

CHAPTER 1

THE UN AS A LEGITIMATE AND LEGITIMIZING AGENT AND ITS CONFLICT RESOLUTION ROLE

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INTRODUCTION:

Historical and Ideational Basis

The victors of WW II established the UN on principles such as protecting future generations from the scourge of war,¹ protecting human rights and the integrity of international law, providing social progress and better living conditions.² The idea of a universal and effective organization that would ensure peace and the integrity of international law, and prevent the recurrence of massacres, genocides, and tragedies further strengthened during World War II. Considering the failure of the League of Nations, the founders of the UN identified more modest goals and more acceptable principles, such as permanent membership and veto power in the Security Council, and putting restraints on authority to prevent them from interfering in domestic affairs. The UNSC was formed under these principles.

Today, the structure of the UN reflects the balance of power that emerged at the end of the Second World War. Now, the victors of that period are trying to preserve their roles and privileges in the international system.

1 The Charter of the United Nations, “Preamble”, *the UN Official Webpage*, <http://www.un.org/en/sections/un-charter/preamble/index.html>, (30.01.219).

2 Hunhimaki, p. 1.

With the emergence of the Cold War, the UN Security Council was inadequate in carrying out its essential functions or making objective decisions. The UN was not as effective as expected in the peace-making processes during the Cuban missile crisis, the wars in the Middle East and Vietnam. The UNSC remained silent during the US occupation of countries such as Panama, Grenada, and the Dominican Republic, the invasion of Iran by Iraq in 1980, the invasion of Hungary, Czechoslovakia, and Afghanistan by the USSR, and was content to condemn Israel because of its operations against Palestine, Syria, Lebanon, Jordan, Egypt, Tunisia, Uganda, and Iraq.³ However, the same UNSC ordered the withdrawal of Iraq from Kuwait in 1990 and the withdrawal of Syria from Lebanon in 2005.

Particularly in the aftermath of the Cold War, the UN remained as an inert organization in the face of internal wars, ethnic conflicts and, genocide and ethnic cleansing attempts by ultra-nationalist leaders. The inertia exhibited during the massacre in Srebrenica, Bosnia, which occurred in front of the UN peacekeeping forces, the events in Darfur and Somalia, the genocide in Rwanda and conflicts in Sri Lanka, and the efforts of the permanent UNSC members to exploit conflicts according to their own interests intensified the question marks over the UN's functionality and legitimacy. Even recently, the ineffectiveness of the UN in the face of the tragedies in Myanmar, Syria, Yemen, and Libya has made the ontological foundations of the organization completely questionable. The UN has been ineffective even in such cases where there exists a clear violation of international law - such as the use of chemical weapons against the civilian population.

As the UN's most important decision-making body, the UNSC is unable to fulfill its task of preserving world peace because of its current structure. Because of the veto power, a permanent member can prevent the council from making decisions when they deem it contrary to their national interests, and paralyze the organization.⁴ The veto power makes some UN members *more equal*⁵ and thus weakens the sense of legitimacy. Hence, beyond human concerns, material interests and institutional procedures influence UNHCR decisions.⁶ Here, the UN becomes a convenient tool for Western countries to hold the monopoly on legitimate power. As an obvious manifestation of this contradiction, the UNSC, which was able to take concrete steps in the

3 Berdal Aral, "The United Nations and International Inequality", *SETA Analysis*, November 2013, no: 2, pp. 11-2.

4 Raimo Vayrynen, "Focus on: is There a Role for the United Nations in Conflict Resolution" *Journal of Peace Research*, vol. 22, no. 3, 1985, p. 193.

5 Hunhimaki, p. 52.

6 Martin Binder, *The United Nations and the Politics of Selective Humanitarian Intervention*, Palgrave Macmillan, NY, 2017, p. 241.

Iranian nuclear crisis, has been ineffective in the Syrian issue.⁷ In 1991, to remove Iraq from Kuwait, the UNSC took decisions that were effectively implemented with the diplomatic weight of the US. After September 11, unilateral military interventions by the US in Afghanistan and Iraq led to the UNSC gradually losing its weight within the system.

During the intervention in Libya, which was one of the breaking points of the Arab Spring, the US took the support of the Arab League and used the UN as an instrument of legitimizing regime change. From then on, the reaction developed by Russia would make it impossible to legitimize such a military intervention again.⁸ The reasons behind the blocking of the decisions against the Assad regime by Russia, even against the use of chemical weapons, were based on this reaction. Likewise, the US continued to use its veto power in the Security Council to prevent condemnation of Israel and the decisions rejected by Israel.

The UN General Assembly (UNGA) meets once a year and any issue or opinion can be brought to the attention of world public opinion in these meetings. Although the UNGA's decisions are not binding, it has the effect of attracting world public opinion on such issues as liquidation of the colonies, elimination of systematic racism, disarmament, international peace, and security. However, from the early years of the Cold War onwards, the UN General Assembly has been under pressure from the US, and this has been a situation that has undermined the sense of justice and legitimacy. For example, UNGA Resolution 181, which foresees the division of Palestinian territories between Arabs and Jews, received over two-thirds of the votes only after the US pressure or blockade on, or promise of economic aid for, many member countries. In time, the increase in the number of members of the UN General Assembly and the opening of different autonomous branches within the organization did not contribute much to increase the effectiveness of the organization. With the end of the Cold War, it disappointed those who had expected the UN to play a more effective role in international relations.⁹

As to the role of the Secretary-General, he remained ambiguous and unimportant in such major issues as the Gulf crisis and his role was totally dwarfed or eclipsed by other crises such as in the Balkans, West Africa, Liberia, and Sierra Leone, Central African States, Algeria, the Middle East, and subsequently in the Democratic Republic of Congo and Lesotho.¹⁰

7 Binder, p. 241.

8 C.S.R. Murthy, "United Nations and Arab Spring: Role in Libya, Syria, and Yemen", *Contemporary Review of the Middle East*, 5 (2), (pp. 116-136), p. 132.

9 Norrie MacQueen, *The United Nations, Peace Operations and the Cold War*, Routledge, NY, 2011, Second Edition, p. 112.

10 Mwelwa Chambikabalnshi Musambachime, "The Role Of The Un Secretary General In Conflict Resolution In The Gulf", *International Journal on World Peace*, vol. XVI, no. 2, June 1999, p 38.

Since the establishment of the UN, the number of members, and thus the balance within the UN has changed. There have also been serious changes in international relations. With the Cold War losing its impact, the problems which are structurally different and have to be solved by different methods, such as the deepening North-South divide, failed/weak states, terrorism, ethnic/micro-nationalism, and environmental issues have replaced East-West divergence. Classical inter-state conflicts have declined, while internal conflicts have increased. The principle of non-involvement in internal affairs is a fundamental principle of the UN. Over time, however, it has been understood that there are serious discrepancies between the principles of expanding the functions of peacekeeping missions, humanitarian intervention and protection, and the principle of not interfering in the internal affairs of other countries. The principle of non-interference in internal affairs is a principle that more powerful states enjoy. For the states that have become problematic within international system, this is overshadowed by other principles such as humanitarian intervention and protection.

The UN is an institution established by nation-states and giving legitimacy to the existence and behavior of nation-states. Developments such as globalization, advancement of information technology, and social media have produced corrosive consequences for the sovereignty of the nation-state. It is an inevitable need for the UN to gain an ideational ground within the framework of these developments.

Legitimacy and the legitimizing power of the UN

We can talk about two aspects of legitimacy when we associate this concept with the UN. First, the UN's own legitimacy as an acceptable and sustainable organization and second, the UN has the power to provide legitimacy for its members and other actors within the international system.

Today, UN membership is the basic condition for an agent to be recognized as a state. This means more than just the legitimizing power of the church that crowned the kings of Europe in the Middle Ages. Today, UN membership is the only way to gain recognition as a legitimate state in the international arena and to develop relations with other states and actors. That no member country has ever planned or even considered leaving the organization since the day of its establishment reveals how profound the legitimizing power of the UN is. Moreover, the costs of international operations without UNSC approval are geometrically higher even for prominent members such as the US. The most striking example of this is that the US had to bear high costs due to its failure to receive UNSC approval, hence the originally intended support for the operations it carried out in Iraq.

The UN's own legitimacy is primarily related with the question of representation, but the procedural rules about creating representation and decision making are equally important. What is more important, however, is the compliance of the decisions taken by UNSC and UNGA with the interests of P5 countries, in the first instance, and gradually of all member states. Today, the legitimacy of the UN is problematic in terms of its representation competence and capacity. When there are problems with representation, they also damage the perception of legitimacy in terms of procedures and decision-making mechanisms. But there are other considerations that damage perception of legitimacy. This leads us to the concept of rationality, to the interaction between the principle of representation and the interest definition processes, which is the second leg of the modern Weberian legitimacy approach.¹¹ Earlier, legitimacy was considered as consent developed spontaneously in the hearts and minds of the ruled and bestowed to the rulers but now it is transformed into a top-down imposed plot in the hands of countries that have strong economic and diplomatic levers, such as the US. In fact, some authors argue that legitimacy has turned into a phenomenon that is being traded.¹² One can argue that there is no problem in terms of the modern Weberian legitimacy approach. However, when we examine the concept a little closer, it is clear that such an understanding creates anomalies and reduces the principle of legitimacy to a hollow and meaningless phenomenon because, when the understanding of legitimacy is reduced to interests and procedures in this way, we have to accept that great powers can produce their legitimacy themselves, in which case there is no point in discussing the principle of legitimacy. In this context, there remains only one transcendental principle that can save the UN's legitimacy: human rights. Taking this principle into consideration, the ineffectiveness of the UN in the face of dramas such as Rwanda, Bosnia, Haiti, Yemen or Syria makes the organization's legitimacy completely problematic. Under present circumstances, the respect for human rights is a fundamental principle and a threshold that one cannot ignore if the UN is to maintain as a long-lasting organization. The inability to follow human rights issues properly has made the legitimacy of the organization questionable.

If it were not for the principles of human rights and democracy, the UN would not go beyond the search for a dry balance of power or alliance relationships. This would destroy the UN's admissibility and sustainability. If the UN is to remain as an effective organization, it has to continue to strengthen its characteristics and activities on universal human rights and

11 For a wider description of Max Weber's understanding of legitimacy, see Muharrem Hilmi Özev, "Meşruiyet Kavramının Dönüşümü" (Transformation of the Concept of Legitimacy), *Bilim Sanat Vakfı Bülten* 57. Sayı, İstanbul 2005.

12 James Raymond Vreeland, *The Political Economy of the United Nations Security Council*, Cambridge University Press, Cambridge, 2014. P.1.

dignity. Otherwise, the UN will remain as a platform to legitimize the power games of the strongest actors and will not be able to contribute to the advancement of humanity. The legitimacy of the UN, however, is problematic not only in terms of principles such as human rights and democracy but also in terms of representation, procedures and interests/outcomes.

In the current picture, the representative power of the UN is severely reduced because most countries and social groups worldwide cannot find a permanent seat in the UNSC. These include Germany, Japan, India, and Brazil which have gained more economic and political leverage, regions such as Africa and Latin America that have recently come into question because of their demographics or economic activities, and also faith groups such as Muslims and Hindus whose number of members amount to billions. Neither the Muslim world, having a population of approximately one and half a billion, nor any of its member countries, have been mentioned in the reform plans that have come into question since the 1990s.¹³ This representation issue will lead to further questioning of the UN's legitimacy in the coming periods.

Today, policies developed within the framework of the UN have a serious legitimacy deficit. The main source of this dilemma is that there is no possibility to comply with principles such as nation-state sovereignty, veto rules in the UNSC and the fact that the legality of international decisions depend on UNSC approval.¹⁴ By implication, we can say the main source of the legitimacy problem is the representation deficit. As long as there is no common belief that the UNSC, as the main decision-making body of the UN, represents all the actors affected by these decisions in a just and fair manner, the question of the legitimacy of UN resolutions will not cease. This shows that the UN is experiencing a legitimacy deficit similar to but much more profound than the democracy deficit in the EU. Unless the issue of representation is resolved, unless the African Union and the OIC, for example, increase their influence within the UN's organizational framework and unless the actors representing Africa, the Indian subcontinent and the Islamic world have veto right within the UNSC, the legitimacy of the UN will continue to be questioned and, perhaps, a group of countries will seek to create new alternative organizations to the UN or strengthen their present regional or identity based organizations.

The UN, designed by the victors of World War II, has an unfair mechanism due to veto rights. Between 1946 and 2008, the most powerful states used their veto rights 344 times.

13 Aral, p. 21.

14 Kate Seaman, *Un-Tied Nations: the United Nations, Peacekeeping and Global Governance*, Routledge, 2017, P.58.

Especially in the Cold War years, the frequent use of veto paralyzed the organization.¹⁵ Although the post-Cold War veto ratio declined drastically, the UN's ability to resolve international problems depended on the approval of P5 countries. When we look through vetoes used regarding the case of Syria, we can see that the main addressee of Turkey's discourse "The world is greater than five" are not Western countries but Russia and China. If the US and Western countries want to keep the UN as a functional organization, hence maintain their influence, they must be able to elect new allied representatives from among the rising powers and be meticulous about the geographical and identity representation capabilities of these new representatives.

The UN's quiet stay in Syria made up a real basis for Turkey's discourse "The world is greater than five." The sole country that suffered most from the uncertainty in Syria has been Turkey. If it was possible to bring peace and stability in Syria with a UNSC decision, this would have been a much more preferable option for Turkey and other countries in the region, even if the decision at issue was contrary to Turkey's demands. However, the UN, which legitimizes, rules, and makes binding decisions, has neither made a decision nor has it allowed regional actors to develop their own policies. There emerged situations, in which the actors who were off the system (terrorists) or who were experiencing problems with the system (Iran) behaved quite comfortably, which punish the actors that try to be in harmony with the system while rewarding the 'spoiled', which makes the legitimacy of the organization more questionable.

Since its inception, the UN has shown interest in almost all problems across the world and has carried out very important studies on a good number of issues such as the Universal Declaration of Human Rights, democracy, freedoms, women's and children's rights, health, education, trade, development, and environmental issues. It has pioneered the establishment of many important organizations. However, as with the cases of Palestine, Afghanistan, and Iraq, the UN has taken side not with the right but with the powerful and this has damaged the prestige of the organization. As with the case of ethnic cleansing in Arakan, Myanmar, the UN could not go beyond harsh condemnations and watched the situation from a distance. Such behaviors continue to deepen the legitimacy crisis of the organization. In order for the organization to play a more active and fair role in international issues, the UNGA's increasing competence or any other reasonable designs must balance the privileges of the P5 countries.

The UN is an unusual organization that has severe problems in its essential functions, but is more or less successful in matters irrelevant or indirectly related to its essence. This is the

15 Vayrynen, *Ibid.*

real basis of the UN's legitimacy deficit. To overcome this problem, some of the UN's burdens or activities may be transferred to local actors within the framework of the local ownership¹⁶ principle. As a matter of fact, regional organizations have been attempting to increase their physical and legal skills.¹⁷

In the sense of the modern Weberian legitimacy approach, the legitimacy of any political structure depends on its commitment to the law and its rationality. The UN has serious problems in these two areas. Therefore, depending on its effectiveness or ineffectiveness on these two issues, the legitimacy deficit of the organization will be yet more questionable in the forthcoming periods. The UN will preserve its status as the most important universal international organization in the near future. The problem is not the survival of the UN, but whether it will be a functional organization that contributes to global order, stability, and peace.

If the UN maintains its appearance as a useful tool, the P5 countries and their supporters will try to extend the structure of the organization through new rhetoric or new security issues to close the UN's legitimacy deficit because the UN is still an undisputed source of legitimacy for all international actors.

The UN is a unique legitimacy source in the international arena. Its membership is the first condition to become a legitimate state. All states are trying to become a member of its structure and, until now, no member state has ever considered unsubscribing from its membership. The UN has been formed according to the nation-state norms but it has become a source reproducing these norms through the nation-states' own wills and consents.

The UN has the power to create a global society and even to put a "legitimacy crown" on its members. In fact, the UN, with all its sub-organizations, the UNSC in the first instance, is the only organization that can be used to decide not only which people have the right to be a nation-state and, therefore, can take part within the international society (here the UN itself), but also which members are troublesome, rogue and, therefore, are to be anathematized or punished by society. Further, under the umbrella of the organization, discourses on human rights and democracy are also secondary elements that may be employed for great power interests.

The main reason for the existence of the UN is its mission of building and protecting international security and peace. However, the great powers are exploiting this mission in furtherance of their own interests. Consequently, the "might makes right" approach is the

16 On this principle and its relation with the conflict resolution, see Sarah B. K. Von Billerbeck, *Whose Peace?: Local Ownership & United States Peacekeeping*, Oxford University Press, Oxford, 2017.

17 Gary Wilson, *The United Nations and Collective Security*, Routledge, NY, 2014, s. 219.

rule. As a matter of fact, at a UN General Assembly meeting, the current US President, Donald Trump, was able to say that he does not recognize the International Criminal Court.¹⁸ In an environment where the law is not recognized, UN diplomacy is increasingly losing its influence. The influence of the UN is not on its economic or political strength but on the values it represents and its role in the formation and maintenance of global norms. The UN should renew itself to keep pace with the requirements of the day.

Transformation of the UN and Its Conflict Resolution Role

Like the League of Nations, the UN was built on the goal of building and maintaining international peace. At first glance, we can think that this aim is based on merely idealist-liberal principles. There can be no objection to the fact that an institution open to membership of all, aims to protect human rights and peace, and that an institution that pushes all economic and institutional cooperation opportunities has liberal features. However, realist principles were also taken into account in the establishment of the UN. The Security Council itself was a reflection of the classical realist balance of power approach. The UN seemed to be an alliance against any rogue power or agent/s that might threaten the new status quo. One can see in the UN agreements that this aim would be achieved by military means, which means another war or conflict would prevent an ongoing war. In the following periods, it became clear that the phenomena of violence, conflict, and war were caused not only by political and economic reasons but by cultural, psychological and legal reasons as well, and consistent efforts were required in these areas for lasting peace. Consequently, the UN's range of tasks has expanded in these directions. Therefore, we can assert that the UN came to existence on both liberal and realist theoretical foundations and gained constructive features over time.

Despite the limiting effects of the great powers, new security concepts such as social security, cultural security, economic security, ecological security, biosecurity, and human security have become visible in practice. Now we have a multi-dimensional concept of security. As a universal organization, the UN has tried to reflect its new perception of security in 1992 on its actions and discourses in which the UN could play an important role in transforming global security approaches. For an operative UN to ensure global security and peace, we should first answer questions, such as how to create an effective global governance, how to transform the organizational structure of the UN, and how a pluralist universal structure is to be achieved. Unfortunately, as the other sections of this volume shows, the UN

18 Gabby Deutch, "Full Transcript: Donald Trump at the United Nations General Assembly", *The Atlantic*, Sep 25, 2018, <https://www.theatlantic.com/international/archive/2018/09/trump-unga-transcript-2018/571264/>, (5.2.2019).

has proved unsuccessful. If an organization does not fulfill its expected functions, we cannot say this institution is rational and therefore legitimate. If the UN has problems with its own legitimacy, its legitimizing and crowning features will also be diminished, so, by implication, the UN's prestige and efficiency will too, as Miall et al. assert:

Where parties have consented to a UN mandate and have wished to settle, and where adequate finances and personnel have been available, mandates have been clear and chains of command and communication have been straightforward, the UN has been able to play a remarkable and useful role; but when the parties have been unwilling to accept a UN role, the UN has not been able to impose settlements.¹⁹

The United Nations should set strict and clear criteria for future preventive deployments, such as open objectives, clear missions, early warnings and comprehensive linkages between political and economic processes. Regional organizations should obtain the approval of all parties and actors in the region for implementing of preventive deployment. Besides the extensive diplomatic processes, the active participation of organizations, governments, the Security Council and the international community can contribute to preventive deployments to be more systematic and comprehensive. In this regard, “[o]f particular importance is thinking about long-term prevention, and developing appropriate, concrete measures for addressing the root causes of conflict, rather than only imminent or recurring conflict”²⁰, and the principle of “Responsibility to Protect” (R2P), has to be established as a norm.

Regarding the UN peacekeepers; a shortage of staff and financial problems, a lack of educational and communicational standards, the need for cooperation between the permanent members of the UNSC in creating peacekeeping troops, and getting caught in the crossfire etc. adversely affect the functionality of the peacekeepers. We should not forget that peace operations relate not only with the conflict zone but also with wider projects,²¹ the great power interests, in the first instance. Still, UN peacekeepers are the only legitimate multinational force to represent all countries in the international arena and we have not found a better alternative yet. Therefore, these forces need to be made more effective. Finally, besides conflict prevention, it is necessary to give importance to human rights and development

19 Hugh Miall, Oliver Ramsbotham, Tom Woodhouse, *Contemporary Conflict Resolution*, 2005, Polity Press, Cambridge, Cambridge, Second Edition, p. 43.

20 Gustavo de Carvalho and Adriana Erthal Abdenur, “Can the UN Security Council help prevent conflicts?”, *Africa in the World Report 1*, ISS (Institute for Security Studies), June 2017, p. 13, <https://issafrica.s3.amazonaws.com/site/uploads/aitwr-1.pdf>, (2.2.2019).

21 Cedric de Coning, “UN Peace Operations and Changes in the Global Order: Evolution, Adaptation, and Resilience”, in *United Nations Peace Operations in a Changing Global Order*, edited by Cedric de Coning and Mateja Peter, Palgrave Macmillan, NY, 2019, pp. 313-14.

issues in order to eliminate feelings of injustice and illegitimacy, which make up the real basis of conflicts. UN peacekeeping operations should not be content to benefit more from the existing conflict resolution theories and studies.²² They should also enjoy the experience and knowledge of different cultures, religions, and nations.

Prospects for Reform

Complaints and reform proposals related to the structure of the UN began to be voiced soon after the establishment of the UN. But they brought the first serious reform proposals after the 1990 Gulf War. The circles that thought that the UN and the UN Secretary-General were ineffective during the war, have underlined the need for reform by the UN in this period²³ because they thought, as Hanhimaki says, that “[i]t is structurally flawed and operationally cumbersome. It often lacks the means of implementation even as it may serve as the source of excellent ideas. Its different programs often duplicate work that might be better done by one centralized agency. In short, the UN is in need of reform and support if it is to have a meaningful future.”²⁴ Later on, an important step was taken in September 2003 by Kofi Annan, who assembled a High-Level Panel on Threats, Challenges, and Change. The panel brought about some ostensible suggestions to make the UN’s composition better reflect today’s realities, such as revitalizing the General Assembly and the Economic and Social Council, restoring credibility to the Commission on Human Rights, strengthening the role of the Secretary-General in questions of peace and security, increasing the credibility and effectiveness of the Security Council, and creating a peace-building commission.²⁵ Until now, they have implemented only the final suggestion.

The UN needs serious reforms. In this sense, the fate of the new world order depends on certain aspects of the reforms in the UN. Here, the main contradiction is that this task is a duty of the great powers. By implication, reform is not easy to achieve. First, it is necessary to accord the plans with the interests of the members, great powers at the outset, and establish a global consensus on the extent to which the reform should take place and the content of the reform. Countries like the United States, which provide a significant portion of the UN annual budget, argue that the organization has become very costly and bureaucratic, the costs must

22 David Curran, *More than Fighting for Peace: Conflict Resolution, UN Peacekeeping, and the Role of Training Military Personnel*, Springer, NY, 2017, p. 142.

23 For example, Stockholm Initiative in 1991 was one of the first initiatives in this regard. see Pakistan Institute of International Affairs, “The Stockholm Initiative on Global Security and Governance”, *Pakistan Horizon*, Vol. 44, No. 4 (October 1991), pp. 89-139.

24 Jussi M. Hanhimaki, *The United Nations: A Very Short Introduction*, Oxford Publication, Oxford, 2015, 135.

25 Hanhimaki, p. 138.

be reduced, and the organization must undergo administrative reform. The countries that have recently gained importance in terms of demographic, economic, political, and strategic considerations underline the need to improve the representation capacity of the organization.

Despite the veto power of P5 countries, the UNSC is not accountable to the UN members or any other political or judicial entity.²⁶ Here, the organization has done little more than be an extension of US foreign policy. The UN has not changed structurally since 1945, while significant changes have occurred in the global balance of power, especially after the 1990s. During this period, the USSR was replaced by the Russian Federation, China raised its share in the global economy to fifteen percent, and countries such as Germany, Japan, India, Brazil, South Africa, and Turkey increased their visibility in the international arena. More recently, there have been ever increasing voices that the African continent and the Islamic world, are facing a severe representation problem in the UN.

The UN has its own autonomous or semi-autonomous structure, it can sometimes make decisions that go beyond their founders or members' wills. These kinds of decisions may sometimes have binding consequences even against powerful members such as the US. However, this autonomy is extremely limited. If the autonomy of the UN is reinforced, this may also involve a number of drawbacks. For example, the greater influence of the UN may cause an excess amount of great power activity within the organization, and great powers can use the UN in the opposite direction of its purpose.²⁷

There is also serious tension between human rights practices that need to evolve and progress through services such as education and health and neoliberal policies imposed by organizations such as the World Bank and the IMF, which serve under the umbrella of the UN itself, because the IMF or the World Bank provides loans or assistance to underdeveloped countries on the condition that they privatize these services.²⁸

To overcome the issues related to the legitimacy and implementation processes of the UN, related actors should review theoretical approaches about the organization and the UN and must restructure its organs, especially the Security Council and the General Assembly. In order to be functional, a global organization must have the consent and approval of the great states and be compatible with their interests. On the other hand, an organization that does not have the capacity to represent the rest of the world fairly will not be sustainable. The UN has to renew and democratize itself by taking into consideration the new power balances, and

26 Aral, pp. 16-7.

27 Theodore H. MacDonald, *Health, Human Rights and the United Nations*, CRC Press, NY, 2008, p. 1.

28 MacDonald, pp. 8-23.

demographic, economic, sociological and political factors. As De Silva said “[t]he Security Council needs to be enlarged in order to be more representative.”²⁹ It is now clear that the UN Security Council’s 15-member structure, established in the 1940s, is inadequate today. At that time, five permanent members were only ten percent of the UNGA. Although the number of UNGA members has almost quadrupled today, there has been no change in the initial structure of the UNSC. In addition to the efforts of the P5 countries to maintain the status quo, historical and regional competitive relations between potential members, and the zero-sum game approaches impede the efforts to reform the UNSC. Potential members agree neither on who will enter the UNSC nor on which of the new members will have veto power.

The 2004 Wise Men Report (Panyarachun Report) proposed increasing the number of members to twenty-four.³⁰ At the 2005 G-4 Summit, the introduction of six new permanent members (India, Brazil, Japan, and Germany plus two representatives from Africa) was proposed, four of which would have veto power and two would not. However, because of the objections of several countries, namely Italy, Spain, Pakistan, Argentina, Canada, Mexico, and South Korea, which have historical or regional problems with G-4 countries, they did not accept these proposals. There were other proposals to extend permanent and temporary membership categories and to create a Council of 25-30 members. Whether the new permanent members would have veto power is also controversial because P5 countries are not ready to give up their veto powers. As Çelikkol put it, it is clear that the UN is insufficient to ensure peace and security at the international level, but the reform of the UN system is also quite difficult.³¹ The most important problem is to harmonize the principle of fair representation with the aim of making UNSC decision mechanisms functional. There must be a formula that reconciles these two objectives. To make the veto power respond to today’s needs, it may suffice to increase the single veto system to two-vetoes. However, in this situation, a problem could arise, as any two countries, such as the UK and the US, could potentially agree to block the rest of the world. Besides the suggestions for change in the representation system, additional suggestions have been made such as making the UNSC accountable to the International Court of Justice or the UNGA, re-setting the term limits, separating the world into several regions and ensuring that each region chooses its own representative.³²

29 Mervyn de Silva M. 1991. “The Impotence of the UN,” in Jin, Khoo Khay Jin (ed.), *Whose War? What Peace?*, Aliran, Penang, 1991, (pp. 49-51), p. 51.

30 United Nations General Assembly, “Follow-up to the outcome of the Millennium Summit”, *The UN Official Website*, 2 December 2004, http://www.un.org/en/events/pastevents/a_more_secure_world.shtml, (11.2.2019).

31 Oğuz Çelikkol, “Birleşmiş Milletler’de Reform Girişimleri...”, *Hurriyet*, April 17, 2018, <http://www.hurriyet.com.tr/yazarlar/oguz-celikkol/birlesmis-milletlerde-reform-girisimleri-40807269>, (8.2.2019).

32 Vreeland, pp. 229-41.

To ensure integrity and consistency in the UN system, the UN General Assembly needs to be more effective and the legitimacy and democracy deficits must be eliminated. For example, it may be a precondition for imposing sanctions on a country to get approval from the UN General Assembly by a two-thirds majority vote. It may be useful to have the Trusteeship Council (which currently seems to have lost its original functions), officially gain “brand-new” functions, such as controlling the international seabed, the Antarctic continent and outer space, i.e. regions or premises that are not under the sovereignty of any nation. The Economic and Social Council (ECOSOC) also needs to be reorganized to increase the effectiveness of the UN and arrangements should be made regarding matters such as human and financial resources. Financial resource reform is especially important for the institution to maintain its autonomy in judicial affairs. For this purpose, besides the present minimum budgetary contributions, one suggestion might be to provide independent budgetary facilities such as the direct transfer of a certain percentage of the armament expenses of the member countries.³³

Developing countries want the UN to be more active in development issues, and to increase the role of the UN in economic cooperation. Here, reform studies should be extended to these areas. Reforms for institutions such as UN development assistance, the IMF and the World Bank are, therefore, necessary not only to increase prosperity in poor countries but also to increase the UN’s representational capability and to close the legitimacy deficit. Yet, we can’t always say that developed countries are sincere regarding development issues. So far, some foreign aid has been provided, intended only to increase consumption in less developed countries. Investments in the production sector are extremely limited. By implication, developed countries do not want to share their income sources and job facilities with underdeveloped countries. Instead of the existing aid programs for African countries, if we could improve available production facilities and fair opportunities suitable for the education and labor force in these countries, we might see that the phenomena of hunger and poverty disappears in this part of the world, and therefore a strong peace infrastructure might emerge. Improving third world countries can bring an end to the post-colonial policies of Western countries, so we must anticipate that they will continue to keep the third world countries at a certain level. Unless the Western economies are strong enough to guarantee employment opportunities for their own people, through new business opportunities and technological superiority, for example, we cannot think that this will change.

33 Aral, pp. 20-6.

CONCLUSION

The United Nations is the first universally active multifunctional organization equipped with a broad range of facilities and charged with diverse duties. Despite all the criticism, it is an indispensable institution, which must exist at all costs.³⁴ Therefore the aim should be to develop new methods to correct the deficiencies of its organization and sub-organizations, which contribute to the benefit of humanity.³⁵ In its present form, the UN is far from resolving global governance problems and building a peaceful world. Reform is essential, and the question of how to make this reform will be determined at the intersection point of the ideas built according to the interests of the existing members. We cannot talk about the existence of objective truth and a legal system shaped accordingly. Therefore, to create a peaceful system can be possible by finding a point where the objectives of the actors intersect. Without meaningful balance and interaction between the principles of representation, the interests of the great states, and universal human rights, the legitimacy and legitimizing power of the UN cannot be permanent. Here, the UN cannot remain as an effective agent in conflict resolution. At first glance, such an aim may seem impossible. But humanity has to achieve this aim for its own sake.

The UN and its sub-organizations, the UNSC in the first instance, should be improved in terms of representation according to contemporary imperatives and dynamics. Here, we should create a balance between great power or nation-state interests and the representation of large masses, identities or geographic regions. The UN must be clear from the image of an organization that cannot decide or implement its own decisions, or an organization that is entirely under the control of the great powers.

We should be aware of the value of the principles of human rights adopted in the establishment of the UN system and the value of declarations, conventions, and protection mechanisms adopted later. Respect for human rights is the main safeguard for both national order and international justice and peace. The practice shows how important it is to understand and implement basic human rights and pluralistic democracy. Such a UN can play an important role in transforming the understanding of global security. The primary questions are: How can we establish an effective global governance for an effective UN to ensure global security and peace? How will the UN's organizational structure be transformed? How will actors participate in global governance and a pluralist universal structure?

34 For a similar view see Peters, pp. 141-3.

35 Peter T. Coleman, Eric C. Marcus, "Concluding Overview", in *The Handbook of Conflict Resolution: Theory and Practice*, edited by Morton Deutsch, Peter T. Coleman, Eric C. Marcus, Jossey Bass, NY, 2006, p. 879-80.

The UN is an organization designed and focused on protecting the interests of nation-states. Today, most of the conflicts are now taking place among non-state actors. Here, the UN should establish centers that coordinate the activities of non-state actors, especially those related to second and third track diplomacy channels and facilitate their activities.

In the information age, it is necessary for the UN to be effective in prescribing rules about information flows and in intelligence activities, and global social media. People are now becoming more and more aware of having a single world and a single natural environment, and more sensitive to human rights issues. This requires an increase in the interaction between the international community (the UN as a leading agent) and the world in general. As an organization, the UN should be able to use new technology and, techniques and to develop mechanisms to prevent conflicts. In a world where artificial intelligence increasingly affects human life, the UN must transform into a fiduciary institution of the world. Otherwise, proxy wars, the collapse or disappearance of small states, the ineffectiveness or even abolition of the UN, and the destruction of global peace and stability will be inevitable.

To conclude, the UN will remain as the most important universal international organization for the foreseeable future. The problem is not the continuation of the UN, but whether it will be a functional organization that contributes to global order, stability, and peace. However, in the absence of reforms bringing permanent solutions, a chaotic situation like never before may be waiting at the door. When chaos looms on the horizon, it might be too late.

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