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The Idea and the Reality of Collective Security



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To paraphrase T. S. Eliot, the shadow still falls between the idea and the reality of collective security today, centuries after it was framed as an idea to create a police power for the modern system of nation-states. Collective security was occasionally raised as an ideal long before any serious effort was made toward implementing it, suggesting an unusually awkward gap between the ideal and the real. Nor has that gap been effectively bridged after nearly a century in which collective security has ostensibly been in place as the chief rationale for an international police capability. From the time it was first instituted in 1919 to the present, it has been applied only very occasionally—and then, fairly crudely—even though the term has frequently been stretched to cover a multitude of actions that fit badly with any sensible notion of the original idea. As a result, one may feel justified to approach the history of collective security with a certain skepticism.

Collective Security Defined

The all-for-one-and-one-for-all idea of collective security is dazzling in its simplicity. It asserts that the peace of the international community can be maintained through a binding, predetermined agreement to take collective action to preserve it. It says that any illegal threat or use of force by any sovereign member of the international community against any other—that is, aggression, potential or real—should trigger the combined force of all the rest. It expects to combine so much collective power in opposition to that of a lawbreaker that the latter should be constrained from the self-defeating illegal action by that threat or quickly be repulsed by the community's action if it should persist in its warlike course. It seeks, in the words of its chief advocate early in our century, "not a balance of power, but a community of power; not organized rivalries, but an organized common peace."¹

Central to a collective security concept is a binding obligation to defend a particular status quo against forceful change. It is often asserted that this requirement makes it a hopelessly conservative technique of world

order. But that is true only in the sense that all efforts at governance are conservative because their purpose is to maintain what allows society to function in an orderly and dependable way. Sound governance motivates reliance on peaceful change by punishing efforts at violent change. Collective security can succeed only if it operates in a context where peaceful alternatives exist for the advancement of competing values. Where such alternatives are not reliably in place, the idea of collective security will remain more illusory than real.

Collective security is assumed to be applicable to a clearly defined community. Early in our century, it became possible for the first time to imagine that the community in question was the universal, global one, and most of the systematic analysis of collective security since then has taken the global community of states as a given. But it is perfectly plausible to imagine a collective security system operating within a much more limited area, one in which the structure of obligation is based in a regional commitment. "The essential point, the touchstone, is universality of membership for the region involved and the obligations that the members have assumed toward each other in the preservation of peace in their own area against threats *emanating from within their area*."² The regional collective security arrangement is simply a miniversion of the global one.

A serious practical problem nonetheless remains. As twentieth-century experience has shown, regional arrangements can easily masquerade as collective security organizations when they are in fact instruments of collective defense, that is, when they are designed to counter threats emanating from *outside* their region and outside the community that binds some sovereign actors but not others. That fundamental difference in the source of the threat produces a fundamental difference in the nature and purpose of the relevant organization. Yet apologists for collective defense typically have an interest in confusing their aims with those of collective security; the latter is not so self-serving as the former may be and so commands greater respect in the normative order. This confusion has made a hash in the public's mind of the meaning of collective security. The term means nothing much at all if it means things that are mutually exclusive or contradictory. So useful analysis still must deal with the "pure" concept as rigorously as possible.³

That is what I attempt here. But it is also one of my central assumptions that different, and broader, applications of police power have been evolving throughout the twentieth century—in part, at least, because of the rigid requirements of collective security. I explore that theme more fully in the concluding section. Broader conceptions are apparent even when one compares the relevant language of the UN Charter to the Covenant of the League of Nations. The covenant essentially enshrined collective security

as its sole instrument for preventing or controlling war. The charter's Chapter VII provisions are more detailed and consequently more political in their design for Security Council action, making "acts of aggression" only one category of disturbances of the peace.⁴

Collective Security in the Twentieth Century

Pre-twentieth-century collective security schemes could not be implemented in the absence of a specific commitment by sovereign states to do so. That would require both a solemn treaty defining the delicts unacceptable to members of the community and a clear indication of how the community would respond to overturn the illegal action. Also demanded is some kind of institutionalized structure in which the members of the community can determine when conditions requiring their collective action have arisen. The League of Nations was the first effort to create such an institution, finally making it possible to say that the idea of collective security had joined mainstream thinking about how to strengthen peace in the modern international system.

Ever since the League's dissolution, its death has been correctly attributed to its failure at collective security, which soon plunged the world into general war again. Those who conceived the UN as the League's successor were most concerned with "correcting" the flaws in that system—ostensibly, by giving the UN greater enforcement capability—while copying much of it. Yet more than fifty years later, the UN has taken the collective security plunge no more than a handful of times. And when it has, the imperfections and controversies over how it has made that theory manifest have cast new doubts on its acceptability for other occasions. Meanwhile, regional arrangements have now and then asserted themselves as instruments of collective security for some smaller community of states, typically with implications for the claims of the world organization to speak and act on behalf of all humankind. The resulting record of nearly a century is anything but clear-cut and straightforward.

Problems and cleavages are grouped around four complex issues. The first is that of which sovereign *members* collective security is meant to serve. The second is the issue of *agents*, which involves the question of what sovereign actors will be required to keep the peace. The third, *instruments*, has to do with the kinds of capability that are required to keep it. The fourth involves the nature of the *obligations* sovereign states are under to participate in the collective effort, which can be put the other way around as a question of what authority the international institution should be expected to have. These issues are inextricably intertwined in the sense that outcomes regarding one impact on the others.

Members

Both the League of Nations and the UN sought to define the collective security community as a global one, including virtually every sovereign state on earth. Woodrow Wilson, as the most prominent advocate for the League by 1918, emphasized a security system that would protect the rights of small states equally with those of the powerful. Universality, at least of "self-governing" states, was a central feature of what came to be seen as Wilsonian liberalism. But the failure of universality really began with the refusal of the United States to become a member, which had a slowly deadening effect on the hope that a new international order had dawned. From an overall total membership of sixty-three (there were never that many at any one time), seventeen states eventually withdrew. That included not only the major fascist powers, but also thirteen of a total of twenty Latin American states (sixteen had been original members), many of which found it pointless to remain in the absence of the United States. By the time of the League's great test of collective security, the sanctions effort against Mussolini in 1935–1936, the ability of those outside the League to continue and even increase their trade with Italy was a crippling blow.⁵ The dramatic lack of universality in the League did much to make its collective security claims pitiable—not only out of the sense that they were largely self-defeating, as in the Italo-Ethiopian case, but because the organization remained so Eurocentric; its leading members had earlier not treated the Japanese aggression against Manchuria as a delict requiring a forceful response, since they evidently viewed the Far East as only marginally within the community that collective security was meant to serve.⁶

In contrast, the near universality of the UN, whose Security Council includes two non-European powers as permanent members, has at least put to rest a *general* conclusion that any states fall outside the community. That, of course, has not meant that every violation of the peace that can be defined by some as an act of aggression has produced the appropriate response from the Security Council. Far from it. Interest calculations define the delict—or lack thereof—and so are critical to whether collective security is the response or not. The more important and thorny issues about membership come into play either when (1) a regional organization asserts itself as a separate community, raising questions about its relationship to the larger community, or (2) the world organization claims authority over a regional grouping as its agent of enforcement action. Until recent years, the former situation was the far more salient one. The interwar period produced no serious effort at creating a regional organization that would be either a genuine instrument of regional collective security or an agent of the League of Nations. But the very effort to make collective security operative through the League focused attention on these two dimensions of regionalism. By the time the UN was being brought to life, developments

in both were much more visible. The agency issue (2) was addressed in the UN Charter and is considered below.

The issue of the self-contained regional community (1) first raised its head in March 1919, when Wilson insisted to the covenant-drafting committee that the U.S. Senate would not agree to join the League unless the covenant specifically exempted the "Monroe Doctrine system"—that is, the Pan-American Union—from its obligations. That effectively acknowledged a U.S. sphere of interest in the Western Hemisphere, with all the implications that entailed for hedging the universality of the collective security commitment.⁷ Since the attachment of the Roosevelt Corollary to the Monroe Doctrine in 1904, this unilaterally proclaimed "regional understanding" ostensibly gave the United States the right to police the American hemisphere as it saw fit. It meant that the United States, either with or without the approval of other American republics, would act as *primus inter pares* among League members (and within the Pan-American Union) when it came to determining what collective action should be taken in the Americas. Conversely, it suggested that, as self-designated policeman of the hemisphere, the United States might engage in "war" there that could appear to others as a violation of the covenant.⁸

To formalize this exemption in the covenant was to shoot holes in the foundation of the League's collective security system.⁹ Its inclusion, meant to secure U.S. membership, raised the legitimacy of political concessions others demanded. These included Georges Clemenceau's successful demand for an Anglo-American security guarantee to France *outside* the framework of the covenant and Japan's unsuccessful one for special rights in China's Shantung province.¹⁰ The conclusive point is that this battle over concessions acknowledged some security interests as more intense, because more tied to a particular great power's location, than others; and that effectively undermined the central rationale of a community dedicated disinterestedly to the universal collective security of all. It added to the perception of the defeated states that the League of Nations would be little more than an alliance of the victors (Britain and France, after all, would be the only great power members of the League from start to finish). It set the stage for a return to rival alliances and the balancing of power.

As the Cold War developed after World War II, the region-as-distinctive-community soon became one of its characteristic artifacts, a central feature of the bipolarity that divided the world into separate, hostile camps. The U.S. government was quick to abandon hope in the concert system of the Security Council¹¹ and took the lead in formalizing regional "communities" as expressions of U.S. hegemony and the commitment of the "free world" to defend itself against potential Communist aggression. These did not become full-blown collective security arrangements during the Cold War era and were justified under the charter's acknowledgment of the right of collective self-defense (Article 51), not as "regional arrangements" as

defined in the charter's Chapter VIII. The distinction was all-important. The terms of Chapter VIII would have placed them under the Security Council's jurisdiction and the Soviet veto. The language of Article 51 did not subject them to council review. Interestingly, however, the very imperatives of the bipolar standoff—the need to deter through the threat of an automatic response, the insistence that the East-West camps were in fixed and “permanent” alignment—argued for deep political cohesion within each arrangement. Enough cohesion was nurtured in both NATO and, arguably (at least for the duration of the Cold War), the Warsaw Pact to separate them from whatever global collective security community remained.

Meanwhile, the Monroe Doctrine system of the League period was evolving into a more coherent regional arrangement with a capacity for collective security. Under the imperatives of bipolarity, the Organization of American States (OAS)—organized as such in 1948—was pushed by its hegemonic member to become an instrument of collective defense as well; the Inter-American Treaty of Reciprocal Assistance was the vehicle for both postures.¹² As long as the Cold War lasted, the regional or “bloc” approach to security often overruled the universal approach through the UN. The more pluralistic West no doubt went to greater pains than did the Soviets to rationalize multilateral procedures for intrabloc coercive action. But the parallels were clear in two sets of cases: the covert U.S. intervention in Guatemala in 1954 versus the Soviet intervention in Hungary in 1956; and the U.S./OAS intervention in Santo Domingo in 1965 versus the Soviet/Warsaw Pact intervention in Czechoslovakia in 1968. In all of these, the rationale of collective self-defense against an outside adversary dressed up what otherwise appeared as hegemonic domination.¹³

Once Castro came to power in 1959, the case of Cuba's membership in the inter-American system raised the most serious questions about the collective security versus the collective defense character of the regional arrangement. The Castroite experience suddenly wrenched the island nation from its traditional membership in the inter-American system and catapulted it into the rival camp of the Soviet bloc. That represented the most destabilizing threat to the bipolarity of the Cold War period, as evidenced in the Cuban missile crisis of 1962, the final chapter of Cuba's flight from one bloc to the other. That ending brought the tacit acceptance by the United States of Cuba's shift, but on condition that the Soviet government would not use it for its own strategic advantage in the Cold War nuclear contest. Earlier, the OAS ministers had made clear that Cuba's realignment came at a price, which was the effective loss of its membership in the inter-American system. In 1960 and 1962, the OAS foreign ministers instituted diplomatic and economic sanctions at the same time they forbade the Castro government from participating in the work of the organization. The Castro government was excluded from participation in the OAS on the grounds of its incompatibility with the principles of the inter-American system.¹⁴

Cuba was thereby decreed to be outside the collective security community because of its government's departure from the community's common values and, as an alien in the community's midst, a potential target of collective, hemispheric defense.

The need for collective defense was much diminished with the end of bipolarity, whereas the incentive for regional collective security increased. By about 1990, some thought it plausible to mold the Organization for Security and Cooperation in Europe (OSCE) into a collective security community binding all the former adversaries. The theoretical logic was obvious: former adversaries might strengthen their peaceable relationships with help from an institution committed to that, one that would replace the Cold War structures that divided them. But, because the Cold War had not ended in a draw, only the Warsaw Pact was abolished, and NATO tried to turn itself into not exactly a collective security community but a growing instrument of regional security—first, as the agent of the UN Security Council in its role in Bosnia before the Implementation Force (IFOR), then as a semiautonomous police force for the region. By the late 1990s, not all were yet convinced that NATO's transformation was complete enough to give it a new purpose. If the theoretical underpinnings were unclear, the pragmatic interests involved were not. The decision to transform and expand NATO, rather than to create a new security structure in the OSCE, meant that the Cold War "winners" did not have to throw away their highly integrated military force or the reliable security community on which it was built.

Agents

A fundamental issue for any collective security community is to designate the agents of its enforcement action. One may hope for wide—ideally, universal—participation in any sanctions effort. But if it is to work, organizational leadership is required, at a minimum; and for major military actions, the marshaling of effective force by those who command it is necessary. For the two global security organizations of the twentieth century, the question was less whether some states would have important powers of agency than how that agency was to be maintained and made accountable to the larger community. The issue has been that of finding an acceptable balance between a free-wheeling great-power agency acting with little regard for the views of lesser members, and one under such tight community control that great powers would find little incentive to act on its behalf.

Since both the League and the UN were largely the creation of the victorious great powers in the wars just ended, they made themselves the principal agents of collective action. That was particularly evident to critics of the League idea, which looked to some like a vehicle to perpetuate the Allied coalition. The UN would be less subject to that criticism—first,

because the charter was separated from the process of peace settlement, and then because the victorious big five of World War II split in two almost immediately after they had made themselves the agents of UN action. That was ironic, because the UN Charter was much clearer than the League had been about the actual agency of a great power directorate in enforcement action. The League council had been given the authority for investigating and making recommendations for settlement of war-threatening disputes.¹⁵ It was implicit in this authority that the council would be able to act with Olympian objectivity and firmness to oppose aggression.

The many difficulties with that became clearest in the case of sanctions against Italy for its attack on Ethiopia. Months after limited sanctions were imposed, the League's Sanctions Committee was about to meet to include oil among the commodities banned in trade with Italy. At that moment, in December 1935, British foreign minister John Hoare and French premier Pierre Laval proposed granting Italy outright sovereignty over some 60,000 square miles of Ethiopian territory, and an area of 160,000 square miles—some half the country—as a zone for its exclusive economic expansion and settlement. The reaction against this proposal was swift and immediate; the British government soon disavowed it, and Hoare was forced to resign. Nonetheless, it made clear that the only two governments left to lead collective action on behalf of the League had entirely reverted to balance-of-power thinking (the rationale for the plan had been to prevent Mussolini being driven into Hitler's arms).¹⁶ From that point, it was clear that the sanctions effort was doomed.

The creators of the UN sought to forestall a similar retreat into power balancing by clarifying that collective security's agent would be a concert of great powers. They gave the veto power to five permanent members of a Security Council that had exclusive jurisdiction over enforcement action. Since the many small powers would have a voice in such matters only occasionally—as they rotated through temporary terms on the Security Council—they could expect to find themselves on the receiving end of coercive measures agreed to by the permanent members. The implications were not lost on the small-power delegates to the San Francisco conference. In the oft-quoted complaint of a Mexican official, the conference was “engaged in establishing a world order in which the mice could be stamped out but in which the lions would not be restrained.”¹⁷ Throughout most of the Cold War, that seemed an irrelevant fear. The lions in fact confronted each other in a nearly constant standoff of mutual containment. World peace rested on maintaining that precarious standoff—with the smaller cubs in each of the two major prides sometimes used as surrogates—rather than in any effort to oppose aggression with a universalist objectivity. The permanent members gradually did learn to cooperate sufficiently to exercise some of their prerogatives through UN peacekeeping, whose invention reflected—even shored up—their bipolar standoff. What

peacekeeping did not do was to enforce the will of the community against a state that violated the peace.

It was really only after the end of the Cold War that questions arose again as to collective security's agency under the UN system. The prospect of the Security Council's new vigor stimulated proposals for enlarging the council with additional permanent or semipermanent members. The goal was to enhance the council's legitimacy as agent, since, in the words of one proponent, "It is not reasonable to suggest that the five winners of the Second World War, with the assistance of 10 additional, rotating member states, comprise a representative, legitimate, or authoritative voice for a U.N. membership of 185."¹⁸ Restructuring proposals generally did not argue against the notion that the Security Council should remain largely as a great power directorate; rather, the effort was to make it more nearly representative, both of the actual power (including economic power) of leading states at the end of the century and of various geographical regions and caucusing groups.

To date, the potential difficulties some have found in such proposals have made them easy targets. The most obvious difficulty is that enlargement would make even more unwieldy a body already noted for that. To grant the veto to additional members seems a formula for council inaction, but not to grant it would make second-class members of the newcomers. Here, questions of agency shade imperceptibly into those of authority, where the council's lack of openness in the way it conducts its business is also at stake. But there are other issues of agency that are more important historically than the matter of which states have the formal grant of competence to act on behalf of the world organization. They are most visible in the Korean action of 1950 and the Gulf conflict of 1990–1991.

Both cases can be described as collective security actions, but both were controversial in those terms because of the agency issue. When the Korean conflict began, the Soviet Union was boycotting the UN over its refusal to seat the new Communist government of Beijing in China's seat. With the Soviets unable to exercise their veto, the United States persuaded a substantial majority of the remaining ten council members to take the kind of action it asked for to repel the attack on South Korea from the North. That met the charter requirement but at the expense of any politically sensible reading of what the charter framers had intended by way of agreement among the permanent five. From the start, the action was overwhelmingly in the hands of the United States, which supplied 50 percent of the ground troops, 85 percent of the naval forces, and more than 90 percent of the air power. The United States had persuaded the Security Council to join it in the kind of action it would have taken anyway.¹⁹

U.S. direction of the UN continued in the General Assembly once the Soviets returned to the council to prevent further agreement on the action in Korea. First came the assembly's approval, in September, of President

Harry Truman's directive for Gen. Douglas MacArthur's army to move north of the thirty-eighth parallel in the effort to unify Korea through force.²⁰ A few weeks later, the U.S.-sponsored Uniting for Peace resolution was adopted, authorizing the General Assembly to meet in the event of a Security Council veto and recommend what action members should take.²¹ Although the resolution did not live up to the expectations the United States and others proclaimed for it (few members earmarked military contingents for UN use as the resolution called for), it marked a new assertion of the assembly's involvement in peace and security matters that has continued to the present day. It also came at virtually the last moment when the United States could so confidently command an "automatic" majority in the General Assembly.

The erosion of that support began once huge numbers of Chinese "volunteers" poured across the Yalu River border between China and North Korea. MacArthur's troops were quickly thrown on the defensive as they were run back into the south. Far from uniting Korea forcefully by Christmas, as MacArthur had proclaimed in crossing the thirty-eighth parallel, U.S.-UN forces had to fight their way back to merely reestablishing the prewar status quo. Meanwhile, the UN's reversal of fortune brought second thoughts to many supporters of the U.S.-led action. Once an armistice was finally achieved—after more than two years of stalemated fighting, MacArthur's firing, and the election of a new U.S. president—two lessons seemed clear. The first was that we should not again expect an alignment of the planets that would permit the United States to seize the collective security machinery of the UN. The second was that, once instituted as a major military effort, it was terribly tempting to enlarge the goals of collective security to take on issues (such as Korea's unification) that had been intractable to peaceful resolution.²² Here, too, many concluded that the United States had acted less as the agent of the UN than it had made the UN the agent of its foreign policy.

Forty years later, as the Cold War was winding down, the planets were surprisingly in alignment again. UN action in the Gulf region raised issues similar to those surrounding Korea regarding the agency of the United States. The dramatic difference from the Korean case lay in the apparent harmony of the Security Council's permanent members from the moment Saddam Hussein's army invaded Kuwait in August 1990. Viewed by the council as an aggressor, Iraq was the object of a dozen resolutions over the next four months that increasingly sought to end its occupation of Kuwait. The first resolutions put in place a general trade embargo of Iraq and established economic sanctions. The final one, Resolution 678 of 19 November 1990, authorized the use of force to "member states cooperating with the government of Kuwait" to end the Iraqi aggression if Iraq had not complied with the council's order to withdraw by 15 January 1991. By the end of 1990, twenty-seven members had posted armed forces to Saudi Arabia,

although more than 80 percent of the several hundred thousand troops stationed there were from the United States. When the attack to dislodge Iraq came, almost immediately after the deadline had passed without Saddam's compliance, it was from the "U.S.-led coalition," not from a UN army as such, albeit Resolution 678 was what justified both its authority and its agency. Although the unity of the Security Council had been maintained, underlying strains revealed how the playing out of the liberation of Kuwait had diverged from charter expectations.

In the first place, the fact that the enforcement provisions of Articles 43–47 of the charter had never been implemented now weakened the position of those (principally the Soviet government) who called for making the Military Staff Committee the agent of any UN operation. In the absence of such force commitments, it was difficult to resist the argument that the readily available military power of the United States should lead collective action. And that question was deferred at first by the expectation that economic sanctions and the trade embargo would force Iraq's withdrawal from Kuwait in about six months. Meanwhile, a second development was the deployment of U.S. forces in Saudi Arabia under the authority of the charter's Article 51, the collective self-defense provision. The effect of this dual divergence from the expectations of Chapter VII of the charter was soon felt. As Brian Urquhart put it, "When the defensive buildup in Saudi Arabia was so great as to acquire offensive capacity—particularly after the decision of the U.S. administration on November 9 to deploy larger numbers of American forces—it began to be said that sanctions were too slow, and that if Iraq did not speedily withdraw, force would have to be used to drive Iraq out of Kuwait."²³

Resolution 678 was the result. "The Council thus married the resolutions it had adopted on the Gulf crisis and the forces that were gathered in Saudi Arabia under Article 51, for a future enforcement action under the political and military leadership of the United States."²⁴ When that enforcement action came, there was some nervousness over its sweeping designation of the agent. Thanks mainly to the fact that the Gulf War was swift and successful—nothing occurred like a repeat of MacArthur's overreaching in Korea late in 1950—the appropriateness of the agent was not called seriously into question again until the war's aftermath. But as the effort dragged on for years to force Saddam to comply with the Security Council's directives regarding Iran's nuclear disarmament, that issue raised its head, and ever more visibly. The Iraqi government was naturally determined to tar the sanctions regime with the brush of U.S. imperialism. By early 1999, with the crisis over continuing UN inspections of Iraqi sites, the tar came close to ending the sanctions effort as some permanent members distanced themselves from the United States.

The Korean and Gulf cases are remarkably similar brackets around nearly half a century in which collective security through the UN was

nonexistent, or nearly so.²⁵ Both saw the United States as the principal agent of military sanctions. The United States was so firmly in the driver's seat that both were subject to the charge that it was the other way around, that the United States used the UN as its agent. And the dominance of the United States in both cases reflected the fact that the institutionalized military capability anticipated in Chapter VII of the charter was no more in place in 1990 than it had been in 1950.

Instruments

From covenant to charter, the focus clearly shifted from an emphasis on less to more coercive sanctions as instruments of enforcement. The charter framers seemed united in their view that the coup de grâce for the League had been the weakness of the economic sanctions against the Italian government, which had merely irritated the Italians through the months while Mussolini's armies persisted until they conquered Ethiopia. The lesson seemed clear: to stop the Mussolinis (and Hitlers) of the post-World War II period would require much more emphasis on a UN military threat than the League had ever been able to muster. To read the relevant provisions of covenant and charter makes that difference as stark as any in the two documents.²⁶

Nonetheless, more than half a century after the UN's founding, the charter's emphasis on a military capability to back up collective action remains more of a rhetorical than an actual change. The detailed provisions for a standing force in Articles 43–47 have never been implemented. For decades, that failure was attributed to the change in the very structure of the international system that accompanied the Cold War, where the division between rival superpowers put them in deep, uncompromising conflict over the long term. In the UN's early days, permanent members advanced proposals for the Military Staff Committee's consideration. Support for and opposition to them lay in fairly direct proportion to the advantage each permanent member could anticipate for itself or its allies in any internationalized military capability. The resulting standoff meant that the UN was no more equipped than the League had been to take military action under its own initiative.

At the conclusion of the Cold War, intimations of a new world order raised the prospect for the first time in forty-five years that the security provisions of Articles 43–47 might fruitfully be revisited. That prospect was heightened by the remarkable cooperation (or at least the lack of crippling dissent) that had marked the raising of an international force to end Iraq's occupation of Kuwait. The Gulf War had also shown graphically how the absence of an institutionalized force under the direction of the Military Staff Committee inevitably forced the council to cede military operations to a member state to act as its agent. If the U.S. tail were not to

wag the UN dog every time collective military action might be required, the solution some saw was to implement the relevant provisions of Chapter VII at last.

The Security Council was never more evidently in concert than when, meeting for the first time at the level of heads of state, on 31 January 1992, it asked the secretary-general to prepare recommendations for improving the UN's ability to respond to violent conflict.²⁷ Secretary-General Boutros Boutros-Ghali complied with his *Agenda for Peace* five months later. In keeping with his directive, his proposals ranged well beyond the concept of collective security in any strict sense of the term, drawing from the UN's long and much richer experience with the less coercive measures of preventive diplomacy, peacemaking, and peacekeeping. But he did devote several pages to sanctions and the use of military force, as envisaged in Articles 43–47. He recommended that the council should create the security forces that had never before been put in place, “on a permanent basis,” so that they would be available on call to respond to aggression. He argued that to do so would serve “as a means of deterring breaches of the peace since a potential aggressor would know that the Council had at its disposal a means of response.”²⁸ He argued that the Military Staff Committee should direct the implementation of Article 43 but should *not* involve itself in the planning or conduct of peacekeeping operations.

Apart from its novel proposal for “peace-enforcement units” (see the discussion of *Obligations* below), Boutros-Ghali's report did not attempt to indicate how enforcement might be connected to peacekeeping, even though it acknowledged there might be no dividing line between the two. In the context of the entire report, that may have suggested “the continuing qualms among many in the UN community over the resurrection of the peace enforcement provisions of the charter and the function of the Security Council.” The secretary-general evidently recognized the fear of many that “the permanent members of the Security Council, now that they agree, will abuse its powers to promote interventions in third world countries.”²⁹

Once Boutros-Ghali's *Agenda* saw the light of day, its proposals for implementing Chapter VII provisions proved to be among the least acceptable to many, and for a variety of familiar reasons. Permanent members' concerns focused on their reluctance to cede so much military authority to the UN, whereas those of many smaller members were about the coerciveness of the proposed military instruments themselves. From October 1992 to May 1993, the Security Council commented monthly on a particular proposal or observation in Boutros-Ghali's *Agenda for Peace*, sometimes calling for further action.³⁰ It dealt with eight sets of issues over the eight-month period but never with the Chapter VII proposals. The end result was mainly a series of declaratory statements that sometimes endorsed the least controversial recommendations of the *Agenda* or called for further reports. The General Assembly, meanwhile, established an in-

formal working group that met from November 1992 through September 1993 to consider the report. At the end, although it had cast its net somewhat more widely than had the council, neither did it recommend implementing Article 43. Some developing countries indicated their reservations to proposals they regarded as too "interventionist."³¹

These issues often went to that of the authority of an international police force under the council's direction. But they were controversial because of the military nature of the instruments they proposed. An institutionalized police force, whatever its size, can be put in place only when members forgo command and control over some part of their fighting forces, weapons, and strategic planning. Boutros-Ghali implicitly acknowledged the reluctance of governments to take such a step in asserting that it would likely be "some time to come" before such forces might be available. He also made clear, in further deference to the concerns especially of the permanent members, that forces made available under Article 43 might never be great enough to oppose "a threat from a major army equipped with sophisticated weapons."³²

That reminded governments of the odd character of collective security under the UN. Not since the initial effort to implement Article 43 had anyone seriously imagined a standing force under the council's direction of a size and readiness likely to make a powerfully armed state back away from aggression.³³ The veto-wielding Permanent Five were those obviously exempted from the aggression banned for all others. But as both the Korean and Gulf operations had made clear, aggression might also come from states without the veto privilege still capable of military action requiring a far larger collective military response than a fully implemented Article 43 could handle. Some of the skepticism that greeted Boutros-Ghali's proposal to create a standing armed force reflected the sense that it would inevitably be inadequate to deter a determined and well-armed aggressor. For that kind of challenge, the only feasible response would again be to raise a massive coalition of forces, but once more on an ad hoc basis.

This points to the last, most obvious, issue regarding the military instruments of collective security. To undertake it in order to turn back a ruthless aggressor is to undertake a major war, with a sacrifice of the kind of blood and treasure modern warfare typically has entailed. The Korean and Gulf operations were expensive on both counts, but only for those states that participated. Nothing like a common "tax" of the entire UN membership was even contemplated as a way to pay for the operations. Their agents bore the costs (in the Gulf War, both Japan and Germany made sizable financial contributions without participating militarily) and so had the principal claims on how the operations were conducted and, with more controversial consequences over the long run, on matching the outcomes to their interests. Consider the endings of the Korean and Gulf conflicts.

In Korea, the enlargement of the goal once the police action was under way (in the drive to reunify Korea by force) transmogrified it so as to undermine its legitimacy. Not only did it raise the stakes and invite escalation from the other side, that U.S.-driven goal effectively co-opted the organization in a way the charter had seemed to forbid. The end result ironically (because accidentally) did achieve the initial goal—restoration of the prewar status quo—the result of which is that nearly half a century later, the cause of the original conflict, Korea's partition, remains unresolved.

The Gulf War saw a comparable issue played out in reverse. President Bush called a halt to the military operation once Kuwait was liberated. That clearly made Saddam's punishment fit the crime for which the coalition had been mobilized. It did not, however, satisfy those who favored continuing the war until Saddam was either killed or driven from power. By stopping the war when he did, Bush left the Iraqi leader free to continue his oppressive ways at home. As the years passed, the liberation of Kuwait looked increasingly like a minor affair in light of the continuing hardships for Iraqi citizens. In fact, their lives had been made more grim by the follow-up to the police action itself. As economic sanctions were maintained against the Saddam government, it not only survived but succeeded in undermining the earlier unity of the Security Council on the sanctions issue.

Even though the coalition stuck to the original goal—liberating Kuwait—the military instruments it used still raised questions over their proportionality. Tens of thousands of Iraqi civilians died from the smart bombs launched against Baghdad, and at least as many soldiers were killed. Only tiny numbers of casualties marked the coalition side. In the immediate aftermath of the cease-fire, a UN mission to Iraq reported on the "near-apocalyptic" devastation to Iraq's civilian infrastructure.³⁴ For some critics of the Gulf operation, the disproportionality they saw in the coalition's use of force followed logically from the *carte blanche* quality of Resolution 678.³⁵ In starkest terms, when the effort to enforce the will of the global community against an aggressor produces massive death, destruction, and deprivations for civilians while leaving those responsible for the aggression in place, then one may be justified in viewing it as war, with all the horror that term conveys, rather than as the exercise of a police power in which only proportionate force is justified to achieve the original, lawful goal.

The UN Charter's Chapter VII depicts a sanctions ladder, in which the Security Council may choose economic and other nonforcible sanctions or, should it conclude that they would be inadequate, military action (Article 42). The corresponding assumption is that threats to the peace may require less forcible collective action than do breaches of the peace or acts of aggression. Certainly, the practice of the Security Council has established such a pattern. In the Iraqi case, economic sanctions were authorized first

in the effort to end Saddam's aggression, then to enforce his compliance with Security Council directives once Kuwait was liberated militarily. In cases when the council implicitly or explicitly finds a threat to the peace as the basis for a decision to impose economic sanctions, their targets have not been charged with aggression. That was true of the two Cold War-era sanctions regimes—against the breakaway Rhodesian government of Ian Smith starting in 1966 and against the white minority government of South Africa in the 1970s and 1980s. In neither case were permanent members willing to authorize military action, and in neither case has anyone proved that sanctions or embargoes were decisive in ending the rule of those they targeted.³⁶

More recently, economic sanctions have been authorized to try to bring an internal conflict under control (Liberia, Yugoslavia), to chastise a regime that had illegally seized power (Haiti, where the OAS also invoked economic sanctions), and to chastise another for refusing to extradite several of its citizens accused abroad of terrorism (Libya). These post-Cold War uses of sanctions remind us that the police power developing in the global system now has evolved to include a more complex array of capability than the doctrine of pure collective security alone permits. While that is a mark of progress—all that goes under the rubric of peacekeeping is a mark of this evolution—it can sometimes produce a doctrinal confusion that confounds effective police action.

The Yugoslav case is particularly instructive: the Security Council began sanctions in the form of an arms embargo on all the parties to the civil war, then focused largely in Croatia during September 1991, the war's third month.³⁷ By the following spring, the conflict had shifted to Bosnia, which, along with Slovenia and Croatia, had been recognized as independent states and admitted to the UN. Soon the arms embargo was seen to be working unequally, preventing the breakaway Bosnian government from securing the arms it needed to fight Serb forces, which continued to be well armed from the Yugoslav capital. Instead of branding the government of Slobodan Milosevic an aggressor, however, and throwing its weight behind the Bosnian government, the council left the arms embargo in place but imposed economic sanctions on Belgrade to discourage its further support of the Bosnian Serbs' campaign.³⁸ The result was to hamstring the Bosnian government's military effort until such time as widespread flouting of the embargo helped it to redress the balance (with help from Croatia) to the point that Milosevic, whose country was suffering from the economic sanctions, was persuaded to come to Dayton late in 1995. These were far from the only complications in the Yugoslav situation—which included involvement of the European Community and the OSCE in the peacemaking effort, the ultimately disastrous insertion by the Security Council of the lightly armed UN peacekeeping force into the Bosnian hostilities, and the frustrating effort to make NATO an agent of

UN police power—but they were enough to let the spiral of violence expand as the result of an unwillingness to name an aggressor, then act with sufficient muscle to repel it.

In more than one case, the use of economic sanctions has raised proportionality issues, too. In the Gulf conflict and its aftermath, the economic sanctions imposed have been widely viewed as heaping misery on much of the civilian population while their ostensible target—the government of Saddam Hussein—retains its power and its perks. By early 1999, the Iraqi government clearly was counting on an international reaction against that sense of disproportion to get those sanctions ended. It is reported that OAS and UN sanctions against Haiti's governmental junta harmed as many as a hundred thousand people in 1993, most of them children.³⁹ Similarly, the economic sanctions imposed against the Milosevic government led to suffering on the part of the civilian population in a way that seemed disproportionate to whatever impact they may also have had in inducing their leader to seek a peace settlement. In the last two cases, nonforcible sanctions may have caused more general humanitarian injury than an earlier concerted military action against those who threatened the peace would have done.⁴⁰

Obligations

As implied in the preceding discussion, the behavior of states shows that they have not yet literally allowed themselves to be bound by a collective security obligation at any level, despite their acceptance of language over most of the twentieth century that strongly suggests otherwise. When such language first appeared in the covenant, its apparent command to submit to such an authority was critical in the U.S. decision to back away from joining the League. Then it became apparent that such a fear was misplaced, for the League's practice showed that a substantial gap remained between the rhetorical and the actual obligation member states had undertaken.⁴¹ As a result, even though the successor treaty, the UN Charter, included far more detail—particularly in its Chapter VII—on questions of the institution's police power and a greater sense that a brave new world of collective action had dawned, states in fact conceded no more to it by way of an institutionalized police power than they had to its predecessor.

For decades it could be argued that the reason for this desuetude of Chapter VII was the unanticipated cleavage at the close of World War II between those responsible for implementing a global police power. Sure enough, once that cleavage was repaired nearly half a century later, initiatives began to implement that chapter's provisions. But a decade later, the results look decidedly meager. For every step toward a more institutionalized authority, one can note at least one step back again. What is clear is that states have not rushed to abdicate their sovereign prerogatives over

decisions to use coercive measures. What is harder to discern is the extent to which they have begun to think, and even to act, in new ways that may serve to support collective security over the longer run.

The most critical reaction against a more highly institutionalized authority in the 1990s was the Security Council's own refusal to respond favorably to those few of Boutros-Ghali's proposals that called for implementing Chapter VII provisions. That, of course, was the product of negative reactions from permanent members. In the case of the United States, a joint resolution supporting U.S. participation in an Article 43 standby force was introduced in Congress early in 1993.⁴² The tide soon turned strongly in the other direction, however, as legislation was proposed that would both cut U.S. funding for all peacekeeping activities of the UN below levels long agreed to and prohibit the president from placing forces participating in a UN peacekeeping activity under the command of any foreign national.⁴³ These became hot-button issues in the 1996 presidential campaign. Although Bill Clinton won that election battle, it was far from clear that he would win, or even still try to win, the war for a more denationalized global police power: as of 1999, Congress continued to refuse to pay its delinquent bills to the UN, and the once-serious prospect of a U.S. standby arrangement was no longer even a blip on the public policy screen.

What may be most significant about the muddled state of the various enforcement initiatives in the post-Cold War period is that they are unprecedentedly numerous, intertwined, and in some measure, therefore, confused and confusing. If it was always too rigid and simplistic to separate enforcement action from peaceful settlement—the evolution of peacekeeping, after all, has long been described as falling under a hypothetical “Chapter VI 1/2” of the charter—the UN's experience over the past half-century increasingly points to a bewildering variety of security needs requiring various responses. One of Boutros-Ghali's more surprising suggestions in *An Agenda for Peace* illustrates the point. He called for “peace-enforcement units” capable of guaranteeing cease-fires when the parties fail to carry out the agreements giving rise to them.⁴⁴

The proposal was widely criticized for the way in which it linked clear enforcement action to the volunteerism of peacekeeping. Boutros-Ghali saw such a capability as justified under the terms of Article 40, which calls for “provisional measures” to bring about compliance with a Security Council directive, and sought to distance any such units from standing or standby forces provided by members under Article 43. But peacekeeping has always been conceived as outside the framework of Chapter VII (and Article 40 is one of the enforcement provisions of that chapter). To staff these proposed units with volunteers who would report to the secretary-general rather than the Military Staff Committee smacks of the peacekeeping tradition. To make them responsible under Chapter VII for

enforcing a cease-fire that has been voluntarily agreed to, however, moves them into collective security's domain and implies turning the violator of the cease-fire into an outlaw.

This conceptual confusion reflects the complexity of the challenges to order in the world. It is not so much that those challenges are more complex than they used to be (although that assumption is the leitmotif in most arguments that now view the Cold War's stability with nostalgia) but that anything beyond the most rudimentary effort to mold a global police power must go beyond simple, if coherent, concepts, too. It is only accurate to depict the world we live in as containing belligerents that on one day have not violated a universal norm but on another day have done so. That is not an impossibly difficult matter for an effective domestic police authority to deal with, for example, in moving from the crowd control of a legal demonstration to coercive arrests of those in the crowd who threaten the public peace. But at this stage in the development of the world social system, it is far more difficult for an international authority to treat. The reason for the difference is the continuing salience of the doctrine of sovereignty. The interpositionary technique of peacekeeping is nonjudgmental and works by assuming the sovereign autonomy of affected subjects; the second technique—enforcement—overrides that sovereignty in the name of enforcing some preeminently important community norm.

These issues go well beyond a consideration of the one I am concerned with here: the obligations states have or have not contracted to respond collectively to an illegal violation of the peace by one of them. To the extent it is possible to consider this narrower question in isolation, the evidence is compelling that collective security has not become a fully institutionalized capability of the UN at the end of the twentieth century.

At regional levels, other changes are discernible since the end of the Cold War. As with the UN, these do not present an unambiguous picture of states' clear acceptance of new obligations in a collective security community. Rather, what has shifted, particularly across the former Eastern and Western blocs, is the composition of the putative community itself and, therefore, of perceived security needs. What used to be intrabloc structures for deterring external enemies (the Warsaw Pact and NATO) are giving way to institutions that, either singly or in combination, are aimed at assisting in peacemaking for states among which violent outbreaks are real or threatened (the OSCE, the European Union, the Commonwealth of Independent States, and a reformed NATO). The Cold War models were alliances first and foremost, although their need to make deterrence credible also required them to attend to strengthening intramember relationships. The post-Cold War model—very imperfectly realized to date—is a regional instrumentality of collective security for the entire world community.

NATO's post-Cold War evolution is most salient if, in some respects, most ambiguous. First came its role as a UN agent after the mandate of the

United Nations Protection Force (UNPROFOR) was extended to Bosnia. The cumbersome chain of command through the UN produced one source of frustration; more visible to the public was the odd sight of NATO's mighty air capability going largely unused in its pinprick retaliations for violations of UN resolutions—behavior mandated by the false logic that enforcement (in the collective security sense) was not the issue. The next chapter began with the Dayton accords of December 1995, when NATO's IFOR replaced the UN operation to police the agreement that was meant to lay the groundwork for peace in Bosnia. Although the new force was given more robust terms of engagement and a mandate that sufficed to prevent a recurrence of hostilities, its robustness only rarely extended to a willingness to pursue and arrest indicted war criminals among the Bosnian Serb leadership. "Enforcement" still was limited, in other words, to helping ensure that an agreement among sovereigns would be implemented and was not extended to a mandate to arrest those who had engaged in illegal acts.⁴⁵

By 1998, NATO was engaged in contingency planning to intervene in the growing conflict between separatist ethnic Albanians in Kosovo and the Yugoslav government. In June, a UN Security Council resolution authorized "all necessary measures," including the use of force, to end the violence in that province. The United States and the European Union imposed sanctions that banned new investment in Yugoslavia and froze Yugoslav assets in the United States and Europe. But when the government of Slobodan Milosevic dispatched more troops to beat back the Kosovo insurgency, the scales were quickly tipped in Belgrade's favor. An October agreement brokered by the United States introduced hundreds of OSCE observers into Kosovo to try to maintain a cease-fire between the Yugoslav army and the insurgent Kosovo Liberation Army. Early in 1999, reported massacres of Kosovars by Serbian soldiers brought NATO to threaten military action against the Milosevic government. Since none of those threatening Milosevic from outside favored independence for Kosovo but sought only a peaceful restoration of its autonomous status within the Yugoslav federation, none seemed willing to intervene in a way that might have furthered Kosovo's secession. NATO continued to assert its police authority in the region, but many remained unconvinced that its members had the will to enforce a peace on its terms.

NATO's post-Cold War identity problems were reflected in the controversy over its admission of new members in 1998. The invitation to the Czech Republic, Hungary, and Poland to join the alliance could be viewed as largely an anti-Russian measure, intended to provide these three former Soviet satellites some guarantees against renewed imperialism from the east. Such perceptions were drawn from NATO's purpose throughout the Cold War. But enlargement could also be seen in the terms under which it was largely sold to relevant publics, as indicative of a new determination

to ensure peaceful change throughout a growing security community (the door was proclaimed open to further additions from the former Soviet bloc, not precluding that of Russia itself). Here one might imagine that—if its conflicts over Kosovo could be resolved—until such time as its members might become so integrated as to have achieved genuinely dependable expectations of peaceful change in their relationships, NATO's chief ordering purpose would be to help enforce collective security in its region.⁴⁶ Such goals suggested a significantly new character for NATO.

Although developments are still rudimentary, a post-Cold War pattern is emerging in which the policing efforts of institutions in the former theaters of the Cold War are increasingly linked to each other and to the UN. The first clear example of this linkage, over the Bosnian conflict in 1991, was far from propitious,⁴⁷ since the seeming deference of one institution to another came to be viewed as an excuse for little effective action by any. But it began an era in which the use of more than one forum for more than one aspect of conflict resolution has now become the norm. From the involvement of the Commonwealth of Independent States in Tajikistan's civil war and in the breakaway effort of Abkhazia from Georgia, to that of the Minsk Group of the OSCE in the Nagorno-Karabakh dispute between Armenia and Azerbaijan, regional bodies have generally enhanced their dispute-settling authority (if not always their effectiveness) by accepting, sometimes requesting, a grant of competence from the Security Council.⁴⁸

Conclusion

Throughout much of this century, collective security has either been tested and found wanting, as much realist writing has asserted, or been practiced so imperfectly as to prove only that nothing short of its full implementation will dispel aggression between states, as more idealist visions have had it. But the most troublesome conclusion is the following: the theory of collective security proposes a legal response to issues that remain fundamentally political. Even if its genuine acceptance and implementation were possible, it does not fit the requirements of world order as we now conceive them. In Lockean terms, collective security poses obligations for states committed to a social contract wherein impartial judges are reliably present. The states themselves, in overwhelming numbers, are meant to become those impartial judges. Yet in matters of security, state actors continue to resist leaving the state of nature in which each may judge its own case, with the promise of self-interested judgments that implies. They have resisted it in spite of solemn commitments to the contrary and in spite of the fact that they have been unable to resist being pulled into a more interconnected, and therefore cohesive, global social system by the end of the century than any they have experienced before.

The contradiction at the heart of collective security is forever present. On the one hand, its obligations upon its subjects are very great: those who participate in such a system must abdicate all right of sovereign choice in determining a delict that will trigger a collective response. On the other hand, it purports to be a theory applicable to international politics, in which political bargaining, not legal obligation, is fundamental, where sovereign equals, not subjects of the law, are expected to try to maximize their competing values within a framework where the protection of one's self-interest is the supreme value. This tension has always been present where international law interfaces with international politics, which is to say, it has been a ubiquitous tension; but it is more salient where collective security is under consideration than anywhere else because of the very Lockean presumptions of the theory.

Several more specific problems flow from this central one. Nothing could be clearer, first, than that states today have no effective obligation to respond automatically to an act of aggression. An "automatic" response assumes the existence of a governmental authority capable of commanding it. Collective security has been given some of the appearance of governmental authority without its substance in the formal provisions of such bodies as the Security Council, which persists in behaving as an intergovernmental forum—since that is what it was created to be—rather than a world government. In those rare moments when the council has hinted at the latter by speaking with one voice and launching collective enforcement action, it has often provoked reactions on the part of others that have quickly spilled back to the council's permanent members themselves, dividing them. Then it may seem that their pooling of sovereignty for purposes of collective enforcement was the real aberration.⁴⁹

A second unresolved difficulty relates to agency and flows from collective security's Lockean dilemma when enforcement action actually can be undertaken. To the extent great power agents of enforcement act in harmony, they are sure to be perceived as a self-interested concert of the status quo. If they are driven by the overwhelming capability of the one remaining superpower, then they are lackeys of its foreign policy interests. And if they should do everything possible to demonstrate that their enforcement action is truly selfless, meant to make principle prevail over realpolitik, then they court trouble from their own publics, who cannot be counted on to bear the expensive, but evidently quixotic, burden of acting as a disinterested police force to the world.

A third Lockean issue is the subjectivity involved in determining the appropriate delict. With the ever clearer outlawing of "aggression" in this century, the world's miscreants have become increasingly adept at behavior that avoids the look of it. Kim Il Sung in 1950 and Saddam Hussein in 1990 were the obvious exceptions over the past half-century, though both soon found apologists and arguments as to why they weren't the guilty

parties after all. Some of what passes for subjectivity too is not so much an inability to know when international peace and security are in jeopardy as a refusal to recognize that condition as such and therefore undertake a coercive commitment that sovereign governments often would rather avoid.

Fourth is the lack of a swift corrective in nonmilitary sanctions, which, put in terms of the Lockean issue, is the need for the kind of coercive capability that comes only with an effective governmental monopoly over the legitimate uses of force. Where economic sanctions have been maintained, their impact in correcting what the world community found unacceptable either has not been provable (Rhodesia and South Africa are cases in point), or they seemingly have punished the wrong targets (for example, Iraqi citizens more than Saddam's government). Fifth, the other side of the sanctions coin is the lack of proportionality likely to follow once force is massively employed in the name of enforcement action against an aggressor. Again, a genuine police power wielded by a truly governmental authority is expected to have a finely graduated coercive capability that permits proportionality, thus ensuring a sense of legitimacy for the police.

A final criticism of collective security is indirectly relevant to the Lockean issue. The sole legal wrong it assumes—aggression between states—is fundamentally at issue in the international state of nature but is only one of other behaviors one would expect to find restricted by a social contract. Twentieth-century experience has shown not only that states are capable of masking their aggressions through subversions, presumed insurgencies, nonmilitary coercion, and the like, but also that much disorder is irrelevant to the restraint and arrest of criminal violators of the peace. The growing perception that we need to treat those engaged in violence (whether classic state actors or not) more evenhandedly than collective security permits makes it too clumsy, sometimes even too dangerous, a doctrine to find a central place in the ordering techniques of today's international system.

These are serious criticisms, certainly. All of them suggest that collective security is fundamentally flawed in its theoretical logic, thus ensuring that the shadow between the idea and the reality will no more shrink or disappear in some golden future than it has over the many decades in which its practice has been promised in this century. But if one is willing to ignore this gap between theory and reality, and to focus instead on the evolution of the relevant historical record, then some modest progress comes into view. Interestingly, this progress reveals the primitivism of collective security's purpose, which in fact is meant to provide only *state* security. It suggests that we have been groping for a more fully blown social contract, where *human* security needs are primary.⁵⁰

First, collective security *has* made aggression illegal, whatever the difficulties in agreeing when aggression has occurred. As a by-product of

doing so, it has helped to clarify what other kinds of large-scale violence need to be brought under control, although not always (or even usually) after first determining that they violate international law. Aggression clearly does so, more clearly now than at the beginning of the century. If some rather too naively once supposed that banning aggression would ban most warfare, this ban nonetheless marks our twentieth-century return to a concern with a *jus ad bellum*. Only when we began to consider questions surrounding the resort to war in terms of universal law, rather than state politics, did we begin to pull the rug of legitimacy from under it. That process does not yet seem very far advanced if one is satisfied only with watertight doctrines ensuring unimpeachably nonviolent behavior in the world. Short of that, might we nonetheless suppose that the ban on aggression is one of the factors that now make it possible—and for the first time in recorded history—to argue seriously that major war itself is obsolescent?⁵¹ Today's concern with just war theory also marks a potential real advance over its place in the premodern system; now it applies to the first truly global system, not just the European one of Christendom as it did earlier. Just war considerations are gaining renewed attention at a time when, as never since the Peace of Westphalia, those with the authority also have the capability to enforce the ban against aggression.

Second, as a result of banning aggression, concern with collective security has advanced the idea of a universal obligation to oppose it. While Westphalian imperatives that favor laissez-faire and neutrality in other sovereigns' wars remain strong, the converse values of collective security in many respects shape the more important norm today. That this obligation now exists would be more dramatic if we were not accustomed to it. What we are accustomed to includes the sense that the collective use of force against an aggressor constitutes a legitimate police power exercised on behalf of international society; that it needs the stamp of multilateral agreement if it is to make good on the police power claim; and that it is increasingly unacceptable for governments to initiate large-scale force to secure their foreign policy objectives. Although the Permanent Five often disagree on what police action the Security Council should take, it is at least as significant that, especially over the past decade, their collective leadership has often been maintained under great centrifugal pressure, making the council's authoritative voice a relatively dependable factor in a number of important policing actions.

Third, the above developments have nurtured a more general sense that a community response is required when *any* substantial outburst of violence—not just aggression by acknowledged governments—threatens world order. Starting in the 1950s, the evolution of what came to be called peacekeeping under the UN amounted to a practical response to real imperatives that, if left unattended, might escalate into conflicts that could threaten much of the planet. Where it worked, peacekeeping was a proportionate,

small-scale response to violence where no outlaws had to be corralled and arrested and where help with a cease-fire and disengagement of forces was acceptable to the combatants and relatively cheap for the peacekeepers themselves. It was an important innovation that added to the policing capabilities of the international community. To be sure, there have been dramatic setbacks in this area more recently. In the post-Cold War era, peacekeeping operations were put in place in situations where they could not possibly work—as in Somalia and Bosnia—largely because those authorizing them were unwilling to expend the greater material and intellectual resources needed to create what could have been more appropriate police arrangements.

As a result, retrenchment has again set in of the sort that has characterized the fits and starts along the way to developing more authoritative international police powers throughout the century. Even so, the post-Cold War world has begun to attend to violent disorder in unprecedented ways, which include making clearer than ever before that individuals linked to illicit violence bear responsibility to the international community for their actions and that, conversely, their victims deserve rescue as well. It is unimaginable that discussions on what has become a large, if amorphous, subject might in the future restrict themselves to “collective security” in the narrow terms in which it is laid out in the League covenant. If we are still a long way from being able to respond dependably with proportionate policing capabilities to every violation of group peace, the trend in that direction is clearly visible over the twentieth century.

Fourth, as collective security values have taken root, the 1990s have brought serious attention for the first time to making regional institutions their effective agents. The UN Charter provided a coherent rationale for such a linkage in its Chapter VIII (the covenant’s comments on the “Monroe Doctrine system” had been far from coherent in linking regional institutions to collective security); throughout the Cold War, however, regional enforcement was less the agent than the alternative to UN action. Now, no aspect of international police capabilities has evolved more swiftly than this, with the Security Council encouraging, in Boutros-Ghali’s words, “a rich variety of complementary efforts.”⁵² The road connecting the global authority to regional agents in a hierarchy of authority has been rocky, too—most notably in the prickly partnership before Dayton of UNPROFOR and NATO in Bosnia. Here, too, developments in practice are a primitive reflection of what the theory demands; but at least developments are visible now, in ways that would have been inconceivable only a few years ago. If the world is to develop more sophisticated police capabilities, it must have at its disposal an array of agents whose obligations and powers are clear, and clearly derived from universal standards.

Finally—and here I push into more speculative territory—we may perhaps discern a thread connecting the authority of collective security in

today's world to the issue of democratizing politics across the globe and so to the question of the so-called democratic peace. The connections, if they exist, are logical. First, collective security's ban on aggression has helped to encourage the view that a state's interests are no longer to be advanced through an effort at conquest but must be obtained more peaceably. Second, as more states have joined the ranks of those democratically governed, they have turned away from conquest as incompatible with the core value of self-government. Third, if it is also true that democratically governed states do not go to war with each other, then enlargement of the society of democratic nations correspondingly shrinks the size and weight of those whose leaders still are tempted to try military conquest to increase their fortunes.⁵³ As the democratic camp grows, the opposition to aggression grows as well, reinforcing the central principle of collective security theory. Each development helps to strengthen the others. This seems to describe how cohesive communities have gradually evolved out of disparate, often distrustful, groups wherever that has occurred in the past or is occurring now. The end result (if there is such a thing in human history) should be a more clearly cohesive worldwide polity than any that has previously existed.

These speculations take us some distance from acknowledging collective security's unreality as a prescription for an institutionalized police power at the world level. That institutionalization is scarcely more visible at the end of the twentieth century than it was eighty years ago, thanks mainly to the theory's presumption that a social contract among states exists, whereas that is exactly what is in doubt. Ironically, however, the doctrine's presence has helped to keep the idea of a global social contract in view. That presence has now spun off alternative police practices to the point that the groundwork may have been laid for capabilities that will render Westphalian imperatives increasingly obsolete during the twenty-first century. ☉

Notes

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1. Woodrow Wilson, address to the U.S. Senate, 22 January 1917. *The Papers of Woodrow Wilson*, vol. 40, ed. Arthur S. Link (Princeton: Princeton University Press, 1982), p. 536.

2. Marina S. Finkelstein and Lawrence S. Finkelstein, eds., *Collective Security* (San Francisco: Chandler Publishing, 1966), p. 2 (emphasis added).

3. This point was frequently made during the Cold War in reference to the deliberate mislabeling of NATO, especially, as a collective security arrangement. See, for example, Inis L. Claude, Jr., *Power and International Relations* (New York: Random House, 1962), pp. 115–123. The Finkelsteins reminded us that

confusion stems from the fact "that an organization may serve both as a collective security system and as a collective defense system, as is the case with the Organization of American States" (pp. 2-3).

4. Article 39 introduces Chapter VII by authorizing the Security Council to "determine" the existence of a threat to or breach of the peace, or an act of aggression, and to "make recommendations" or "decide" what measures should follow. Pure collective security, with its assumption of a virtually automatic response to an illegal act of aggression, is thus embedded in an inherently politically based capability granted the council.

5. F. P. Walters, *A History of the League of Nations* (Oxford: Oxford University Press, 1960), pp. 656-688.

6. Not that the Eurocentricity of the League was only an accident of its lack of universality. It was, after all, only one step removed from the nineteenth-century Concert of Europe, wherein world order was viewed exclusively through the prism of the interests of European great powers.

7. "Nothing in this Covenant shall be deemed to affect the validity of international engagements, such as . . . regional understandings like the Monroe Doctrine, for securing the maintenance of peace" (Article 21). See Gary B. Ostrower, *The League of Nations: From 1919 to 1929* (Garden City Park, N. Y.: Avery Publishing Group, 1996), p. 17; Walters, *A History of the League of Nations*, p. 56.

8. In the drafting committee, Léon Bourgeois of France objected to Article 21, fearing "that the introduction of the Monroe Doctrine might prevent action by non-American Members of the League on the American continent and, still more, might give the United States a ground for declining to intervene on the European continent, even for the purpose of carrying out the Covenant." Walters, *A History of the League of Nations*.

9. Article 16(1) of the covenant states that principle most clearly: "Should any Member of the League resort to war in disregard of its covenants . . . it shall *ipso facto* be deemed to have committed an act of war against all other Members."

10. Ostrower, *The League of Nations*, p. 17.

11. Except when the Soviet boycott of the council, in June 1950, made possible the Security Council decision that initiated the U.S./UN operation in Korea.

12. The collective security orientation, though limited to peaceful settlement, is clear in Article 2: "The . . . Parties undertake to submit every controversy which may arise between them to methods of peaceful settlement and to endeavor to settle any such controversy among themselves by means of the procedures in force in the Inter-American System before referring it to the General Assembly or the Security Council." But the collective defense purpose, using the language of collective security, is apparent in Article 3(1): "The . . . Parties agree that an armed attack against an American State shall be considered as an attack against all the American States and, consequently, each one of the said Contracting Parties undertakes to assist in meeting the attack in the exercise of the inherent right of individual or collective self-defense recognized by Article 51 of the charter of the UN."

13. See Inis L. Claude, "The OAS, the UN, and the United States," *International Conciliation*, no. 547 (March 1964); Andrzej Korbonski, "The Warsaw Pact," *International Conciliation*, no. 573 (May 1969); Lynn H. Miller, "The Prospects for Order Through Regional Security," in Richard A. Falk and Cyril E. Black, eds., *The Future of the International Legal Order*, vol. 1: *Trends and Patterns* (Princeton: Princeton University Press, 1969), chap. 10, pp. 556-594; Edward T. Rowe, "The United States, the United Nations, and the Cold War," *International Organization* 25, no. 1 (winter 1971): 59-78.

14. For the foreign ministers' action in 1962, see *International Organization* 16, no. 3 (summer 1962): 654–655. See also Claude, "The OAS, the UN, and the United States."

15. Article 15 spells out these powers for the council. Its paragraph 9 then specifies that "the Council may in any case under this Article refer the dispute to the Assembly." In that event (par. 10), "all the provisions of this Article . . . relating to the action and powers of the Council shall apply to the action and powers of the Assembly."

16. Walters, *A History of the League of Nations*, pp. 667–673.

17. UNCIO Documents, XI, p. 474.

18. Ingvar Carlsson, "The U.N. at 50: A Time to Reform," *Foreign Policy* 100 (fall 1995): 6.

19. Leland M. Goodrich, *Korea: A Study of U.S. Policy in the United Nations* (New York: Council on Foreign Relations, 1956); Andrew Martin, *Collective Security: A Progress Report* (Paris: UNESCO, 1952); Arnold Wolfers, "Collective Security and the War in Korea," *Yale Review* 43, no. 4 (June 1954).

20. That resolution established the UN Commission for the Unification and Rehabilitation of Korea (UNCURK), whereby seven states were charged with establishing a unified, democratic, and independent government of all of Korea. General Assembly Resolution 377A, fifth session, 3 November 1950.

21. UN General Assembly, Resolution 377A, fifth session, 3 November 1950.

22. See Goodrich, *Korea*; Thomas G. Weiss, David Forsythe, and Roger A. Coate, *The United Nations and Changing World Politics* (Boulder: Westview, 1994), pp. 43–45.

23. Brian Urquhart, "Learning from the Gulf," *New York Review*, 7 March 1991, p. 34.

24. *Ibid.*, p. 35.

25. The "nearly" acknowledges that collective economic and diplomatic sanctions were occasionally instituted in the interval—for example, against Rhodesia, following the unilateral declaration of independence by its white minority government in 1965 and in increments against the Nationalist government of South Africa in the 1970s and 1980s—but these did not involve the use of military force.

26. In the covenant, Article 16 provides for no League machinery to raise a military force against a covenant-breaking state. The council is required only to *recommend* "what effective military, naval or air force the Members . . . shall severally contribute to the armed force to be used to protect the covenants of the League" (par. 2). The other three paragraphs of Article 16 are entirely concerned with nonmilitary sanctions and such essentially noncoercive steps as expelling a covenant-breaker from League membership. In the charter, Articles 42–47 of Chapter VII specify conditions under which the Security Council may authorize the use of force and describe the military authority that is to be created as the instrument of the council.

27. UN Doc. S/23500, 115. The resolution did not use the term *collective security*, however, in asking the secretary-general for an "analysis and recommendations on ways of strengthening and making more efficient . . . the capacity of the United Nations for preventive diplomacy, for peace-making and for peace-keeping."

28. Boutros Boutros-Ghali, *An Agenda for Peace* (New York: United Nations, 1992), par. 43.

29. "Secretary-General's *Agenda for Peace* Raises Important Issues for the UN," *Newsletter of the American Society of International Law*, August–September, 1992, p. 4.

30. This process was authorized under UN Doc. S/24728 (1992).
31. M.-Christiane Bourloyannis-Vrailas, "International Organizations Newsletter," *American Society of International Law* 1 (1994): 7. See for example, UN General Assembly, Res. 47/120 B, part V.
32. Boutros-Ghali, *An Agenda for Peace*, par. 43.
33. Discussions in the Military Staff Committee during the early years did entail some ambitious proposals for a standing force, particularly from the United States. That constituted a shift from the view at the San Francisco conference that forces placed at the disposal of the Security Council would be comparatively small. The U.S. shift came after the onset of the Cold War and the growing sense in Washington that it might be possible to use the UN to mount a coercive operation even against the Soviet Union, in spite of its right of veto. See Claude, *Power and International Relations*, pp. 179–181.
34. Anthony Lewis, "U.N. Survey Calls Iraq's War Damage Near-Apocalyptic," *New York Times*, 22 March 1991, p. A1.
35. Burns H. Weston, "Security Council Resolution 678 and Persian Gulf Decision Making: Precarious Legitimacy," *American Journal of International Law* 85, no. 3 (July 1991): 516–535.
36. Weiss, Forsythe, and Coate, *The United Nations and Changing World Politics*, pp. 56–58.
37. UN Doc. S/Res/713, 25 September 1991. The Yugoslav government itself entered the debate by asking the council to pass the resolution.
38. UN Doc. S/Res/757, 30 May 1992. See also James Gow, *Triumph of the Lack of Will: International Diplomacy and the Yugoslav War* (New York: Columbia University Press, 1997).
39. Weiss, Forsythe, and Coate, *The United Nations and Changing World Politics*, p. 73.
40. *Ibid.*, p. 74.
41. From the time the covenant was completed, it was understood that League members did not automatically enter a state of war with a covenant-breaking state under Article 16. That would have raised a constitutional issue for the United States, since only Congress has the right to declare a state of war. Therefore, as Walters put it, "the Covenant-breaking State was regarded as having committed an act of war against other Members, and the latter could then declare the existence of a state of war, or not, as they chose" (p. 53). See also his discussion of various moves to thwart any notion of automatic obligations to join a collective security effort during the League's early years (pp. 70–71, 258–259).
42. U.S. Senate Joint Resolution 65, the U.N. Peacekeeping Force Commission Act of 1993.
43. U.S. House Resolution 7, the *National Security Revitalization Act*; U.S. Senate Resolution 5, the *Peace Powers Act*. Neither bill became law, although House Resolution 7 was passed by the U.S. House of Representatives in February 1995.
44. Boutros-Ghali, *An Agenda for Peace*, par. 44.
45. By mid-1998, President Clinton had twice revoked earlier pledges to remove U.S. troops from Bosnia by specific dates, since to do so likely would have led to renewed fighting. As a result of Clinton's action, an angry Congress still refused to authorize the \$1.9 billion needed to keep U.S. troops in Bosnia through fiscal 1999.
46. Having "dependable expectations of peaceful change" is the chief mark of the existence of a pluralistic security-community, in terms of the integrationist studies of Karl Deutsch and his associates. See Deutsch et al., *Political Community*

and the North Atlantic Area (Princeton: Princeton University Press, 1957); Peter J. Fromuth, "The Making of a Security-Community: The United Nations After the Cold War," *Journal of International Affairs* 46, no. 2: 344ff.

47. UN Doc. S/Res/713, 25 September 1991, expressed a UN role in Bosnia in "full support" of the "collective efforts for peace and dialogue in Yugoslavia" undertaken by the European Community (now the European Union) and "with the support of . . . the Conference on Cooperation and Security in Europe" (today's OSCE), of which Yugoslavia was a member. That resolution also imposed a mandatory arms embargo on all parties to the Bosnian conflict. Its preambular section cited Chapter VIII of the charter, which specifies the expected line of cooperation between the UN and regional organizations.

48. See Susan L. Clark, "Russia in a Peacekeeping Role," in Leon Aron and Kenneth M. Jensen, eds., *The Emergence of Russian Foreign Policy* (Washington, D.C.: U. S. Institute of Peace Press, 1994), pp. 119–150.

49. A clear example came during President Clinton's first term, when, under pressure from Congressional critics, he quickly backed away from the "assertive multilateralism" that had been a theme of his first year in office. See, for example, Alison Mitchell, "Clinton's Pre-emptive Strike," *New York Times*, 24 September 1996, p. A8.

50. See, for example, Kofi Annan, "The Quiet Revolution," *Global Governance* 4, no. 2 (Apr.–June 1998): 138.

51. John Mueller, *Retreat from Doomsday: The Obsolescence of Major War* (New York: Basic Books, 1989), is perhaps the most influential proponent of this argument. See also Carl Kaysen, "Is War Obsolete? A Review Essay," *International Security* 14 (spring 1990): 42–64.

52. Boutros-Ghali, *An Agenda for Peace*, par. 62. The *Agenda* devotes one entire chapter (7) to the issue of "cooperation with regional arrangements and organizations."

53. The literature on the democratic peace has grown apace with the democratization of once-authoritarian states. A selection from the 1990s includes Michael E. Brown, Sean M. Lynn-Jones, and Steven E. Miller, *Debating the Democratic Peace* (Cambridge: MIT Press, 1996); J. D. Hagan, "Domestic Political Systems and War Proneness," *Mershon International Studies Review* 38 (1994): 183–207; David Held, "Democracy, the Nation-State, and the Global System," *Economy and Society* 20 (1991): 138–172; Wade L. Huntley, "Kant's Third Image: Systemic Sources of the Liberal Peace," *International Studies Quarterly* 40, no. 1 (March 1996): 45–73; D. Lake, "Powerful Pacifists: Democratic States and War," *American Political Science Review* 86 (1992): 24–37; Bruce Russett, *Grasping the Democratic Peace* (Princeton: Princeton University Press, 1993).