wight, M. (ed.) (1977). *Systems of States*. *Hedley Bull*. Leicester University Press.
- Wilson, G. (2016). *The United Nations and Collective Security*. Routledge.
- World Summit Outcome (2005) www.worldsummit2005.
- Yost, D. (1977). *NATO Transformed: The Alliances New Roles in International Security*. University Press.