Security Council Reform; a new perspective on the necessity of veto abolition

Why should the right to veto in the United Nations Security Council be abolished?

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Summary
The intention of this normative thesis is to leave a contribution to the extensive debate concerning the veto in the United Nations Security Council. It argues that the veto has to be abolished in order for the UN to be able to maintain social order consisting of three societal goals emphasised by the English School theorist Hedley Bull. The thesis will argue that these goals have to be pursued and fulfilled in order for international society to function properly, as well as show how the veto impedes the UN from doing so. It reaches the conclusion that the veto has to be abolished in order for the UN to achieve these goals and thereby maintain social order in international society.
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1. Introduction

“The Charter, like our own Constitution, will be expanded and improved as time goes on. No one claims that it is now a final or a perfect instrument. It has not been poured into a fixed mold. Changing world conditions will require readjustments – but they will be readjustments of peace and not of war” (Harry S. Truman, quoted in Fassbender, 1998: 20).

These words are part of a speech delivered by President Truman at the San Francisco Conference on June 16, 1945, after the Charter of the United Nations was signed into action. The President was implying that the Charter is a work in progress that most likely will be in need of reform in the future. Today, seventy years later, one can look back at quite an extensive reform debate predominantly focused on the permanent members’ right to veto in the United Nations Security Council (UNSC). After the Cold war, a central conviction amongst the member states of the United Nations, with perhaps the obvious exception of the veto-holders themselves, was that the veto had lost its raison d’être (United Nations, 1993), and must urgently be removed in order for the council to maintain its legitimacy in the eyes of the international community.

The most current frustration concerning the veto is that it prevents the UNSC from carrying out humanitarian interventions in countries where the population has been exposed to deadly violence on a large scale. When the principle of Responsibility to Protect (R2P) was introduced in 2005, the UNSC was trusted with the mandate to decide when it is appropriate to break the principle of sovereignty and intervene where national governments have failed to protect its population from violence (Global Centre for the Responsibility to Protect, 2015), a mandate which has yielded rather poor results so far. The most contemporary example is the failure to intervene against the civil war in Syria, where resolutions suggesting humanitarian intervention have been put to a vote in the Council eight times since the conflict started in 2011 (Sciboz, 2017), none of which have been granted because of wielded vetoes. A majority of the Council members have argued that the inability to execute humanitarian interventions leads to unnecessary loss of civilian lives, and that the veto, therefore, must be abolished (UNSC, 2014; UNSC, 2016). Seeing that no veto wielding member has expressed any real interest in renouncing its privilege, this argument does not seem to carry much weight.
However, the UNSC and the UN as a whole has failed to recognise that the failure to carry out humanitarian interventions does not only increase civilian casualties, but does create other problems as well. When the UNSC is prevented from mandating humanitarian interventions, it is also prevented from maintaining a social order necessary for any society to function properly. This thesis will argue that humanitarian interventions can be used as a tool to maintain a social order consisting of three elementary goals. The veto is obstructing the execution of humanitarian intervention and thus maintenance of social order, and its abolition is therefore an absolute necessity.

1.2 Purpose and research question

The purpose of this thesis is to illustrate that humanitarian intervention is a useful tool for the UNSC to maintain a form of social order emphasised by English School theorist Hedley Bull. The social order is consisting of three elementary goals that every society must pursue and fulfil in order for it to remain stable. The challenge will thus be to show the relevance of this social order and how humanitarian interventions can be used to maintain it. The thesis will argue that facilitating for humanitarian interventions to be carried out is crucial for the maintenance of social order and that the veto therefore must be abolished.

The question that this thesis will ultimately try to answer is: Why should the right to veto in the United Nations Security Council be abolished?

This thesis is based on the belief that the current debate concerning problems related to the veto is too narrow-minded and has hence failed to yield any results. As will be discussed further below, the veto can only be abolished with the veto-holders’ consent, so the veto debate has yet failed to convince the veto-holders of the virtues associated with them giving up their privilege. This thesis is thus hoping to provide a fresh perspective to a currently one-sided debate.

1.3 Limitations and clarifications

Before a discussion regarding the problems associated with the veto can be held, it must first be clarified what the veto actually is. The word veto is not mentioned in the UN Charter, which
is why clarification of the term is necessary. The Security Council consists of fifteen members, five of which are permanent (Russia, China, France, Great Britain and the United States of America), and ten are non-permanent members, elected for a two-year period in accordance with a geographical distribution system. The voting procedure of the Council, as stated in Article 27 of the Charter, requires an affirmative vote of nine members including the concurring votes of the permanent members on all but procedural matters for a resolution to be adapted (United Nations, n.d.) (for more detailed information on procedural matters, see Security Council Report, 2015). Ergo, a veto system is established when requiring the concurring vote from specific members in order to adopt a resolution. In practice, this means that a resolution suggesting humanitarian intervention can fail even though fourteen out of fifteen members vote in its favour, if the only negative vote comes from a permanent member.

Considering Chapter XVIII of the Charter, the ambition to abolish the veto system faces major difficulty. Article 108 and 109 state that any amendments to the Charter will come into force when two thirds of the members of the General Assembly as well as all permanent members of the UNSC have given their concurring vote (United Nations, n.d.). In order for the veto-wielding members to lose their privilege they have to unanimously agree to give it up themselves, which is not very likely to happen. No such interest has hitherto been expressed by any of the permanent members. However, France introduced the “Political Declaration on suspension of veto powers in cases of mass atrocity” in 2015, calling on all permanent members to voluntarily restrain from using their veto in cases of mass atrocities, a proposition open for all UN members to support (Global Centre for the Responsibility to Protect, n.d.). Even though it only suggested restraint on the use of the veto in certain situations, no other veto-wielding member has yet supported the French initiative, which makes it all the more evident that veto abolition is currently out of the question. Therefore, it is important to make clear that this thesis is not suggesting that the veto, now or later, is likely to be abolished. Its intention, however, is to leave a contribution to the debate regarding why the veto should be abolished.

The debate concerning the problems associated with the veto has gained momentum in the UNSC lately, presumably as a consequence of the many times the Council has failed to approve
humanitarian intervention in Syria. The Council has voted on this matter eight times since the conflict started in 2011, which is why this thesis has chosen to treat statements in the meeting records from these eight UNSC-sessions as the basis for the current veto debate in the UNSC. All Council members in favour of humanitarian intervention in Syria have at some point since 2011 expressed their frustration over that fact that a wielded veto, and thus withheld intervention, has resulted in further suffering for the Syrian civilian population (UNSC, 2011a; UNSC, 2012a; UNSC, 2012b; UNSC, 2014; UNSC, 2016a; UNSC, 2016b; UNSC, 2017a; UNSC, 2017b). For example, after the fourth resolution was vetoed by China and Russia in 2014, the previous UN representative from Luxemburg, Sylvie Lucas, pointed out that 160,000 civilians had died in the conflict so far and that more is to be expected if vetoes against intervention continue to be wielded (UNSC, 2014:7f). Indeed, when humanitarian intervention is prevented by a veto, the civilian population in countries like Syria is forced to endure further suffering, this is certainly important to point out. However, it is remarkable that the members of the UNSC has failed to recognize that the inability to execute humanitarian intervention has additional consequences as well. Passivity in situations like Syria have spill over-effects on the rest of the world and the UN collaboration itself, which based on the rhetoric presented above, has not been recognized by the UNSC. There is certainly a knowledge gap here that this thesis strives to fill.

Finally, humanitarian intervention is a term that needs clarification. What humanitarian interventions are and how they came to be a practice of the UN will be explained in section 2.1 below.

1.4 Disposition
The thesis will start by examining international relations theory in order to identify goals that international society and the United Nations in particular should strive to fulfil. The goals will form a normative framework upon which this thesis will base the rest of its analysis. In other words, the goals will form a standard to which the UN will be held accountable throughout the rest of the thesis.
Once the goals have been identified, focus will mainly be put on arguing for the importance of fulfilling these goals, as well as on illustrating how the inability to execute humanitarian interventions has prevented the UN from doing so.

Finally, the thesis will be able to conclude that facilitating for humanitarian interventions to be carried out is the only way for the UN to fulfil these goals and that the veto, therefore, must be abolished.

1.5 Theoretical framework; English school theory and social order

English school theory, like any other International relations theory, is a conceptual tool for understanding interaction within the international community. Unlike most IR-theories however, the English School is characterized by the belief that a single theory cannot describe the nature of international relations or explain the outcome of interaction between states. It recognises that world politics and international relations are made up of three key concepts. The first being what realists would call an international system, where international relations consist of power politics and that states are acting in an anarchical system without a central authority. A system of states is characterized by regular interaction between states, but does exclude the creation of common institutions. The second concept derives from rationalism and is called international society, where states are capable of cooperation and that the institutionalisation of shared norms and rules is both possible and encouraged (Murray, 2016). The third concept is called world society, taken from revolutionism and cosmopolitanism, which sees individuals and the global population as a whole to be at the centre of international relations. Although, this concept has not received as much attention as the previous two, mainly because states are still widely considered to be the main actors in international relations. Concern for human prosperity has however received some attention in the contemporary world, an example being the introduction of the Universal Declaration of Human Rights (UDHR) in 1948. In sum, the English school believes that these three concepts together can start to explain the conduct of world politics.

The predominant focus of the English School, however, has been to uncover the nature, origin and function of the concept of international society. Two of the English School’s founding fathers, Charles Manning and Hedley Bull, argued in the 1960’s and the 1970’s respectively that it could be expected that states would move beyond diplomatic contact and develop
more institutionalized relations (Suganami, 2010: 17f). One can assume that this assumption was built on the fact that two of the world’s most fundamental organizations was created around that time, the first being the United Nations in 1945 followed by the European Coal and Steel Community (ECSC) in 1951 (which later developed into the European Union). Barry Buzan asserts that the basic idea of an international society is: “just as human beings as individuals live in societies which they both shape and are shaped by, so also states live in an international society which they shape and are shaped by” (2004: 8). To paraphrase Buzan’s logic, international society is made up of states that are both creators of- and affected by-common rules and norms, whereas national society consists of individuals that both create and are affected by common rules and norms.

The English School is divided into two camps that have different ideas about the level of cooperation between states in international society. More specifically, ideas differ about the extent to which common rules, goals and norms could be established. The first is the pluralist account, which has a more realist world view in the sense that it promotes that cooperation between states should be kept to a minimum (Murray, 2016). Due to ethical diversity and different ideas of social conduct, states are likely to end up in conflict when trying to establish universal rules and norms, which in a state of political anarchy is to be avoided at all costs (Williams, 2005: 17). The other is the solidarist account, which believes that the international society can develop an extensive set of rules, norms and institutions (Buzan, 2004: 8). These include, but are not limited to, the establishment of universal human rights as well as institutions capable of enforcing such rights (Murray, 2016). Hence, solidarists adhere to a more liberal approach to international relations in the sense that they promote a high level of cooperation between states.

Considering this dyad between pluralists and solidarists, one can conclude that the English School does not offer a definite suggestion of how cooperation should be conducted in international society. However, Hedley Bull has argued that even though there is difficulty in finding consensus on this matter, there is a certain set of goals that every society must pursue regardless of its other ambitions (Bull, 1977). Hence, these goals are elementary in the sense that they presuppose any other goals a society may wish to pursue. Bull argues that by
sustaining these elementary goals, a society has managed to obtain social order, and that social order of this kind is crucial for the stability of society (Bull, 1977: 4).

In the next section, a further elaboration of Bull’s three elementary goals and their importance to social order will be presented.

1.5.1 Three elementary goals and social order in international society

In his book The Anarchical Society: a study of order in world politics (1977), Hedley Bull discusses the importance of order in international society. As previously mentioned, Bull suggests that order in social life requires an arrangement capable of sustaining three elementary goals. These goals are:

“First, all societies seek to ensure that life will be in some measure secure against violence resulting in death or bodily harm. Second, all societies seek to ensure that promises, once made, will be kept, or that agreements, once undertaken, will be carried out. Third, all societies pursue the goal of ensuring that the possession of things will remain stable to some degree, and will not be subjected to challenges that are constant and without limit” (ibid: 4).

In more simple terms, the order that every society must sustain is built upon these three goals:

1. Security against violence resulting in death or bodily harm
2. Possession of things will be stable and not subjected to constant threat
3. Promises will be kept and agreements will be carried out.

According to Bull, a society in which not all three of these goals are pursued could hardly be called a society at all, since any other goals it may have are dependent on the realisation of these elementary goals. Without security against death or bodily harm, people will not be able to focus on, or accomplish, anything besides their survival and safety. Without possession of objects or ownership of property being secured in some way, social life in general will be highly unstable. And finally, without the presumption that agreements will be honoured, the incentive to enter agreements will disappear and cooperation of any sort becomes
inconceivable (ibid: 5). In essence, no society will be successful in any of its ambitions without attending to the three elementary goals first.

Henceforth, this thesis will focus on the importance of maintaining the social order introduced by Bull, and will illustrate how the UNSC is failing to do so due to its inability to execute humanitarian interventions. First, however, something needs to be said about why the task of maintaining social order in international society primarily falls on the UN.

1.5.2 The UN’s role in maintaining social order in international society
The UN has the primary responsibility to maintain social order in international society, and the logic behind this is quite simple. The United Nations as an institution consists of 193 member states, i.e. every recognised sovereign state in the world, all of which have agreed to adhere to the rules, norms and goals specified in the UN Charter and its associated conventions. As previously mentioned, the English School stipulates that an international society is formed when a group of states consider themselves to be bound by a common set of rules, interests or values. By using this definition, the UN-collaboration itself is what characterises international society, which means that the UN as an organisation has the primary responsibility to uphold social order. In other words, every sovereign state in the world is part of an international society due to their adherence to the common rules, norms and goals set by the UN, which is why the UN should be the primary sustainer of social order.
2. The first societal goal - security against death and bodily harm

There is no arguing that security against death and bodily harm is the most elementary goal for any society, since people’s highest priority always has been- and always will be- to stay alive. No matter what other ambitions people may have in their lives, there is nothing they will ever value more than their self-preservation. In fact, some of the early philosophers and forefathers of social contract theory, i.e. the field of study in which questions of the origin of society are addressed, have argued that people’s desire to protect themselves against others wanting to cause them harm or death is the main reason for the emergence of government. In his highly influential book *Leviathan*, Thomas Hobbes argues that in the hypothetical state in which people live without a central authority such as government, a war of all against all prevails. Hobbes suggests that if multiple actors wish to acquire the same resource without the will or possibility to share it, they will try to harm, kill or subjugate each other in order to claim it for themselves (Hobbes, 2004: 127). This implies that everyone’s life and property is constantly threatened by everyone else around them, and the only way to be protected is to make oneself as strong as possible in comparison to others. In essence, survival comes down to gaining domination over as many as possible, with the use of violence being the only way to do so. This state, referred to as the state of nature, is characterized by uncertainty, total freedom of action and the absence of common rules, resulting in people living in constant fear over the intentions of others. People therefore choose to give up absolute freedom and its associated uncertainty and submit to a central authority powerful enough to enforce a set of common rules and provide stability and insurance of survival (ibid: 127ff).

The Hobbesian view has gained major support because it manages to in quite simple terms explain the origins of government, but more importantly why rules are important to our survival and peaceful co-existence. The value of human life has in many ways been institutionalised, with perhaps the most obvious example being the General Assembly having established the UDHR in 1948, in which Article 3 says that “Everyone has the right to life, liberty and security of person” (United Nations, 1948). Today, the notion that the primary purpose of any government is to protect its citizens against threats to their survival is hardly exposed to resistance. As stated in Article 2 of the UDHR, everyone is entitled to their human rights regardless of the political status in the country where they belong (ibid).
However, if it would have been presumed that the respect for human life will be pursued in every country and by every government at all times, it would not have been necessary to create universal human rights. Presumably, it was expected that human rights will not always be respected, which is why we found it necessary to establish a document of common rules so that we could refer to something specific when criticizing a government’s ability to care for its population. If there are rules to which all are expected to comply, there must also be a controlling arrangement of some sort making sure the rules are followed. The national governments have the primary responsibility to secure the well-being of their populations, but if that responsibility is not respected there must be an external force making sure that people will not come into harm’s way. It is thus of outmost importance that international society arranges for institutions capable of interfering in such situations, and it has done so by giving the UNSC the mandate to act not only against threats to international peace and security, but also against substantial domestic threats against civilians in any nation. The mandate includes the possibility to execute humanitarian interventions, a concept which will be further described below.

2.1 The UN, humanitarian interventions and the Responsibility to Protect

The UN was founded on the principles of preventing inter-state conflict and maintaining international peace and security, as expressed in Article 1 of the Charter (United Nations, n.d.) Since the ending of the Cold War in the early 1990s, the world has seen an increase in intra-state rather than inter-state conflict. This was an unfortunate development since the UN did not have a mandate to interfere in conflicts erupting within the borders of the member states, it was only legally permitted to act against threats of international proportion. When violence started breaking out in Somalia, Rwanda and former Yugoslavia, the international community was not able to respond due to disagreement over the legitimacy of violating national sovereignty (Global Centre for the Responsibility to Protect, 2015: 1). The failure to intervene and prevent the genocide in Rwanda in 1994 is perhaps the most obvious example of why this dilemma had to be put on the agenda.

The 1990s was a turbulent decade for the UN. It was torn between those considering humanitarian intervention to be illegal and those believing laws of sovereignty had to be circumvented for humanitarian reasons. This became apparent after NATO responded
militarily to the situation in Kosovo in 1999 without the authorization from the Security Council. It was after the intervention in Kosovo that the former UN Secretary-General Kofi Annan saw the importance of establishing a worldwide understanding on humanitarian intervention. The International Commission on Intervention and State Sovereignty (ICISS) was given the task to propose a doctrine for when the international community should be allowed to brake state sovereignty in matters of human rights violations (UNA Sweden, 2015). The ICISS presented the concept of Responsibility to Protect (R2P) in 2001, which recognised the importance of the international community being able to intervene in situations where state governments themselves violate- or cannot prevent other domestic actors from violating human rights.

At the UN World Summit in 2005, the doctrine of R2P was unanimously accepted as a principle in which states have the main responsibility to protect its populations from four mass atrocity crimes. These are genocide, war crimes, crimes against humanity and ethnic cleansing (ibid). The international community shall assist one another in upholding this responsibility and if states are manifestly failing in protecting its population from these crimes, the international community will take collective action under Chapter VII of the Charter, after authorization from the Security Council (United Nations, 2009: 1). Humanitarian intervention *per se*, is a foreign-led military operation authorized by the Security Council, which intention is to protect the civilian population in a country from being further exposed to any of the four mass atrocity crimes or human rights violations, regardless of who the perpetrators are.

Thus, by introducing the doctrine of R2P and the possibility to carry out humanitarian interventions, the international society has given the UNSC the mandate to purse the first societal goal; security against violence resulting in death or bodily harm. Establishing an institution with the purpose of pursuing the goal is certainly a step in the right direction, but an institution must also be capable of doing what is required of it, if it is to have any purpose at all. Paralysis has, due to the veto, become more of the rule than the exception in the UNSC of late, as will be demonstrated below.
2.2. The veto as an impediment for the fulfilment of the first societal goal

In the previous section, it was established that intra-state rather than inter-state conflict is currently the main threat to security against death and bodily harm (the first societal goal), which is why it is relevant to illustrate how the veto has prevented the Security Council to intervene in these kinds of situations. Since R2P and the principles of legitimate intervention in intra-state conflict was adopted in 2005, one cannot technically accuse the UNSC for taking insufficient action in any intra-state conflict before then. It can certainly be argued that the Council had a moral obligation to intervene, but one has to remember that it had no legal authority to do so. It is thus only possible to evaluate the Council’s performance in regard to intra-state conflict after the year of 2005. One of the most comprehensive intra-state conflicts that has erupted after 2005 is the civil war in Syria. Suggestions on how to respond to the situation have been put to a vote in the Council eight times, all of which have been vetoed. Since the beginning of the Arab spring in 2011, the humanitarian situation in Syria has developed into being one of the most horrific in the region. What started as peaceful civilian demonstrations against the Assad-regime rapidly turned into a full-blown civil war with multiple actors. In simple terms, one can say that the conflict is mainly fought between government forces and a great array of Sunni rebel groups trying to overthrow President Bashar al-Assad and his oppressive government. According to a report issued by the Violations Documentation Center in Syria (VDC), the Syrian conflict has seen over a 170,000 battle-related deaths since March 2011 up until November 2016, approximately 108,000 of which were civilian (VDC, 2016: 2). The government is estimated to be responsible for 89 % of the civilians killed, i.e. more than 96,000 people, while Da’esh and other opposition groups are responsible for approximately 5 % (ibid).

The Syrian regime is failing to live up to its commitment to R2P since it is guilty of committing crimes against humanity and war crimes. According to Article 7 and 8 of the Rome Statute, both crimes have been committed when murder and wilful killings have been conducted against civilians on a large and systematic scale (ICC, 1998: 5ff). As familiar, the UN shall interfere when the government itself is exposing the population to these crimes or cannot prevent other actors from doing so, both of which have occurred in this case. Yet, all draft resolutions urging the Council to respond have been vetoed. After vetoing the third resolution on July 19 2012, the Russian representative to the UN, Mr. Vitaly Churkin, stated that “Russia
(...) simply cannot accept a document, under Chapter VII of the Charter of the United Nations, that would open the way for the pressure of sanctions and later for external military involvement in Syrian domestic affairs” (UNSC, 2012: 8). Based on this rhetoric, it seems like Russia will never be prepared to enforce the rules of R2P, and due to Russia being a permanent member, the UN will not be able to do so either. Essentially, the civilian population in Syria has lost its second source of security against death and bodily harm because of the possibility to veto. Thus, in order for the UN to properly pursue the first societal goal, the veto has to be abolished.

As mentioned in the introduction of this thesis, the current veto debate is too narrow-minded since it almost exclusively focuses on the fact that the inability to execute humanitarian interventions leads to further suffering for civilians. Thus, one can question why this thesis is arguing for the importance of the UN assuring fulfilment of the first societal goal (security against death and bodily harm). One has to acknowledge that the veto prevents the Security Council from acting in situations where its mandate requires it to act, not to do so would be ignorant. However, one cannot stop at contending that inability to intervene leads to continued violence against civilians, one has to acknowledge that it has additional consequences as well. Thus, when a veto prevents the Security Council from intervening in situations where they should, it does not only prevent the UN from fulfilling the first societal goal, but obstructs it from fulfilling the other two as well, which will be illustrated in the two following chapters.
3. The second societal goal- Possession of things will be stable and not subjected to constant threat

It has now been established that the first societal goal should be to protect civilians from death and bodily harm. Due to the possibility to veto, the UN is failing to intervene and provide the security that national governments are supposed to provide for their populations, and is thus obstructed from fulfilling this goal. Except for the immediate consequences for civilians having to live with what seems to be a never-ending threat of being exposed to violence, there are other undesirable consequences to a dead-locked Security Council as well. Since the primary ambition of man is self-preservation, the only reasonable cause of action when their survival is uncertain is to leave their homes and seek refuge where more stable conditions prevail. According to UNHCR, the number of people seeking refuge outside their country of origin was estimated to be 16.1 million at the end of 2015 (UNHCR, 2016: 13). This means that 16.1 million people have been forced to leave their homes and sources of income which means that their survival, at least initially, will become dependent on the governments of the hosting countries. This puts substantial economic and logistic pressures on the hosting countries. Even if the hosting governments are willing to accept this responsibility, there is still a moral aspect in the involuntary costs associated with mass immigration that needs to be discussed. Since the Security Council due to repeated vetoes has been prohibited to intervene in countries where human rights have been violated for quite some time, the costs of refugee reception for the hosting countries is likely to be continuously high for an indefinite future, which is likely to create tensions within the hosting countries. In this chapter, I will illustrate the problems erupting when the international society for an extended period of time has to handle the consequences of human rights violations in other countries, and especially why the UN has to prevent this from happening by abolishing the right to veto and facilitate the execution of humanitarian interventions.

3.1 The consequences to possession of things being unstable and subjected to constant threat

Bull argues that since human beings only want to possess things that have limited abundance, it is hardly possible to develop stable social relations if possession of things is not protected in some way (Bull, 1977: 5). He contends that if there had been total scarcity of the things people want or if people were fully egoistical when it comes to the things they want; rules of
property would be impossible to uphold. Equally, if there had been absolute abundance of the things people want or if people were fully altruistic; rules of property would be unnecessary (ibid). In reality, there is only limited human altruism and limited abundance of things people want, meaning rules of possession are crucial for stable social conditions (ibid). This assumption is logical in the sense that most people would presumably not be willing to give away a substantial part of their possessions, but are willing to share them to a certain extent.

Let’s apply this logic to society on a national level, i.e. to a nation-state. In most countries, there is common possession in the forms of a welfare system, to which most is contributing by paying taxes. In return, they expect social services in the forms of health care, education, pensions and the like. Since tax revenues are determining what the welfare system is capable of providing, a limited range of capabilities is to be expected. This implies that the establishment of rules regarding who can gain access to this system is crucial, which is usually limited to a country’s citizens. However, most welfare systems, at least in the western countries, have made space for altruistic expenses in the forms of foreign aid and immigration. As previously mentioned, the expenditures related to refugee reception and immigration can only be expected to increase if the need for people to seek refuge outside of their own countries is not declining. A report from the UNHCR suggest that the number of world-wide refugees in 2015 has seen a substantial increase with an additional 1.7 million refugees being added to count from the previous year (UNHCR, 2016: 13). Naturally, an increasing number of refugees leads to increased economic pressure on the hosting countries.

This becomes apparent when looking at changes of immigration expenditures in Sweden over the fiscal year of 2016. When the national budget for 2016 was adopted by the Swedish parliament in December 2015, immigration expenditures were expected to be 19.4 billion SEK, equivalent to approximately 2.1 billion USD at the time. The number of people seeking asylum in Sweden increased dramatically when 114.000 out of a total of 162.000 asylum seekers that year came to Sweden in the four final months of 2015. A clear majority of the refugees seeking asylum in Sweden during that time were Syrian (Swedish Migration Agency, 2016), which is no surprise seeing that the UNSC had failed to approve humanitarian intervention in Syria four times before the end of 2015.
As a consequence, the government’s estimate for the costs of immigration for 2016 changed dramatically, which lead to immigration expenditures in the 2016 budget being raised to 50.4 billion SEK, or about 5.3 billion USD (Government Offices of Sweden, 2016: 14). When reviewing the altered Swedish budget, one will notice that the expenditures for immigration were quite high in comparison to other expenditures. For instance, the entire justice system had a budget of 42.1 billion SEK, in comparison to the previously mentioned 50.4 billion SEK budget for immigration (ibid). Also, immigration had a larger budget than the national defence, which had a budget of 48.7 billion SEK (ibid). Moreover, while the budget for immigration was increased by 31 billion SEK, the budget for education was decreased by 907 million SEK, public investments in the labour market were decreased by 807 million SEK and international aid was decreased by 4 billion SEK (ibid, 14f). Reallocations of resources are inevitable when there is only a limited supply of tax revenues, and they will become more substantial if costs of immigration keep rising. Seeing that the UNSC is unable to perform humanitarian interventions and address the reasons to why people need to seek refuge from their homes, hosting countries like Sweden may have to indefinitely expect high costs of immigration, which will eventually affect the range and quality of services provided by their welfare systems.

Important to acknowledge, however, is that compared to wealthy western countries like Sweden, far more substantial economic and social issues have presumably arisen in neighbouring countries like Lebanon as a consequence of the Syrian conflict. According to the World Bank, Lebanon has been the largest host of Syrian refugees in the world (on a per capita basis) for the last five years (Word bank, 2017a). Since the conflict started, approximately 1.5 million Syrians have taken refuge in Lebanon, making up about a quarter of the entire Lebanese population (World Bank, 2017b). Unfortunately, empirical distinctions between economic losses caused by regional uncertainty and the actual costs for Lebanon to host refugees are difficult to find. However, one can easily assume that the Syrian refugee situation has caused major issues in an already resource-poor and debt-ridden country like Lebanon.

When the common welfare system in a country is being exposed to what by some can be perceived as an endless “threat” from immigration, unstable social relations will develop in forms of resistant attitudes towards refugees. When citizens perceive that their tax money is
going to refugee assistance and not to welfare services, reluctance towards accepting refugees are likely to be a consequence. As Winnifred R. Luis and his colleagues have argued, the attitudes towards refugees are inter alia dependent on the perceived fairness of distributed resources (Luis et al., 2006: 56). Luis et al. suggest that citizens will support a more restrictive treatment of refugees if they perceive asylum seekers to receive a disproportionate amount of resources, which leads to a perception of ‘distributive unfairness’ (ibid). Considering the growing success of radical right-wing parties in European countries, it appears as if the restrictive attitude towards refugees and immigration in general is spreading. Worth mentioning in this context is that these parties do not necessarily have a racist agenda, but a common ambition is to limit immigration from countries outside of the EU (Brandel, 2014). When citizens and politicians perceive that expenditures for immigration have reached an unsustainable point and are no longer willing or capable to accept refugees to the extent the situation requires, the reasons for why people need to escape their home countries have to be urgently addressed. People must be able to seek asylum in other countries when their human rights are violated without the hosting countries perceiving them to be an economic burden. Thus, the Security Council must be able to prevent the refugee situation from reaching a point where the hosting countries perceive it to be a long-lasting threat to their economies and welfare systems, and the only way for it to be able to do so is by abolishing the right to veto and facilitate for humanitarian interventions to be carried out.

Humanitarian intervention is a necessary tool for the UN to protect civilian populations in war torn countries, but it is also an effective way of making sure that problems erupting in one country do not have severe spill over-effects on other countries. If efforts aren’t made to prevent civilians from having to seek refuge outside of their own countries, hosting countries will have to accept the economic implications of refugee reception and immigration, which in turn will affect the range of social welfare systems and develop hostile attitudes towards refugees amongst the citizens of hosting countries. A potentially dangerous situation could erupt if resentment towards refugees reaches a level where international society is not willing to accept refugees to the necessary extent, which is why the second societal goal must be to make sure that the possession of things (i.e. common possessions in the forms of welfare systems funded by tax revenues) will be stable and not subjected to constant threat. In
essence, without fulfilment of the second societal goal, social relations are likely to become highly unstable, which is why the veto has to be abolished.

3.2 The moral deficit associated with putting involuntary and long-lasting costs on others

It has now been established that unstable social relations can develop if hosting countries are forced to accept the economic consequences of other countries’ inability to- or disinterest in-protecting their own populations. However, there is also a moral aspect in putting involuntary and long-lasting costs on others that needs to be discussed.

There should be no question that those being exposed to violence and deprivation of their human rights shall be able to seek refuge in other countries. The international community must be ready to assume the responsibility of guaranteeing safety to refugees, as well as be prepared for the expenditures associated with this responsibility. As previously mentioned, great costs for immigration are to be expected for hosting countries when substantial amounts of people have to seek refuge outside of their own countries. It is however morally indefensible to expect that hosting countries for an extended period of time shall bear the costs for other countries’ inability to protect its inhabitants. Considering that welfare systems in the hosting countries do not have an absolute abundance of funding, a limited set of altruistic expenditures is all that can be expected of them. Certainly, the international community shall be prepared to accept refugees, but only to an extent that is economically sustainable for the hosting countries. Even if hosting countries are willing to relocate funds from other expenditure items to finance a proper reception of refugees, the question is to what extent they should have to? This is a controversial topic, but one can certainly question the morality in expecting hosting countries to accept the economic consequences of other countries failing to protect their populations. As long as the veto obstructs the Security Council from intervening in situations where they are supposed to, the international community will have to be prepared to accept consisting costs for immigration, which certainly can be questioned from a moral perspective.

In the next chapter, a discussion will be held regarding the importance of fulfilling the third societal goal; promises will be kept and agreements will be carried out.
4. The third societal goal- Promises will be kept and agreements will be carried out

What is the fundamental reason for why we need mutual agreements? A simple yet important reason is that agreements can help prevent previous experiences associated with discomfort from happening again. In a highly pluralistic world consisting of actors with different aspirations, desires and beliefs, conflict is almost inevitable without the establishment of fundamental common understandings of acceptable behaviour. In an international society with individual states pursuing different goals, the establishment of a set of common rules is crucial if states are going to be able to peacefully co-exist. International agreements of great proportion go back as far as to 1648 and the peace of Westphalia, at which norms concerning state sovereignty and respect for internal affairs were created (norms that recently changed due to the introduction of R2P). Two of the largest and most substantial agreements of common rules were established after World War II, one being the European Coal and Steel Community (ECSC) in 1951. The idea was to create an institution capable of ensuring a lasting peace between the European countries. The production of coal and steel, the raw materials which are essential to the manufacturing of weapons, was placed under the authority of an organisation in which all European countries could participate (EUR-Lex, 2010). The common supervision and equal access to the source of production of coal and steel was expected to eliminate the prospects of war on the European continent. But, the ECSC would not have existed if there had not been a mutual understanding of why it was needed. The ECSC eventually developed into the European Union, a collaboration that since its creation has not experienced inter-state conflict between its members, presumably because all have respected the rules upon which they have mutually agreed.

Another great cooperation established after World War II is the United Nations. Like the EU, the UN was created with the ambition to prevent war between nations. Rules were established in the form of a Charter to which every member state is expected to adhere. Eventually, complementary treaties to the Charter were added as well, UDHR and R2P to name a few. The virtue of having an agreement of this magnitude is that every state knows what is to be expected of them as well as what they can expect of others. However, a prerequisite for a state to behave in accordance with common rules is that it can expect that other states will
do so as well. Like Bull suggests, the incentive to enter agreements and the will to cooperate disappears if there is no presumption that agreements will be honoured by all parties. All agreements must therefore include clearly formulated consequences to the violation of its terms, as well as an appointed authority holding the parties accountable. The problem with the UN is that the veto makes it possible for certain members to dishonour its commitment to R2P and the respect for human rights, which will eventually cause other members to start questioning the relevance of having common rules at all.

4.1 How is the veto enabling member states to dishonour their commitments?

The problem with the Security Council having its current voting structure is that accountability to the rules of the UN applies differently to different members, mainly depending on their relationships with the veto-wielding members. In simple terms, if you have the support of a permanent member in the UNSC, you can get away with breaking the rules. What this means is that it becomes more important for some states to follow the rules than it is for others, since the permanent members seems to have rather arbitrary opinions of when intervention is appropriate. To return to the Syrian case, the Syrian government can continue to oppress the Sunni population as long as either China or Russia will continue to use its veto against humanitarian intervention. The question is why China and Russia consider intervention not to be appropriate in Syria, but has found it appropriate in similar cases before? For example, China and Russia abstained their vote on Resolution 1970 in 2011 (UNSC, 2011b), which made it possible for the Security Council to execute a humanitarian intervention in Libya, which had the intention to protect the civilian population against the oppressive rule of the Libyan government. The Libyan case is very similar to the Syrian case in the sense that the intervention was intended to protect civilians exposed to human rights violations. So why intervention in Libya but not in Syria?

Yun Sun argues that China perceives that its abstention to Resolution 1970 paved the way for the western powers to replace Muhammar Gaddafi and that China was not pleased with that outcome, due to economic losses followed by the transition of power in Libya (Sun, 2012: 1). The previously favourable oil trade and arms deals with Gaddafi was not renewed by the transitional government that replaced him, causing Chinese companies to lose approximately 20 billion USD in 2012 alone (ibid: 2). A regime change in Syria would entail similar economic
losses since Norinco, China’s largest weapons manufacturer, is allegedly selling chemical weapons to the Assad regime (Ramani, 2016). Thus, peace in Syria, and regime change in particular, would not be economically desirable for China. It is thus not unreasonable to assume that China fears that intervention in Syria, just like in Libya, might lead to regime change with following economic losses, and is therefore choosing to veto any such attempt. Similar assumptions have been made by others as well. Samantha Power, former UN representative for the United States, stated after China and Russia had vetoed the first Security Council resolution suggesting intervention in Syria that the vetoes were “(...) a cheap ruse by those who would rather sell arms to the Syrian regime than stand with the Syrian people” (UNSC, 2011a). However, evidence suggest that China had no serious objection to the intervention in Libya since it chose to abstain its vote, and may not be principally against intervention in Syria either. Since China suffered economic losses after Libya, it may wish to eliminate the chances of that happening again, and therefore chooses to use its veto against intervention in Syria. Since the situations in Syria and Libya are very similar in character, this could help explain why China has chosen to act differently in these cases.

Regardless of the motives the permanent members may have behind their vetoes, the most important thing to acknowledge is that those who have promised to adhere to the rules of the UN can continue to dishonour that promise as long as they have the support of a veto-wielding member. In the Syrian case, the Syrian government will not be held accountable for its oppression of the Sunni population and for the violation of its commitment to the principles of R2P, as long as the right to veto is allowed to exist. The consequence of the Syrian government knowing that it will not be held accountable for breaking its promises and dishonouring its commitments is, naturally, that it will continue to do so. Just as a criminal would continue to commit crimes if he was certain that he would not be charged for the crimes he commits; a government will continue to violate international agreements if it knows that it will not be held accountable by international society. Mr. Cardi, the Italian representative to the UN, brought this point to the attention of the UNSC at the latest vote on intervention in Syria: “So long as no one is held accountable and faces tangible consequences for war crimes and crimes against humanity, the incentive will remain to continue to commit them” (UNSC, 2017b: 5). In essence, the current voting system of the UNSC is enabling perpetrators
to commit crimes and dishonour agreements without facing confrontation, which in turn gives no incentive to change such behaviour.

4.2 The future of the UN collaboration

It has now been established that the veto system allows member states to break their commitments and dishonour agreements without facing confrontation. When there is no or little risk of being held accountable for one’s actions, the incentive to keep committing them will remain. Thus, it is reasonable to expect that frustration within the UN collaboration will intensify as long as some of its members are allowed to go unpunished for the crimes they have committed. More importantly, members who abide by the common rules must eventually start to question the relevance of having common rules at all. If some members are allowed to break their commitments to the rules of the UN, what incentive would other members have to enter new agreements with those members in the future? What would the purpose of further collaboration be, seeing that the current state of collaboration is not working properly? To return to Bull’s argument, the incentive to enter agreements will disappear without the presumption that agreements will be honoured. Considering the voting structure of the UNSC, there is no reassurance that agreements will be honoured and that violations will be punished. In order for the UN to be an organisation where its members are willing to expand the level of cooperation and handle the challenges of the future, it must first minimize the incentive to break its rules. Without doing so, future cooperation seems highly inconceivable. If the right to veto persists, UN collaboration will face major trust issues amongst its members, which will eventually cause reluctance to cooperate.
5. The relationship between the three societal goals

The three societal goals are connected in the sense that fulfilment of the second and third societal goal is dependent on the fulfilment of the first societal goal. More importantly, an inevitable (and undesirable) chain of events will occur if the first societal goal is not addressed, which in turn will make it difficult to fulfil the second and third goal. When the UN is prevented from protecting people against death and bodily harm when their own governments cannot or will not do so themselves, the only reasonable cause of action for people living in those countries is to seek refuge elsewhere. A natural consequence of people having to flee to countries where more stable conditions prevail is that they will be forced to leave their homes and sources of income behind, resulting in their survival being dependent on the welfare systems of the hosting countries. If the UN is prevented from fulfilling the first societal goal and reduce the need for people in war torn countries to seek refuge elsewhere, hosting countries will be forced to accept substantial costs associated with refugee reception and immigration. When funds for the welfare systems are redistributed to finance the increasing costs for immigration, restrictive and hostile attitudes towards refugees are likely to develop among the inhabitants of the hosting countries. Thus, the second societal goal (possession of things will be stable and not subjected to constant threat) can only be truly fulfilled if the first societal goal (security against death and bodily harm) is fulfilled first. Furthermore, an additional consequence of the UN being prevented from fulfilling the first societal goal by not being able to execute humanitarian interventions is that certain members of the UN are allowed to break their commitments to the common rules of the organisation without facing confrontation. Ergo, the UN will not be able to fulfil the third societal goal either (promises will be kept and agreements will be carried out) unless it manages to fulfil the first goal first.

In essence, fulfilment of the second and third societal goal is dependent on the fulfilment of the first societal goal. However, one should not make the mistake of considering the first goal to be the only one of importance, seeing that fulfilment of all three goals are essential for the maintenance of social order and stability in international society.
6. Humanitarian interventions; the panacea that will ensure social order?

This thesis has hitherto only focused on the benefits of humanitarian intervention, but has yet to acknowledge the problems and complications that could erupt in countries where they are executed. To return to the case of Libya, it has been widely debated whether the outcome of the NATO-led intervention was satisfactory or not. While it is not the goal of this thesis to make this determination, the different aspects of the Libyan case are still crucial to consider when advocating for humanitarian intervention as a practice.

On February 17th, 2011, civilian demonstrations against the repressive rule of Muammar Gaddafi erupted in the town of Benghazi and quickly spread to other cities in the eastern parts of the country (UCDP, 2017). Gaddafi made it instantly clear that he was not going to tolerate any form of resistance. On the very first day of demonstrations, he released and armed dangerous prisoners from local prisons and ordered them to engage forcefully against protesters (Allansson & Sollenberg, 2016), which resulted in numerous civilian casualties. Gaddafi’s violent response increased further in the following days when the national military got involved. As news of the repressive actions by government forces reached other parts of the country, demonstrations started there as well, resulting in a chain reaction of demonstrations and violent government responses all over the country. Demonstrations soon reached the capital of Tripoli, where civilian casualties rose immensely as a consequence of government forces shooting straight in to the masses of demonstrators (UCDP, 2017).

On the 27th of February, The National Transitional Council (NTC), a political opposition group and rebel army opposing the Gaddafi regime, officially formed in Benghazi (Allansson & Sollenberg, 2016). Despite strong clan rivalry having been present in Libya for centuries, the NTC managed to unite clans from all over the country in the fight against Gaddafi. As the rebels grew stronger, Gaddafi responded with air strikes and further deployment of ground forces against rebel strongholds, resulting in thousands of civilian casualties (ibid). On February 22nd, Gaddafi appeared on Libyan television, where he held an aggressive speech threatening to “purge Libya inch by inch, room by room, household by household, alley by alley and individual by individual until the country is purified” (UCDP, 2017).
As a consequence of Gaddafi’s aggressive rhetoric, the UNSC adopted resolution 1973 on March 17th, 2011, allowing UN member states to take all necessary actions to protect the civilian population in Libya, excluding the deployment of a foreign occupation force. The resolution authorized member states to establish and maintain a no-fly zone over Libya, which in practice prevented the Libyan air force from conducting further air strikes against its own population (United Nations, 2011). NATO, however, performed air strikes against the Libyan government’s ground forces over the following seven months, which allowed NTC’s rebel forces to recover and gradually force the national military to retreat (Globalis, 2016). The conflict ended abruptly on October 20th, 2011 when the rebel forces managed to locate and kill Muammar Gaddafi in the last government-controlled city of Sirte.

With Gaddafi gone, the NTC installed a transitional government which ruled until June 2012 when it was replaced by a democratically elected parliament (Allansson & Sollenberg, 2016). However, violence between clans erupted again in the following months, supposedly because they had no reason to cooperate anymore after the removal of their common enemy. The previous rebel army split up into separate well-armed militias, fighting amongst each other to protect their own political interests. Seeing that the central government did not have the support from the major clans, its influence and control over the country was in practice rather limited (ibid). This became even more evident after the election in 2014, when the elected government split up into two groups both claiming governmental power, one residing in Tripoli and the other in the city of Tobruk. Through UN mediation, the two governments reached an agreement in December 2015 and has ruled together in Tripoli since early 2016, yet still without the support from the major clans and militias (ibid). In reality, the two separate governments supported by their respective clans and militias are still pushing their own agendas (ibid), meaning there is still no cohesive government ruling the country.

In essence, the situation in Libya is still highly unstable. Despite Gaddafi being removed from power, the Libyan population has still not been given any real political influence. The implementation of democratic elections has not managed to yield an independent and cohesive government strong enough to take control of the country. The elected government is highly influenced by the political agendas of the major clans and violence is still widely spread across the country. From this perspective, it is highly reasonable to question whether
the intervention could have been executed differently, but highly unreasonable to question whether it should have been executed at all. Seeing that the UN unanimously agreed to implement the principle of R2P in 2005, there is no longer a question of if humanitarian interventions should be executed, but rather a question of how and when. Considering Gaddafi’s promise on national television to purge Libya individual by individual, after already having taken violent measures against civilian demonstrations, it is difficult to argue that the intervention in Libya was not justified. Moreover, one must consider what potentially could have happened to the civilian population if the UN had not intervened when it did. A couple of days before NATO initiated air strikes against government forces on March 19\textsuperscript{th} in 2011, the rebels had weakened severely and been forced to retreat to their last stronghold in Benghazi (Hehir & Murray, 2013: 200). If the rebel forces had been defeated and nothing no longer stood between government forces and civilians known to oppose Gaddafi, Libya could potentially have seen death tolls similar to those of the Rwandan genocide.

On the other hand, one must acknowledge the back sides of the Libyan intervention and consider the possible ways in which it could have been performed differently. As familiar, the intervention had the mandate to protect the civilian population, but lacked an established and explicit end target. Over the course of seven months, NATO dropped over 7700 precision bombs over Libyan government forces (Globalis, 2016), which may have been more than was actually needed to protect civilians. Hehir & Murray argue that NATO played a significant role in the overthrowing of Gaddafi and used the UN-mandate as a tool to foster regime change (2013: 197). Regardless if that was actually the case, the UNSC must minimize the risk of participating states pushing their own agendas during humanitarian interventions in the future. Moreover, before leaving a country where a humanitarian intervention has been performed, the UN must make sure that the country is stable enough to be left without assistance. As illustrated above, the situation in Libya is still highly uncertain and an extended UN presence making sure that civilians do not come into harm’s way would have been preferred.

Finally, one must keep in mind that the intervention in Libya was the first operation approved by the UNSC that included military force for protection purposes. It may have had its flaws, but was undoubtedly executed in line with the R2P framework and should serve as case of
learning for future cases like Syria rather than cast a shadow over humanitarian interventions as a principle.
7. Conclusion

In the introductory chapter of this thesis, it was established that the current veto debate in the UNSC is too narrow-minded. The debate is focused on the fact that the veto impedes the UNSC from executing humanitarian interventions, which in turn leads to further suffering for civilian populations of war torn countries. Even though this observation is correct, it is far from the only issue associated with the inability to execute humanitarian interventions. More importantly, when the UNSC due to wielded vetoes is impeded from executing humanitarian interventions, it is also obstructed from maintaining a necessary social order.

The social order introduced by English School theorist Hedley Bull is consisting of three elementary goals, all of which must be fulfilled in order for the international society to remain stable. The three goals are (1) security against death and bodily harm; (2) possession of things will be stable and not subjected to constant threat; and (3) promises will be kept and agreements will be carried out. Humanitarian intervention can be used as a tool for the UNSC to fulfil the three societal goals, and the importance of doing so has been illustrated in the Syrian case.

The consequence of humanitarian intervention being absent in the Syrian conflict has been that hundreds of thousands of civilians have lost their lives, meaning that the UNSC and international society has failed to fulfil the first societal goal. In the absence of security against death and bodily harm, millions of people have been forced to seek refuge outside of Syria, which has put tremendous economic pressure on hosting countries, which has been made evident after a review of the Swedish national budget for 2016. When a substantial amount of resources has to be redistributed from welfare systems to finance expenditures related to immigration and refugee reception, hostile attitudes towards refugees are likely to develop among the inhabitants of the hosting countries. Considering the recently increased support for radical right-wing parties in European countries, these hostile attitudes have evidently started to spread. If the second societal goal is not fulfilled, a catastrophic scenario could appear if the hosting countries will not be willing to accept refugees to the extent the situation requires in the future.
Furthermore, the inability to execute humanitarian intervention has allowed the Syrian government to break its commitment to R2P and the common rules of the UN without facing confrontation. Without the risk of being held accountable for violating agreements, the incentive for the Syrian government to keep doing so remains. Moreover, this sends a message to the other members of the UN that adherence to the common rules is more important to some than it is to others, which immediately puts the purpose of common rules and the virtues of cooperation into question.

Finally, in order for the UN to be able to maintain social order and fulfil the three societal goals, it must facilitate for humanitarian interventions to be carried out, and the only way to do so is by abolishing the right to veto.
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